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Folk Song From Utta Pradesh

“Oh, God, I beg of you,  
I touch your feet time and again,  
Next birth don't give me a daughter,  
Give me Hell instead...”  
(Jain 2006:1)

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## i. Abstract

Despite the fact that more than 50 million women and girls are demographically missing in India, a number that is steadily rising, the real causes of Femicide still remain unclear (Banerji 2009:n.p.). Limited empirical research and low awareness of its implications are hampering the establishment of corrective policy and normative frameworks at the national level and their translation to palliative behaviors and customs in the social context.

Indian Femicide is an old, complex and controversial phenomenon involving a myriad of interrelated factors, with a definition difficult to narrow down. The word is used as an umbrella term, whereby gender- biased- sex selective feticide (short: female feticide) can be seen as one category. Social research findings suggest that female feticide is one of the major causes for the declining number of women in India.

The main endeavor of this thesis is to analyze the different plausible causes for this ongoing practice. A research methodology involving three main dimensions (economic, social and legal) has been suggested, attempting to capture the different elements along a structured course of study. The recognized factors can be interpreted as being the main causes of female feticide. These driving factors have been analyzed based on primary sources and completed, contrasted and enriched through secondary literature related to the issue as well as through expert interviews with individuals working in a hands-on capacity, within India, related to the topic at stake.

The results of both methods are based on a review of historical events, developmental economics and sociological patterns. The research indicates a strong overlap between economic and social dimensions, frequently realizing female feticide's social origin translated into an economic reason for the perpetration of such killing. Further, the legal component has been identified as a paralyzed system. Theoretically, a good foundation of laws and regulation does exist, but almost none are practically implemented.



## ii. Zusammenfassung

Angesichts der Tatsache, dass in Indien über 50 Millionen Frauen und Mädchen demografisch vermisst werden, bleiben die genauen Ursachen für diesen Femizid ungeklärt (Banerji 2009:n.p.). Die bisher geringe wissenschaftliche Auseinandersetzung mit dem Thema sowie die marginale Wahrnehmung von Staat und Bevölkerung verhindern funktionierende Gesetze und Rahmenbedingungen, welche sich positiv im Kampf gegen Femizid auf die gesellschaftlichen Normen auswirken könnten.

Der indische Femizid ist ein altes, komplexes und kontroverses Phänomen, welches von unzähligen unterschiedlichen Faktoren und Definitionen geprägt ist. Femizid ist ein Überbegriff, wobei weiblicher Fötizid als eine Kategorie dessen gesehen werden kann. Der weibliche Fötizid ist vor allem im indischen Kontext wichtig, da er als einen der Hauptgründe für Indiens Femizid gesehen werden kann.

Aus diesem Grund ist es ein Hauptanliegen dieser Arbeit, die verschiedenen Ursachen des fortlaufenden weiblichen Fötizids in Indien zu erörtern. Dabei wurden dabei drei Dimensionen (ökonomisch, sozial, legal) herausgefiltert, welche als Hauptgründe des weiblichen Fötizids identifiziert werden konnten. Mit Hilfe einer theoretischen und einer empirischen Methode konnten die drei Dimensionen und ihre verschiedenen Faktoren ausgiebig untersucht werden.

Aufgrund der theoretischen Methoden, konnte Primär- und Sekundärliteratur ausgewählt und analysiert werden. Mit Hilfe der empirischen Methoden wurden problemzentrierte Experteninterviews nach Mayring, in New Dehli, Bhiwani und Kolkatta, Indien, durchgeführt. Die beiden Methoden hatten vorrangig die drei Dimensionen und deren Implikationen fokussiert. Aufgrund dessen konnten sich die Ergebnisse beider Methoden ergänzen.

Es konnte festgestellt werden, dass die Beweggründe des weiblichen Fötizids tief in der indischen Geschichte sowie des gesamten ökonomisch-sozialen Systems verankert sind. Darüberhinaus verstärkt die paralysierte Judikative eine Verschlimmerung des weiblichen Fötizids.

### iii. Abbreviations /Acronyms

ACUNS	Academic Council on the United Nations
CCPCJ	UN Crime Prevention and Criminal Justice Commission
CEO	Chief Executive Officer
CIA	Central Intelligence Agency
IST	Indian Standard Time
I	Interviewer
InterCambios	Inter-American Alliance for the Prevention of gender based Violence
MRC	Medical Research Council of South Africa
NGO	Non Government Organizations
PATH	Program for Appropriate Technology in Health
PNDT	The Prenatal Diagnostic Techniques
PCPNDT	Pre-Conception and Pre-natal Diagnostic Techniques Act
R	Respondent
TB	Tuberculosis
UN	United Nations
UNDESA	United Nations Department of Economic and Social Affairs
UNECOSOC	United Nations Economical and Social Council
UNFPA	United Nations Population Fund
UN WOMEN	United Nations Women
USA	United States of America
USAID	United States Agency for International Development
VAW	Violence Against Women
WHO	World Health Organization
n.p.	no page

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## I Theoretical Part

### 1. Introduction

#### 1.1. Overall Objective and Justification of Thesis

Michelle Bachelet, former Executive Director of UN Women and new presidential candidate in Chile: “Femicide is the most extreme manifestation of violence against women and is a gross human rights violation” (Bachelet 2013:6).

Michelle Bachelet, former Executive Director of United Nations Women and new presidential candidate in Chile (2013), summarizes the term femicide, as listed above, and it is about time that such an issue received such focused attention. The relevance of the topic is rising, but gaining momentum in the form of acknowledgment has been slow. Femicide affects all and needs to achieve more awareness and consideration as a serious subject.

Femicide, for those familiar with the term, causes most to recall the cruel and inhuman *New Delhi Gang Rape Incident* in 2012 of a young female student. In reality and without devaluing the horror of this incident, violence against women of this kind - certainly with lethal consequences - happens in India with shocking relevance. No amount of in depth research is needed to realize how serious femicide in India has become. By only reading any Indian or even international newspaper, the severity of the problem is clear; yet it deserves to be highlighted by a more holistic approach, by those scholars dealing with the topic.

Already in the 1990s, Amartya Sen published his essay titled *More than 100 Million Women are Missing*. Sen tried to show that the frequent assumption that women outnumber men is not true. It is usually true for so-called western countries, but not for South Africa, South Asia and China (Sen 1990:n.p.). However, Sen’s paper back in the 1990s did not mention the practice of gender biased sex selection, also known as feticide. According to new calculations, the current situation is much worse. The French demographer, Christophe Z. Guilmoto, conducted research titled *Characteristics of Sex Ratio Trends in India, and Future Scenarios* and determined that more than 163 million women are demographically missing (Hvistendahl 2013:28; Guilmoto 2007a:1). Mara Hvistendahl explains that female feticide happens through sex selective abortion methods conducted by “modern science” that is “being abused by patriarchal, misogynistic cultures” (Douthat 2011:n.p.).

Nevertheless, a general unawareness and unrecognized great dimension of femicide remains. Therefore, it has been decided to devote this thesis to the topic of femicide and more specifically gender biased sex selective feticide<sup>1</sup> in India.

## 1.2. Research Question

As femicide itself has many variations and different categorizations, the first step has been to narrow the research field. Therefore, it has been decided to limit the research to female feticide. Female feticide has been defined as a category of femicide. Therefore and as a good accession, the concept of Femicide and its international approach is outlined.

Research on female feticide in India has led to an analysis of economic, social and legal spheres, which will be referred to as dimensions.

The following research question has been developed:

‘To what extent can economic, social and legal dimensions explain causes of gender biased sex selective feticide across India’?

The objective is to determine what may be a leading cause of femicide on female fetuses. Hence, what causes female feticide? Since this question would require a much deeper analysis and data, correlations between economic, social and legal parameters will be identified. Even if this study is not able to scientifically attribute causality (in example:  $a+b+c$  cause and effect on  $d$ ) between the dimensions (economic, social and legal) and femicide on female fetuses, it will be able to show correlations.

### 1.2.1. Limitation of Study

The conclusion of the study is the result of the analysis of accessible data, the combination of official and estimated data, six expert interviews and two meetings. This field of study is still recent and data remains to be scarce and must be handled with care.

This study aims at defining the causes promoting femicide, by looking at the specific case of India. The conclusions drawn therefore rely on the Indian economic, social, and legal realities. The conclusions and recommendations of this study should therefore not be directly applied elsewhere without taking into account the different

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<sup>1</sup> Due to simplicity, the term female feticide will be mainly used while talking about gender biased sex selective feticide.

<sup>2</sup> It was not possible to find out who was exactly meant by “Indian feminist“. Russell also

characteristics of the different environments. It should not be granted such broad application because while a factor affects femicide in India, this same factor does not necessarily provoke the same effect in another region or country.

It should also be noted that femicide is a complex phenomenon involving a multitude of different elements of social sciences, like sociology, economics, politics or development; which implies a difficult parameterization and modeling of actors' behavior (some acting irrationally), ultimately indicating that all deduction has to be taken cautiously.

### 1.2.2. Main Assumptions

It is assumed that each expert has been truthful in the conducted interviews.

It is also assumed that the cause for femicide can be explained as a mix of economic, social and legal dimensions.

Finally, the study assumes a certain degree of rationality and truthfulness of the actors involved in the research process.

### 1.3. Structure of Thesis

This thesis is divided into three parts: a theoretical part, an empirical part and a concluding part.

The theoretical part covers chapter one to four. The second chapter deals with femicide in that it identifies common concepts and definitions related to femicide and draws a crucial link to its various categories, such as female feticide. Further, it contains a collection of data on primary and secondary sources of scientific research, reports, documents of conferences, panels and symposiums. For a more global approach, data has been divided into international consideration of femicide. The third chapter serves as a theoretical foundation for female feticide. There are no exact theories on femicide or its factors. Therefore, a plethora of various theories, which can be related to the issue, have been consulted. The first theory examined will be the *The Gendered Continuum of Violence*, a gendered framework by Moser. Secondly, the *Theory of Patriarchy* has been chosen. The third theory is Malthus's *Essay of the Principal on Population*, which is supplemented by the last introduced theoretical approach by Guilmoto, *The Imbalanced Sex Ratio in Asia*.

Since the geographical focal point of this thesis is India, the fourth chapter is devoted to femicide in India. It contains Indian relevant categorizations of femicide and has an

in-depth analysis of female feticide. Initially, the changing sex ratio of India shall be introduced as one instrument for measuring ongoing female feticide in India. Further, the economic, social and legal dimension and its various factors of female feticide will be discussed by consulting the most important scholars working on the issue. For a broader understanding of the complexity, the other categories of femicide in India will be shortly explained. Hence, the main focus is drawn onto female feticide in India.

The empirical part of this thesis covers chapter five. The fifth chapter deals with the qualitative method of problem-centered interviews. Initially, how contact with the interviewees was established will be described, how the data was collected and how the process of transcription was conducted will also be explained. Further, the data was evaluated by a qualitative analysis of the content, referring to Mayring. This was done while using the structuring method; hence, data was used selectively with regard to the research question and the purpose of this thesis. This qualitative method implied local research. Therefore, the authoress of this thesis traveled to India to conduct problem-centered interviews in New Delhi, Bhiwani and Kolkatta.

The third part of this thesis, chapter six, will discuss the findings and results of the collected material. This chapter will screen the research questions while answering such inquiries with the identified results. In addition the introduced theories and their closest relevance to female feticide in India will be discussed. At last an outcome will be presented.

All transliterated interviews have been attached in the annexes. Due to personal request one meeting summary will not be in the annex, but might be accessible by contacting the authoress personally.

## **2. The Concept of Femicide**

“The humiliation, harassment, torture, and exploitation of women are as old as the history of family life” (Kumar 2008:89).

### **2.1. Literature Review on Femicide**

It first has to be highlighted that the main focus of this thesis is female feticide. In order to outline the concept of femicide, the authoress has decided to define female feticide as a category of femicide. The concept of femicide gives a crucial and needed understanding and access to the issue. Further, femicide shall also be highlighted in its global process, historic circumstance and current research status.



As there is no official accepted theory of femicide or its categories, this chapter will give an overview of existing approaches. The term is defined and interpreted differently by various authors and researchers. Also, the term itself can be a source of problems, since different terms are used to identify the same problem, leading to confusion.

Femicide is very complex and data is scarce. Researchers are using different definitions, which are leading to different methodologies, and therefore to different interpretations of data. "...A range of methodologies have been used in different contexts to collect data on femicide, including population-based studies; analysis of service records; homicide, police, hospital, court, and mortuary statistics; domestic fatality reviews; verbal autopsies; and review of newspaper articles". Each way of collecting data has positive and negative aspects, which of course depends on the context and geographical area in which the research is conducted (PATH 2008:2).

Furthermore, since the topic is quite young in its scientific history, data and sources have to be handled with awareness and sensitivity.

#### 2.1.1. Approaches on Femicide

Talking about the term femicide brings us initially to Diana E.H. Russell and her various publications. Russell is an important figure when it comes to Violence Against Women (VAW) in general. Historical references, definitions and concepts, which she and her colleagues have established, have been used by nearly every researcher working on the topic. The book *Femicide in Global Perspective*, which is written by Russell and Roberta A. Harmes, offers definitions of femicide and related concepts.

Russell found that the term femicide has been in usage for nearly two centuries. This fact will sound quite surprising to most people, since many have not yet heard the term. She states that the book, *A Satirical View of London at the Commencement of the Nineteenth Century*, by John Corry, used the term in 1801 to indicate *The killing of woman*. The term was next used in 1827 in the work: *The Confessions of an Unexecuted Femicide* by the author William MacNish. The first dictionary to explain the term was *Whartons Law Lexicon* in 1848, stating that femicide is a "prosecutable offense" (Russell; Harmes 2001:13). However, in the 20<sup>th</sup> century, the term was first used by Carol Orlock (Russell; Harmes 2001:23).

The first definition of the concept of femicide by Russell and her colleague Jane Caputi was published in 1990: "The killing of woman by men motivated by hate,

contempt, pleasure or the assumption of ownership of woman” (Russell; Harnes 2001:14). Russell and Jill Radford extended the term Femicide as “the misogynist killing of women by men” in their book *Femicide. The Politics about Killing Woman* (Radford; Russell 1992:xi). Later, the term was broadened by Russell and Harnes to “*the killing of females because they are females*” [emphasis added] and they also extended the term femicide in applying it “to *all forms of sexist killing*” [emphasis added] (Russell; Harnes 2001:13;14). Here, they set femicide in the “context of unequal gender relations and the notion of male power and domination of women” (PATH, 2008:7). Furthermore, Russell substituted the term women with females, to clarify that not only woman are killed, but also female fetuses, babies and girls (Russell; Harnes 2001:13;14). This aspect is very important when talking about femicide in India and therefore crucial for this thesis.

Russell found other definitions of femicide by different researchers, such as Desmond Ellis and Walter DeKeseredy. Both distinguish between “intentional killings of males (homicide) and intentional killings of females by males (femicides)” and they state that this is how femicide is mostly defined in North America (Russell; Harnes 2001: 14). This definition agrees with Russell when saying the term ‘intentional’ is problematic. She claims that ‘non- intentional’ killings of women can still be considered as femicide. For instance, a situation where a perpetrator is abusing a woman without the intention to kill, but the victim still dies as a result of the abuse. Jaquelyn Campbell and Carol Runyan define femicide “as all killings of women regardless of motive or perpetrator status” (Russell; Harnes 2001: 14). According to Russell, it is important to differentiate whether a female is killed because she is a female or, for example, by accident in an armed robbery. The *simple* killing of a female cannot be defined as femicide. Russell’s definition presents a political component in that it states the following: “because they are woman” (Russell; Harnes 2001: 14).

Definitions of the term femicide are changing, becoming more neutral and wider, as there are many different types. Femicide is happening to females simply because they are females, but these victims do not have to be necessarily executed by males. They are types of femicide perpetrated by woman, where gender inequality and power structures play a role. Russell refers to Ellis and DeKeseredy, who determined that feminism in India defines femicide as “the intentional killing of females by men

and of females by other females in the interest of men” (Russell; Harmes 2001: 16)<sup>2</sup>. This example shows that the term has to be adapted to the context of different countries. The term is not static and will likely change in the future. However, it is very important to stress the fact that such killings, committed by any gender, are done in the interest of men. This fact is as well crucial in consideration of this thesis. In direct relation to India, R. Banerji’s approach on the issue shall be given focus. She sees gender related killings as genocide and refers to the adopted resolution 260 by the United Nations General Assembly in 1948: *The Convention on the Prevention and Punishment of the Crime of Genocide*. Banerji states that the prevention of birth of a group is genocide according to the UN resolution 260 (Interview 6, Banerji, Part1: #00:11:53-5#; United Nations General Assembly 1948:n.p.). This is directly related to female feticide in that a group, in this case, females, are being prevented from being born. Only considering the past three generations, it can be estimated that 50 million fetuses, girls and women, are demographically missing in India, according to Banerji. She claims the number of victims surpasses any other genocide that has occurred, but it is the only genocide, which has not been recognized as such. (Interview 6, Banerji, Part 7: #00:01:32-1#). If women are considered as a group, female feticide and infanticide covers four out of the five criteria set in the Genocide Convention: “(a) killing members of the group (b) causing serious bodily harm to members of the group (c) deliberately inflicting conditions of the life on the group that are calculated to bring about its physical destruction (d) imposing measure intended to prevent births within the group”. The fifth criteria would be to forcibly transform children of one group into another, which would not apply in this case (Jain 2006: 80; UN General Assembly 1948:n.p.). However, there are many different terms defining, more or less, the same action, such as women-slaughter, female homicide, misogynist killing of woman or gendercide (which refers to any gender), but these terms are presently obsolete. International Organizations, such as the United Nations, mostly refer to gender-motivated killings when talking about femicide. The 2012 *Report of the Special Rapporteur on Violence Against Woman its Causes and Consequences*, by Rashida Manjoo, outlines that the term femicide received more relevance during feminist movements in the 1970s and the term was introduced “as an alternative to the

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<sup>2</sup> It was not possible to find out who was exactly meant by “Indian feminist”. Russell also claims that the definition of Ellis and DeKeseredy is inaccurate, and it has not been possible to verify (Russell, Harmes 2001:16).

gender neutral term homicide in order to recognize the discriminative, oppressive, unequal, and systematic violence against women, which at its extreme end culminated in death” (UN General Assembly, A/HRC/20/16/Add.4, 2012:4). Still, the term itself is barely used by the United Nations. As stated above, it mostly refers to gender related killings.

Manjoo, in her report, also states the difference between femicide and *feminicidio*. She explains that femicide has been translated from the Spanish term *feminicidio*, which has been mainly used by Mexican feminists. Manjoo describes that the discussion on terms, their differences or which expression should be considered more accurate, has ebbed away. In general, both terms are used, whereas *feminicidio* is mainly used in Latin America. The usage of each of the terms depends basically “on the country, the context, the campaign or the lobbying target” (UN General Assembly, A/HRC/20/16/Add.4, 2012:7).

Opponents of the term or concept of femicide argue that there are still more males than females killed worldwide. Hence, it is important to note that this is a fact. It shall not be claimed that more women are killed than men. It has to be acknowledged that more men are murdered, but not for the fact that they are men. In most of these cases, the gender of the victim is not of importance. Even those cases where women kill men are mostly done in self-defense and not because of the gender (Radford; Russell 1992:10).

### 2.1.2. Categories of Femicide

As mentioned before, there are several types of femicide, which have been identified so far. Russell has identified many different types of femicide, but adds that those are not discrete categories since there are cases, which fall into more than one category. Still, she categorizes femicide into the following: “intimate partner femicide, dowry femicide, female- on- female murderer, serial femicide, rape femicide, racist femicide, wife femicide, acquaintance femicide, lover femicide, date femicide, prostituted femicide, drug- related femicide, “honor” [emphasis added] femicide, lesbophobic femicide, child sexual abuse-related femicide and mass femicide” (Russell; Harnes 2001:13;18). In addition, the publication by the Academic Council on the United Nations (ACUNS) *Femicide. A Global issue that Demands Action*, also identified “organized crime related femicide, targeted killing of women at war ... gender-based

sex-selective foeticide, genital mutilation related femicide and the killing of women due to the accusation of witchcraft/sorcery” (ACUNS 2013:2).

The different types will not be explained in detail, since emphasis shall be placed on those categories, which are mainly important in the context of India. Such categories will be explained in chapter 4.

## 2.2. International Considerations

Considerations of human rights, which give women a special role, have a long historical path. *The Universal Declaration of Human Rights* enacted in 1948 says the following in its first preamble: “All human beings are born free and equal in dignity and rights” and furthermore also constitutes the same right for women and men. It specially states that no one shall be discriminated against because of her or his sex” (United Nations 1948: 2).

Jain calls female feticide a “crime against humanity” and refers directly to the *Human Rights Declaration*. He claims that “Article’s 1,2,3,7,16 (3), 22 and 25(2) are specifically relevant to the purpose...” (Jain 2006: 80). Hence, this can be expanded to any kind of femicide. Further, India has signed the *United Nations Convention on the Right of the Child* in 1989 as well as the *Convention of the Elimination of All Forms of Discrimination Against Women* in 1979 (Jain 2006:68).

The international community has been engaged in fighting for the equal treatment of women and men in all forms. In 1993, the *Vienna Declaration and Programme for Action* was adopted by the Conference of Human Rights. The Declaration states, among others, that all forms of unequal treatment due to sex priorities should be eliminated. It states that all kinds of gender related violence need to stop. It also says that human rights, which address women, have to be promoted and strengthened (UN-a 1993:n.p.).

In the same year, the assembly resolution 48/104 on *Declaration on the Elimination of Violence Against Women* was passed. This declaration stated that “‘violence against women’ [emphasis added] means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life and has to be eliminated” (UN-b 1993:n.p.).

Furthermore, the *Beijing Declaration and Platform for Action* in 1995 was adopted at the Fourth World Conference on Women in Beijing and "... identifies violence against women as an obstacle to the achievement of the objectives of equality, development and peace..." (UNECOSOC 2013:n.p.).

This list could go on and on. There exist many documents, plans, agendas and resolutions, including best strategies and practices, for combatting violence against women. Yet, the term femicide barely appears in international documents. It is only very recently that the question of femicide has managed to attract the interest of the international community. As a result, several attempts to raise awareness and to put in place concrete practical actions are underway. The first UN document, written by Manjoo, which focused on gender motivated killings, was the 2012 *Report of the Special Rapporteur on Violence Against Woman its Causes and Consequences* to the Human Rights Council (United Nations General Assembly, A/HRC/20/16/Add.4, 2012:3). This report stressed the factor that the killing of women is not a new form of violence against women, but the extreme manifestation of it. It gives approaches to defining the term, referring to Russel, Caputi, Radford and Harmes. The report does use the word femicide, although it also refers to gender related killings, which is more in the sense of the UN due to disagreements between member states (ACUNS- Side Event at the 22<sup>nd</sup> Session of the CCPCJ 2013:n.p.). Manjoo states in her report that "femicide/feminicide is a state crime tolerated by public institutions and officials, due to the inability to prevent, protect and guarantee the lives of women, who have consequently experienced multiple forms of discrimination and violence throughout their lifetime" (United Nations General Assembly, A/HRC/20/16/Add.4, 2012:7).

Furthermore, there has been great engagement by the ACUNS Vienna Liaison Office in fighting femicide and its high level of impunity. ACUNS's efforts started with a side-event and an expert group meeting at the 21<sup>st</sup> session of UN Crime Prevention and Criminal Justice Commission (CCPCJ) in April 2012. The outcome of these events was a draft resolution on fighting impunity against femicide. The ACUNS Vienna liaison team took it upon themselves to lobby with UN Members States and encourage the involvement of experts from the UN Office on Drugs and Crime (UNODC), the Office of the High Commissioner on Human Rights (OHCHR), UN Women, academia and fellow NGOs. One of their most notable efforts was the organization of a symposium on femicide on the occasion of the *International Day for the Elimination of Violence against Women* (26 November 2012). High-level

personalities participated in the symposium. Michelle Bachelet, then Executive Director of UN Women, opened the symposium via a video message. Civil society experts from India, such as Dr. Ranjana Kumari, the Director of the Center for Social Research, and Rita Banerji, the founder of the 50 Million Girls Missing Campaign, shared their perspectives on femicide. Prof. Diana Russel also shared her views on the best strategies for combatting femicide. The outcome document of the symposium was the Vienna Declaration on Femicide, which urges UN Member States, UN Organizations, and the civil society to join forces in the fight against impunity for femicides. ACUNS Vienna continued their advocacy efforts in 2013, culminating with the adoption of the resolution *Taking Action against Gender-related Killings of Women and Girls* at the 22<sup>nd</sup> session of the Commission on Crime Prevention and Criminal Justice (April 2013). The resolution was adopted by the Third Committee of the General Assembly at its 68<sup>th</sup> session in October 2013. Now, since it has been adopted by the General Assembly, UN Member States, UNODC, and civil society and academia will have to respond to the respective mandates (Platzer a:n.p.; ACUNS- Side Event at the 22<sup>nd</sup> Session of the CCPCJ 2013:n.p.).

### **3. Theoretical Foundation**

In addition to the previous chapter, this chapter will give a deeper theoretical foundation. As mentioned, there is no theory directly related to female feticide. Therefore, this chapter gives a range of theories, which can be applied to the issue.

#### **3.1. The Gendered Continuum of Violence**

The first theoretic foundation is part of feminist theory. The gendered framework by Moser shall be discussed in regard to the research question.

Moser argues that the development of a “gendered framework starts by recognizing that violence and conflict are both gendered activities”. It shall be considered that “women and men as social actors each experience violence and conflict differently, both as victims and perpetrators” and “women and men have differential access to resources (including power and decision making) during conflict and conditions of violence” (Moser 2001:30). Further, the framework takes into account that peace building processes are gendered. A framework with four individual categorizations has been outlined: “gendered continuum of gendered violence”, “gendered causal

factors”, “gendered costs and consequences” and the “integral policy approach” (Moser 2001:31).

Moser’s framework appears applicable in the context of femicide, since it focuses on the connection between gender and violence/conflict. Especially the first section of her framework, the “gendered continuum”, categorizes violence into political, social and economic violence (Moser 2001:31). The three parts of this categorization reflect parts of the research question of this thesis. The framework as such claims to be globally applicable, though it can always be adapted according to each context (Moser 2001:32). Thus, the framework can’t be undertaken one to one, it is definitely a good theoretical approach.

The first category is described as the following:

...social violence (mainly interpersonal) is motivated by the will to get or keep social power and control; economic violence, such as street crime and kidnapping, is motivated by economic gain; and political violence, such as guerilla or paramilitary, is inspired by the will to win or hold political power. The interrelationships in this threefold categorization are complex, context specific and multi-directional (Moser 2001:36).

Moser states that there is a prominent tendency for only taking social violence into account and explains the importance of also outlining “the presence of gender in both political and economic violence” (Moser 2001:31). She argues that each of the three categories are gendered and coined by power and powerlessness. “Not only is power gendered but it is usually associated with male authority and dominance” (Moser 2001:37).

The second categorization identifies the “gendered causal factors”, which are highlighting “the causes and motivations” for different forms of violence. This categorization is described as complex, since different genders and different ages can have different levels of violence. In addition, there are many different causal factors. In order to “identify causal factors of violence”, four different levels have been created: “structural, institutional, interpersonal and individual, each of which cross-cut by gender”. None of these levels alone creates violence, but if one or more variables are combined, violence occurs (Moser 2001:39).

The third categorization “gendered cost and consequences” focuses on the consequences of violence. It focuses on the economic and infrastructure loss, but also on “physical, human, natural and social capital” (Moser 2001:31).

The last categorization, “integral policy approach”, gives a framework of policies to control and prevent violence, policies for peaceful negotiation, policies to enforce human rights and policies to build social capital (Moser 2001:31).



Such an integrated framework seeks to incorporate interventions that prevent and reduce violence, as well as interventions that rebuild social capital, while ensuring that a gender perspective is mainstreamed throughout- rather than being a separate or additional component (Moser 2001:49).

### 3.2. The Concept of Patriarchy

The Concept of Patriarchy is an essential concept of feminist theory and can be related to female feticide. Patriarchy has a great impact on women in India and will therefore be outlined here. Patriarchy is described as a comprehensive term of inequalities and discrimination, which women have to suffer through in different stages of life. Patriarchy is analyzed as a key term among feminist scholars of all disciplines and has been adjusted over the years. Initially, the term described a system where men are the main leaders and economic suppliers for the family. In fact, family members are dependents. Nowadays, the concept is defined broader. In feminist theory, it has been claimed to define the term with a universal approach. Thus, patriarch describes relations between the genders, whereas men are dominating women. Cyba refers to Walby, who defines patriarch “as a system of social structures and social practices in which men dominate, oppress and exploit women”. In fact, it is a system, which can be traced back to the third century before Christ. Studies in rural corporative peasant society found that older men are controlling younger men in terms of productivity and taking advantage of women in terms of domestic work and reproduction. Furthermore, Cyba refers again to Walby's concept of patriarchy, which explains the inequality and discrimination against women of central areas in life. Employment, reproduction, culture, sexuality, violence and governmental policies in respect to gender relations, which are enforcing the exploitation of women, are referred to. Women are described as having a passive role. Though Cyba and Walby are stating that it is important to take into account current situational changes for women. There have been changes for the better, which have to be acknowledged (Cyba 2010:17ff). The last applies partly to the Indian society. Even though Indian women have been through a process of modernization, the patriarchal system is still rigidly present today (Ray 2006: 16).

In a patriarchal family the birth of a male is preferred to that of a female. The former is considered as the inheritor of the family while the later is considered a *parya dhain* [emphasis added] (foreign money). The Indian joint family is the ‘patriarchal family’ and it was constituted by a group of persons related in the male line and subject to absolute power of the senior most male member (Ray 2006: 16).

The family has a crucial role since it is responsible for passing on the traditions of having a patriarch to the next generation. A family teaches its descendants

patriarchal behaviors and all the associated stereotypes, which will be eventually imitated. “The boys learn to be dominating and aggressive and the girls learn to be caring, loving and submissive. This long-lasting system of patriarchy has lead to “systematic deprivation” and all categories of femicide, such as “female foeticide, infanticide, witch killings, sati, dowry deaths, wife beating ...”. The patriarchal system accelerates social and economic exploitation and political passiveness (Ray 2006: 16).

### 3.3. An Essay of the Principal on Population

The Malthusian theory will be introduced since female feticide in India is strongly linked to the declining sex ratio and therefore to India’s population policies. Thus India’s population policy, if not to say population control, can be linked to the Malthusian catastrophe.

The main work of Malthus is *An Essay on the Principle of Population*. His theory claims that the population needs to be controlled, otherwise subsistence resources will be insufficient (Malthus 1798:viii).

Malthus believed that the population grows geometrically, while food production can only grow arithmetically. Basically “population would grow in a ratio of 2, 4, 8,16, 32, 64 and so on”, whereas “food production increased only in arithmetic progression: 2, 4, 6, 8,10 ”. As an instrument to stop population growth, he identified positive checks and preventative checks. Positive checks are increasing death rates by phenomena, such as “famine, misery, plague and war”. Historically, many people have died due to these phenomena; as such it seemed safe to assume that this would continue. The preventative checks are reducing the child birth rate by “moral restrain, vice and birth control” (Bloy 2003:n.p.). Malthus saw it as necessary to implement prophylactic measurements, such as increasing the marriage age, sexual abstinence and the abolishment of the poor relief. He wanted to introduce birth control, which would have been practiced by each person using self- rationality (Gaillard 2011:n.p.). If these instruments were not to be implemented, a population catastrophe would occur. Malthus’ theory was very popular and his followers started to call themselves Malthusians. The theory became widely accepted and was elaborated on (Mosher 2004:2f).

In most so-called western countries, his theory has been nowadays many times disproved. Mainly developing countries see this theory as a solution for

overpopulation. The main results for these countries are implemented population control programs “à la Malthus”. India, for instance, faced huge pressure especially from the United States of America (USA), to decline their population and implement instruments to control the population. Therefore, instruments based on this theory were implemented (Mosher 2004: 12f; Hvistendahl 2012:196). Chapter 4.1.3.1. will deal with the population control instruments, which India’s Government implemented.

### 3.4. The Imbalanced Sex Ratio in Asia

“Female discrimination is extremely complex in view of India’s social and economic diversity: the interplay of cultural and economic factors, along with the impact of policy initiatives, has produced a heterogeneous situation...” (Guilmoto 2007b:1).

This is not necessarily a conventional theory. It is the theoretical approach of Christophe Z. Guilmoto, a French demographer. Guilmoto basically researched and studied explanations for the decreasing female sex ratio, including the social, economic and legal dimension (Hvistendahl 2013:25; Guilmoto 2007b:3) In fact, it might be questionable to some people if his work is actually a theory since there is no main theoretical pamphlet. However, Guilmoto does explain the issue in all its complexity, structures it, identifies characteristics and trends, analyses the changing sex ratio imbalance in India and gives best practices. It is an offer to understanding the topic with its means. Hvistendahl refers to Guilmoto’s research and results as a theory, and it shall be treated here as such. She actually refers to it as the first theory with a global perspective on the issue, since he is not only focusing on India (Hvistendahl 2013:35).

When talking about Guilmoto’s theory, these two articles are referred to: *Characteristics of Sex Ratio Trends in India, and Future Scenarios* and *Watering the Neighbours Garden: The Growing Demographic Female Deficit in Asia* (with Attané) (Hvistendahl 2013: 382; Attané and Guilmoto 2007:1; Guilmoto 2007b:1).

During Guilmoto’s research on newborns, he found that people in India had fewer children in the 21<sup>st</sup> century in comparison to any other century. More important, he found that there are not only fewer children, but especially fewer girls. Population growth has declined mainly because fewer girls have been born. In his initial research, he showed that these missing girls were never even born; they were instead exterminated through new technologies before birth. Guilmoto researched fertility rates by countries and linked them with gender distribution. What he found

was an extreme imbalance of sex ratios in nearly all Asian countries, but especially for India and China. Guilmoto claims that these regions are running a danger of a complete demographic masculinization. Even today, there are already villages suffering from a high lack of women. In 2005, Guilmoto calculated 163 million missing women in Asia, considering that countries should have a balanced sex ratio. He states that a combination of new technologies and abortions are mostly responsible for this decline. Still, sex selection is not mainly an Asian problem. It appears worldwide, in various cultures, religions and with various nationalities. The only thing affected states have in common is geographical nearness. In addition to sex selection and population decline, the world has generally experienced a decline of birthrates. This is a result of population policies, poverty or because women are more focused on their careers than before. If these factors are combined, the result is fewer women worldwide. According to UN calculations, the gender distribution could be back to normal terms in 2050.

The theoretical approach of Guilmoto provides the closest examination of the issue. Initially, he researched imbalanced sex ratios in East Asia, South Asia and West Asia, in Muslim, Hindu and Christian regions. He found that most countries with a dominant son preference are experiencing economic progress. So, the main common feature can be seen as rapid economic growth. The second important factor is a functioning health system, with reproductive technologies in usage. Furthermore, each country has experienced a decline in fertility rates in the recent past. Guilmoto found that the average Asian family would not have more than two children, many only one. If this trend is linked with a high son preference and easily accessible technology, a highly biased sex ratio results (Hvistendahl 2012: 21-36; Guilmoto 2007a:1). In addition, he found that most sex selections have been occurring in the higher educated and prosperous communities of society. It is a top-down effect. The trend of sex selection drops from rich communities to the middle class and finally to the poor communities. Guilmoto projects the phenomenon of the imbalanced sex ratio as a transition period, globally speaking, though Hvistendahl argues that there have been very small improvements so far and that the imbalance is still very threatening in India and China (Hvistendahl 2012: 36-37).

In India, Guilmoto describes the desire for sons as a masculine utopia. Individually, every couple wants to have a son. Now, if everybody follows this desire, massive problems will occur in the long run. He actually compares growing masculinization

with an epidemic. There is a great fear that this amount of accumulated men will destabilize whole regions and countries (Hvistendahl 2012: 43).

General speaking, Guilmoto determined that “discriminatory practices” in India are highly linked with the socio-economic status of people, “which means that economic development *per se* [emphasis added] may be seen as a factor for further sex ratio degradation”. This would not only apply to economic development, but also social development of education, women empowerment and further urbanization. Still, gender discrimination could also decrease, taking into account that certain traditions that are usually reserved only for sons are experiencing a shift and are now being conducted by daughters. Certainly, this is still an exception, but the demand is there and growing. In fact, there is an increase of the autonomy of women in terms of shifting norms and traditions, becoming economically more independent, more educated and a slight weakening of the patriarchal system, which is also happening through improvements of the inheritance law. Furthermore, the shortage in women could also lead to an increase of the valuation of women and changes within the dowry system. Communities might soon, if not already, realize that sex selection is not sustainable, but instead destroying their villages. “India finds itself on a crossroad” according to Guilmoto (Guilmoto 2007b:27).

On the one hand, the overall sex-ratio degradation in the country appears moderate in comparison to the experience of China or South Korea, where SRB has approached values as high as 120. India has also witnessed a real mobilization from civil-society organizations and government agencies, and the legal system has been strengthened to allow for stricter regulations over technology misuse and illegal abortions. But on the other hand, sex-ratio degradation has been concentrated in few regions of India, and the possibility of wider diffusion to new states is very real. This appears especially worrying as the overall national context is characterized by rapid social and economic development and further fertility decline, factors that could exacerbate the demand for sex selection (Guilmoto 2007b:27).

Guilmoto focuses on two main priorities for fighting sex selection, which are the “elementary gender-equity principles” and the obvious imbalanced sex ratio. He postulates to “*prioritize sex selection now*” [emphasis added]. “[T]he fight against pre-natal discrimination should be placed at the core of India’s gender and demographic agenda” (Guilmoto 2007b:28).

The theoretical approach of Guilmoto will be a main component throughout this thesis.

#### 4. Femicide in India

“In most parts of the country, a woman is still considered a burdensome appendage. She is an economic drain. She must be exploited or dispensed with as a non-person” (Venkatramani, S.H. 1992:125).

When talking about femicide in India, various categories arise; some of which have been listed previously, and some, which will be explained here in more detail. As mentioned before, the term femicide is not static and also adaptable in different contexts. There are different types of femicide in India, as there are in Mexico. In parallel, motives and perpetrator are not necessarily the same. It is therefore crucial to differentiate the types of femicide in India to the best of our ability. To this end, it is suggested to look first into the different categories of femicide in India, which have been already established by prominent figures.

Rita Banerji identifies six widespread categories of femicide, which are significant in India: Female infanticide, the killing of girls five years and under through starvation and violence, killing of women through repeated forced abortion, dowry related murders, honor killings, and witch lynching's (Banerji 2012a:7).

Russel states that Ellis and DeKeseredy have identified three different types of femicide used by Indian feminists: “parental killings-by neglect, killings following discovery of sex status (of parents child) and husband/mother/father in-law killings for consumption”. Russell says it seems as if Indian feminists have used their definition and broadened it while also identifying woman as a perpetrator - though “in the interests of men” - “to fit the reality of their own country”. She describes the specific definition by Ellis and DeKeseredy as “unique and thought-provoking”. It is important for Russel to acknowledge that femicide can also be perpetrated by women, though, mostly in the interest of men. Therefore, she created the following typology of “female- on- female murders” with explanations (Russel; Harnes 2001:13;16).

Table 1: Typology of Female-Perpetrated Femicides, 2001

Females Acting as Agents of Patriarchy	Females Acting as Agents of Male Perpetrators	Females Acting on Own Behalf
Dowry-related murder, e.g., mothers-in-law who murder their daughters-in-law or assist male relatives with such murders	Accessories to femicides, e.g., sex slavery in which wife/partner assists husband/partner to commit femicide, Battered wife participants in	Jealousy-motivated murders, e.g., jealous mothers kills daughter-in-law; Jealous woman kills husband females lover; Jealous lesbian kills

<p>Male child preference-related murders, e.g., mothers who kill their girl babies (infanticide), or engineer their deaths by abandonment, neglect, starvation, or similar measure.</p> <p>Genital mutilation-related deaths, e.g., deaths caused by primitive and/or unhygienic methods used by female operators; deaths of genitally mutilated females when giving birth because of mutilation-related complications.</p> <p>Female accessories to some murders, e.g., fatal cases of genital mutilation operations in which mothers force daughters to undergo, and/or cases in which female relatives forcibly restrain victims during operations and/or witness and sanction them; mothers and other female relatives who assist in forcing widowed daughters to burn to death in the funeral pyre of their husband.</p>	<p>husband initiated daughter femicides, or femicides involving other female relatives</p> <p>Gang related femicides, e.g., accessories to gang members who participate or assist male members in femicides of female gang members and/or other females</p> <p>“Honor” femicides, e.g., females who are accessories to or assist male relatives in “honor” femicides.</p> <p>Suicides by females driven to kill themselves, e.g., by abusive husbands, fathers, sons, pimps, males harassers, male incest perpetrators, i.e. females who, because of male abuse, destroy themselves (femicidal suicides)</p>	<p>Female lover</p> <p>Financial/greed related murders, e.g., woman kills mother, rich female relation, or other female for financial gain</p> <p>Suicides by female who kill themselves because of abusive actions by other females, e.g., female lovers, violent mothers, female sexual perpetrators, mothers who collude with male perpetrators</p> <p>Anger- motivated murders by females, e.g. female incest survivors who murder colluding or abusive mothers</p> <p>Drug-related murders, e.g., angry females who kill other females to feed their habits</p> <p>Ideologically motivated murders, e.g., radical political women who feel entitled or obliged to kill female ideological enemies</p>
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(Russel; Harnes 2001:17)

However throughout the interviews it was detected that the term femicide is barely used in India. Most of the Interviewees referred to sex selection, infanticide, dowry deaths and others separately. A hyponym, which covers all of the categories, was not used. Banerji, explained it as difficult to use the term femicide: The term was coined by old feminists, such as Russell, and refers mainly to western shaped types of femicide, for example, intimate partner crime. Therefore, it can be easily misunderstood in the Indian context. Femicide in India has various categories (those will be described in detail in the following chapter), which can be different in comparison

to so-called western countries. Besides, Banerji stated that most Indian Women's Organizations support women's rights and women's choice (which certainly implies the right of abortion). If they would use the term femicide as an umbrella term for all the different categories, they would run the danger of being joined by Anti- Abortion Groups. Anti-Abortion Groups could claim abortion to be femicide, which is certainly not the intention of any feminist using the word femicide. (Interview 6, Banerji; Part18: #00:05:17-6#; General Assembly, Resolution 260 1948:n.p.).

#### 4.1. Categorizing Femicide in India

To identify the most relevant types of femicide in India, it has been determined for the function of this thesis that the best course of action is to build on a combination of categorizations and typologies as referred to by Russel, Ellis, DeKeseredy, Banerji and ACUNS. This methodological approach is suggested to reduce possible ideological biases. These authors have been referred to since they have a focus on femicide involving women as perpetrator, which is crucial for India.

As a result, and taking into account the different outreach and relevance of the different theories, the following categories have been decided on to organize the different country-specific types of femicide: gender-biased sex-selective femicide, female Infanticide (one year and under), femicide of girls six years and under, dowry related killings, *honor* killings, death related to abortions, killing of women due to the accusation of witchcraft/sorcery, and suicides by females driven to kill themselves. All these categories are coined by the gang-factor (Russel; Harmes 2001:6f; ACUNS 2013:2; Banerji 2012a: 7).

As the first category - gender-biased sex-selective femicide (female femicide) - is the focus of this thesis, a more detailed explanation shall be given. Nevertheless, other categorizations of femicide in India will also be mentioned for a better holistic understanding. Chapter four will also discuss the sex ratio as a possible measurement for female femicide.

##### 4.1.1. Gender-Biased Sex-Selective Feticide (female femicide)

Sex selection is simply the selection of a preferred sex. Looking back in history, there are many different ways of trying to influence the sex of a child.



Sex selection is usually divided into two different types: medical and non-medical. The medical type is used when a baby has a high chance of having a gender-related disease. The non-medical is used for socio-economic reasons, especially in India.

Or according to Jain, the following applies:

Female Foeticide is the result of an unholy alliance between the traditional preference for sons and modern medical technology, increasing greed of doctors, rising demand for dowry that males daughters financial burdens, the ineffectiveness of the relevant legislation and the lack of any serious involvement of civil society in fighting this social menace (Jain 2006:3).

He describes the social, economical and legal dimension of the problem.

To achieve the desired sex, there have been many different methods. Historically, most have relied on reciting scripts or proverbs. They were mostly natural: suggestion of a certain position during intercourse, a certain time for having intercourse or certain diets. There are many examples, but none have been proven as very successful (Allahbadia 2002:412). Despite this lack of evidence, old fashion methods are still being used and believed to work (Guilmoto 2007b:14).

After having a sex determination test, the most common practice is abortion. Guilmoto highlights two techniques, which play a major role in the high imbalance of the sex ratio in India. He refers to pre-natal diagnostic techniques: ultrasonography and amniocentesis (Guilmoto 2007b:15). These methods were originally used to check for any abnormalities of the fetus, but were also able to determine the sex of the fetus (Hvistendahl 2013:90f). Amniocentesis was used first in 1974 in India, while the ultrasound started in the 1980s. Due to the extremely high demand for sex determination, clinics using these techniques grew rapidly. According to Guilmoto, there were thousands of clinics offering these techniques already in the 1980s. Most abortions are done in unregistered or private clinics and are mainly illegal. Guilmoto names estimations of four to six million abortions, in absolute terms, every year, only in India. Today the process of sex determination is big business. It has also been a very rapid process, considering that these techniques have only existed in India for 30 years. The practice of abortion spread throughout the country, resulting in millions of gender-biased abortions. Not only was the practice spread by word of mouth, but clinics also distributed advertisements in favor of abortion. Commercial banners promoted the advantages throughout the country with slogans like "Better a thousand rupees now than a lakh [100,000] in twenty years", referring to the expensive dowry. Today it is still a very common practice, although forbidden by law (Guilmoto 2007b:15). Abortions became popular since they are "considered far less physically

or psychologically painful than a pregnancy followed by infanticide, or later infant or child deaths". Still, many cases end up deadly (Guilmoto 2007b:3). Many abortions are done repeatedly, illegally, forced and/or without medical assistance (Banerji 2013:22; Banerji 2012:7; Menon 2013:n.p). Unsafe abortions are another reason why many women are being killed. According to the newspaper, *The Hindu*, during 2001 to 2003, eight percent of maternal deaths were due to unsafe abortions. Despite these numbers, it is assumed that abortion related deaths are highly undocumented and therefore much higher than any estimation (Menon 2013:n.p).

The process of determining sex with new technologies early in a pregnancy and deciding on abortion seems ethically more correct. Hvistendahl describes the use of such technologies as morally "cleaner" and faster (Hvistendahl 2013:121). Besides, women will not have to go through the process of being pregnant and it might not even be even obvious to anyone in their environment (Guilmoto 2007b:3).

Sex selection, however, does not always imply abortion. Some techniques allow couples to choose the sex even before pregnancy. The two main techniques are "sperm sorting (sperm is sorted by sex and then used for inartificial insemination or in-vitro fertilization – IVF – procedures), and pre-implantation genetic diagnosis (in which IVF embryos are genetically tested to determine sex and then implanted)" (Guilmoto 2007b:15). Yet, these techniques are mostly used in so-called western countries - since they are very expensive - imply specific equipment and are not legal in India. Nonetheless, there is quite a number of Indians with the means to afford travel and treatment costs (Guilmoto 2007b:15; Hvistendahl 2013:21).

#### 4.1.2. Sex Ratio: A possible way to measure the consequences of feticide

The sex ratio is used to identify the number of females versus males in each country (Indian Census 2011:n.p.). The natural sex ratio between women and men at birth is usually 100:105 (female: male). Depending on the geographical region or circumstances, such as war, the number can fluctuate. Naturally, more boys are born, but there is a statistical probability that males die younger. Hence, the sex ratio equalizes eventually (Hvistendahl 2013:14). Guilmoto calculated that if there were to currently be a normal sex ratio worldwide, there would be 163 million more women in this world. Due to his calculations, there are 163 million women demographically missing, most of them in Asia. To understand the dimension of this number,

Hvistendahl explains the combination of ultrasound technology followed by abortion (Hvistendahl 2013:28f; Guilmoto 2007a:1).

According to Allahbadia and Banerji, 50 million women are demographically missing in India within a time period of three generations. Banerji, conversely, dislikes the term missing and uses the term eliminated instead (Allahbadia 2002: 411; Banerji 2009:n.p; Interview 6, Banerji, Part14: #00:08:00-0#).

As such, here are different types of sex ratios. Census 2011 of the Indian government estimates the child sex ratio for ages zero to six years of age to currently be 1,000 males to 940 females (Indian Census 2011:n.p.). Critiques, such as Banerji, claim that the government does not focus on the sex ratio at birth or sex ratios of the child mortality risk. She states that the government puts three different categories of femicide into one statistic, such as female feticide, female infanticide and neglect or violence against young girls with lethal consequences (Interview 6, Banerji, Part:3, #00:01:19-1#).

The sex ratio at birth and sex ratio of the child mortality risk can currently be seen as the strongest indicators for sex selective abortions (Jain 2006:33). Hence, the government of India no longer elevates it and instead focuses only on the child sex ratio from zero to six years of age. While working with the child sex ratio, one has to bear in mind that the actual number is most likely much higher. Therefore, the child sex ratio can be seen as biased. Most female infanticide takes place from zero to one years of age and can't be seen in these statistics. Furthermore, abortions are not taken into account.

Since data on the sex ratio at birth, child mortality risk and abortion is scarce, the child sex ratio and estimations have to be used instead. Though, as mentioned before, the child sex ratio is biased in terms of taking it as a measurement of feticide. Since no other data exists, most scholars are working with the child sex ratio from zero to six years of age.

Nevertheless, the Lancet Journal published estimations. Table 2 shows "estimates of decennial gaps in girls to boys at ages 0–6 years due to selective abortion of female fetuses, in millions" (Jha et al. 2011:Table 3).

Table 2: Estimations of Selective Abortions, 1981-2010 (in million)

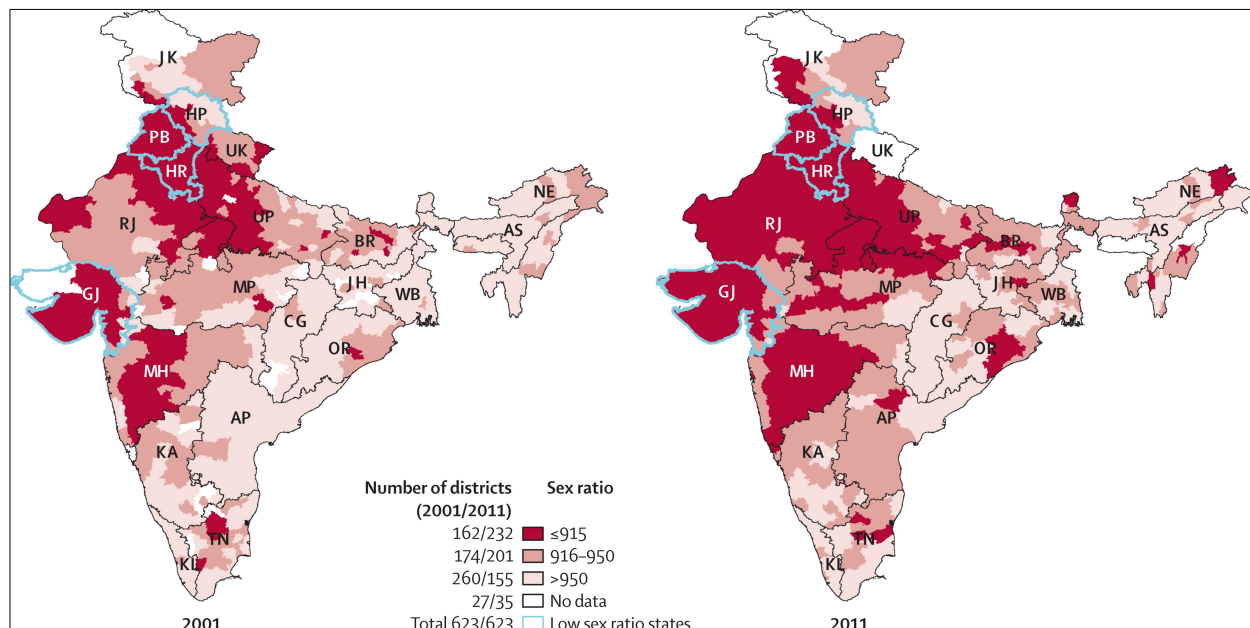
	Low	High	Mean
1981-90 subtotals	0	1,97	0,98
1991-2000 subtotals	1,15	4,08	2,62
2001-10 subtotals	3,06	6,00	4.53
30-years totals	4,21	12,04	8,13

Table 2 shows estimates of the contribution of selective abortions of girls to the 1991, 2001, and 2011 census cohorts of living children. In the hypothetical case of no selective abortion of girls and equal death rates for boys and girls, the expected imbalance in the child sex ratio at ages 0—6 years would be much smaller than that noted. However, some imbalance would remain because the natural range of sex ratios at birth is 950—975 girls per 1000 boys. after adjusting these natural sex ratios at birth for the excess deaths of girls (arising from more girls being born), selective abortion of female fetuses probably accounts for most, if not all, of the remaining gap between recorded and expected girls aged 0—6 years (Jha et al. 2011:Table 3).

Referring to the data of table 2, eight million female fetuses have been selectively aborted in the past 30 years. Yet, this is an estimation - the real number is most likely even higher.

Furthermore, figure 1 shows the geographical changing of the skewed sex ratio in India from 2001 to 2011. The increasing child sex ratio has spilled over to neighboring regions and states. Rajasthan (RJ), as an example, had a child sex ratio of 916/950 females to 1,000 males in 2001 and this ratio counted less than 915 females to 1,000 males in 2011. The problem has expanded massively in the past ten years. Figure 1 clearly shows how the child sex ratio is increasing by region. Again, this figure is only taking the child sex ratio into account. The reality is likely to be more severe.

Figure 1: Child Sex Ratio, 0-6 Years, 2001-2011



Child sex ratio of girls to boys at ages 0—6 years in 2001 and 2011, by district. Of the 623 districts, data were available for 596 in the 2001 census and 588 in the 2011 census. The blue highlighted states are Gujarat, Haryana, Himachal Pradesh, and Punjab, which have shown consistently lower child sex ratios at ages 0—6 years in the last three censuses. State names are Andhra Pradesh (AP); Assam (AS); Bihar (BR); Chattisgarh (CG); Gujarat (GJ); Haryana (HR); Himachal Pradesh (HP); Jammu and Kashmir (JK); Jharkhand (JH); Karnataka (KA); Kerala (KL); Maharashtra (MH); Orissa (OR); Punjab (PB); Rajasthan (RJ); Tamil Nadu (TN); Uttarakhand (UK); Uttar Pradesh (UP); West Bengal (WB); and Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, and Tripura (collectively NE) (Jha et al. 2011:Figure 3).

In addition, it has to be distinguished which child in birth chronology is being referred to. A son preference is obvious. Yet, many families still want to have daughters as well. If the first child is a daughter, she might be well accepted. It becomes problematic if a son does not follow. There are two scenarios, which are similar, but not necessarily the same. The first scenario is from the 1960s and shows correlations between the number of children and the sex of the children. It was concluded that women would give birth to as many children as necessary until receiving a son. Once a son was born, the so-called “sex specific ‘stopping-rule’” would apply and the woman would immediately stop having children. This has been wide spread in Asia, North Africa, the Middle East and Latin America (UNFPA- Asia and the Pacific Regional Office 2012:19; Hvistendahl 2013:156). The second scenario shows couples, which receive a son as their first child and therefore do not use sex selective methods for the second or third child. Though, if the first and second child are both female, it is very likely that sex selective methods will be used for further children and further daughters will be aborted in order to have a son. This explains in many cases

a high age gap between siblings (Guilmoto 2007b:5). The Department of Economic and Social Affairs of the United Nations Secretariat (UNDENSA) additionally researched the unequal treatment between a firstborn girl and a firstborn boy. It was found that the firstborn daughter is usually accepted and kept, since she can be exploited for domestic work and earning money for the family. Following girls, as mentioned above, are at a high risk of feticide, infanticide or the like (UNDESA-Population Division 2011: 72; Venkatramani 1992:125). Guilmoto shows his findings in the following table.

Table 3: Sex Ratio at Birth by Birth Order, India: 1978-98 (Boys per 100 Girls)

Year	India		Haryana		Punjab	
Date	1978-92	1984-98	1978-98	1984-98	1972-98	1984-98
All birth order	106	108	110	114	114	120
1 <sup>st</sup> birth	105	107	109	110	109	101
2 <sup>nd</sup> birth	107	108	100	114	111	123
3 <sup>rd</sup> birth	107	108	114	129	117	136
4 <sup>th</sup> +	106	108	116	108	122	134

(Guilmoto 2007b:6)

Table 3 shows, the sex ratio at birth has increased over time and by higher “parity births (meaning, the second, third, etc.)”. This happens when parents choose sex selection methods, followed by abortion, in order to receive a son. Most couples with a girl as a first or second child and no sons are likely to have multiple abortions, which increases the sex ratio. The sex ratio in this table is at its highest in Punjab, with 134 males to 100 females. Though, Guilmoto insures there are worse cases, especially of those couples that are deciding to avoid girls in general and/or want to have two sons (Guilmoto 2007b:5f). In fact, a study by the Christian Association of India (CMAI) has shown one of the worst sex ratios for a third born female in Delhi. The sex ratio was 219 girls for every 1000 boys. Jain is quoting Dr. Cowen, who worked at the CMAI: “There was a time in Punjab when the first daughter was welcome, the second one was tolerated and the third one was eliminated” and he adds “we are facing now the tragic prospect of the first daughter being eliminated, what to say of the second and third” (Jain 2006:36f). Therefore, the sex ratio at birth-by-birth order is a good indication for the high son preference and also feticide.

#### 4.1.3. Suggested leading Dimensions to femicide in India

It has been decided to analyze female feticide in relation to social, economic and legal dimensions. In the research process, these three dimensions appeared to be the most crucial for female feticide in India.

Guilmoto tracked the question of why parents decide to practice sex-selection. Thereby, he refers to studies conducted by Coal. He summarizes the conditions “into a simple matrix: parents should be willing and ready to practice sex selection, and also able to do it”. The willingness of sex selective behavior is tied to social and economic dimensions. Being able to choose certain methods of sex selection is tied to the economic status of future parents and furthermore to the legal framework of the country (Guilmoto 2007b:13f).

Before the three dimensions are outlined, it must be remarked that each dimension is an artificial creation used for scientific reasons to simplify the problem and build a logical model. The reality is much more complex. It should also be acknowledged that social and economic dimensions can overlap strongly. An attempt will be made to additionally categorize factors within each dimension, but again, overlaps between factors are not fully excludable. Factors will not be specifically categorized, but will be discussed within the following text.

The economic dimension will cover factors like rural-urban relative prosperity/poverty levels, household and national wealth/income indexes, national human and economic development indicators and domestic women economic exploitation. The social dimension will cover factors like status, honor, shame, religion, tradition, culture, education, sexuality, and health. Finally, the legal dimension will cover factors such as the legal frameworks, laws, conventions and incentives related to the issue, including the implementation capacity of such normative texts.

This chapter will additionally talk about infanticide. Historically, it can be seen as the earlier form of female feticide, since technology as existing today was not always as available.

##### 4.1.3.1. Economic Dimension

British India ruling authorities already identify the problem of declining sex ratios, and attributed an economic explanation to the trend. Female infanticide was observed to occur in proprietary casts with increased insistence. The rich worried about having their daughters inherit their property, then marrying off and losing the family wealth,

as traditional Indian marriage implies. Thus, infanticide became a popular way in which to avoid such problem for the general population. It was also observed that lower casts imitated upper casts with the procedure of female infanticide; therefore this mirrored, previously uncommon practice, became widespread (Hvistendahl 2013: 110; 116f).

Based on the belief that the British changed the feudal system in India, Vishwandth concluded in his research that female infanticide has a direct correlation with British ruling. A major factor established by the British was the denial to women of the right to inherit land as well as a rapid increase of taxes. In the case of farmers, they were not able to pay such taxes, and had their property dispossessed. Since sons were the only legal inheritors of property goods, land stayed in the natal family. However, the dowry of daughters had greatly increased and forced families to partly sell off their property. Consequently, it seemed that the best option was to not have daughters, but only sons, who not only stayed within the family, but also brought a dowry into the family once they were to marry. This desire to accumulate economic resources (land in particular) has been intimately correlated with feticide according to Coln (Hvistendahl 2013: 110; 116f).

Vishwanaths research provided evidence that the British knew of the worsened situation of farmers and their inability to pay increased taxes. There are many documents showing the complaints of farmers, who suffered the impossibly high amount of dowry prices for their daughters. As the British realized the worsening of the problem, they established the new regulation of hypergamy. Hypergamy will be explained in more detail in the next chapter. However, it shall be said that this regulation caused infanticide to be even more prominent (Hvistendahl 2013: 110; 116f).

India's economy has grown rapidly in the past decades; the economic progress achieved over the past 15 years is comparable to that achieved by other countries in 60 to 70 years (Interview 3, Addlakha: #00:32:54-8#). Such accelerated and uneven development is not an excuse for social injustice, but the transition of the country from a pre-industrial background to a technology and capital-intensive economy makes several social, behavioral and economic circumstances easier to understand. A correlation between economic improvement and women empowerment has been historically observed. This correlation somehow also applies to India, although economic development has not always been necessarily associated with



improvement in the situation for women (Jain 2006:44). Hvistendahl argues that there have been improvements for women parallel to the rapid development of the Indian economy: women enjoy more education, have more political and economic rights, and some are working and participating in politics. It seems as if the country is making progress and women are being promoted. Still, the female population – an indication of gender inequality - is rapidly declining. It seems almost ironic: the government is promoting the empowerment of women and, on the other side, millions of fetuses are being aborted simply because they are females, not to mention other categories of femicide (Hvistendahl 2013:64f).

Daughters had already been connected to the financial situation of the family. Consequently, the daughter is seen as an economic burden (Guilmoto 2007b:17). She grows up in her natal family and is invested in terms of food, medical treatment and education. Ultimately, the future in-laws are the ones benefiting from the made *investment*. Thus, society considers this *investment* in a daughter as a financial loss (Sekher; Hatti 2007:299).

Recent trends identified by John et al. have found a higher tendency to educate female children. This goes along with the economic growth of the country and the requested empowerment of women. Even now, another cost factor associated with girls was created. Families, which are economically better off, will send their children to private schools, but public school is also not free of cost. As a result, the education of girls “has become both, a must and a burden”. On the one hand, society pressures families to send their daughters to school for empowerment reasons, but this also implies spending more scarce resources, and less domestic work service provided to the family. A higher education could lead indeed to a better-off future husband, which would increase the status of the natal family. On the other hand, the more educated a woman becomes, the more likely she is to start questioning the system of Indian society (John et al. 2008:76). Both contradictory effects of providing education to girls can lead to inconsolable differences with the natal family or in-laws. Additionally, the result of any potential conflict will most likely be of great disadvantage for the woman. In addition, the natal parents of girls are responsible for paying dowry and wedding costs. In fact, parents belonging to the upper class or higher casts are expected to pay outrageous amounts of money for weddings and dowry (Sekher; Hatti 2007:299).

In India, dowry interpreted as groom-price (dahej or varadakshina; gifts given to the groom and family at marriage, barred by law) can be distinguished from bridewealth (streedhan; gifts given to the bride at marriage, that remain her property, permissible under law) ... In patrilineal India, dowry is seen as pre-mortem inheritance that the bride receives at marriage, often in lieu of her share of

immovable property, though today several laws guarantee daughters their share of property, their enforcement is difficult ...

Dowry is given in the form of “jewelry, cash, household goods, etc., which usually pass to the control of the in-laws. Dowries are seen as distinct from, and in addition to, female inheritance” (Sudha et al.: 2007:280).

Nevertheless...

...dowry is a considerable burden for the bride's family. In the era of globalization and increase in consumerism, dowry payment is more a rule than an exception. Many communities, where the practice of dowry was totally absent have started making huge payments in recent decades at the time of marriage. In many families, even after the payment of dowry, there is continuing uni-directional flow of resources from a women's parental household to her in-laws for specific yearly festivals and life-passage rituals (Sekher;Hatti 2007:299).

Those families, who are paying dowry, will be in many cases frequently asked for more. If they refuse, their daughters are very likely to suffer harsh consequences. At its worst, conflicts end up in dowry deaths. However, it is almost impossible to prevent an expensive wedding or an expensive dowry. Indian society will not accept unmarried children, especially in upper classes or higher casts (John et al. 2008:87). “Marriage is socially compulsory” (John et al. 2008:72). Otherwise, families would run the danger of losing their status, which is highly important in society (John et al. 2008:87). Families of lower casts and status can have more moderate dowry prices or accept women as a “decisive contribution to the prosperity of the household”. In fact, Guilmoto researched that specially “high ranking communities” (higher casts) and “high income groups” have a higher son preference because they are more concerned about social status and reputation in society. This stress is not as acute in lower casts or income classes (Guilmoto 2007b:19). Clearly, the dowry issue is a socio-economic dimension. The dowry is mainly economically funded, but the social component, such as the status of a family, plays a great role.

Another social factor with strong economic implications is the prominent son preference, also related to the so- called “old age support”. Sekher and Hatti describe economic factors as crucial in terms of son preference. They argue that it will not be possible for daughters to challenge or even “substitute” the position of sons, mainly for existential reasons, such as envisioning a secured retired life with a son. India does not have a reliable social security system, which covers expenses once people get older. The elderly have to rely on their children and in India's case, on their sons, since daughters are married off. Sekher and Hatti are calling it an “intergenerational contract”. Furthermore, married off daughters usually have no resources or are not even allowed to spend anything in support of their natal family. Consequently, the

son preference increases and becomes life dependent for elders. It is seen as a necessity to have a son. Both authors are referring to Miller, who stated that a higher son preference is automatically higher discrimination for female children (Sekher; Hatti 2007:299f). As a result, this discrimination will mostly end in violence or death. Demographics wise, scholars have compared urban and rural areas of India. In general, a son preference is higher in rural areas for simple agricultural and traditional reasons (UNFPA -Asia and the Pacific Regional Office 2012:28). Surprisingly, this is not the case in India. It was detected that a worsening of the sex ratio has been significantly higher in urban areas (Guilmoto 2007b:4). Table 4 shows that the child sex ratio in urban areas is worse than in rural regions (Ministry of Home Affairs, India 2011:7). One of the main reasons is the better access to cheaper and wider spread private and official clinics, offering reproductive services (UNFPA Asia and the Pacific Regional Office 2012:28). Hence, the rural child sex ratio has worsened drastically with time, in comparison to the urban ratio (Ministry of Home Affairs, India 2011:7). As seen in figure 1, the trend of a low sex ratio is spilling over from urban to rural regions (John et al. 2008:3).

Table 3 : Child Sex Ratio 0-6 Years, Women per 1000 Men, Census 2001-2011  
(Girls per 1000 Boys)

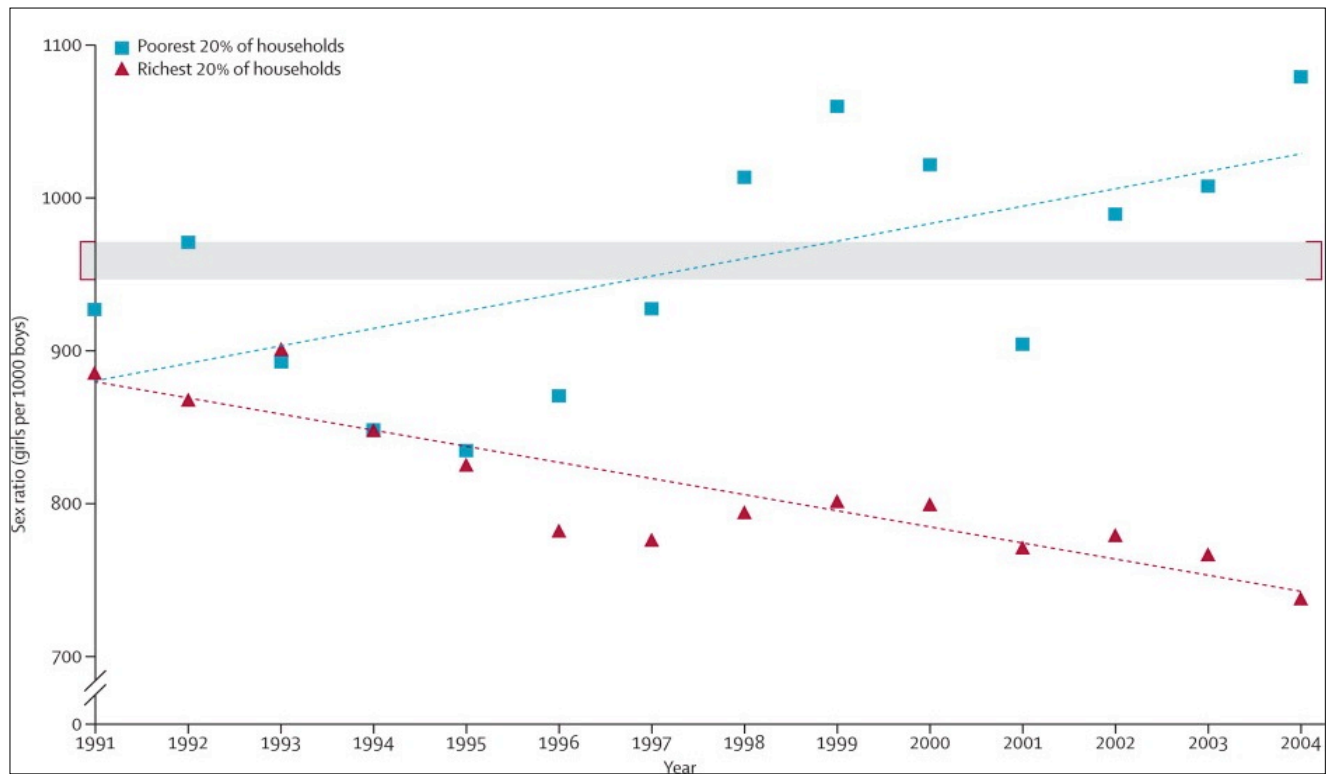
Years	Total	Rural	Urban
2001	927	934	906
2011	914	919	902
Difference	-13	-15	-4

(Ministry of Home Affairs, India 2011:7)

It was found that states that have profited from more economic development, prosperity and higher literacy rates, have the lowest sex ratios. Especially states like Haryana, Punjab, Delhi and Gujarat, which are developing well in economic terms (Jain 2006:28). As already mentioned, especially the wealthier section of society has the higher son preference. Figure 2 undermines this, as it gives a clear picture of the declining child sex ratio of the 20% wealthiest households and on the contrary the almost normal sex ratio for the poorest 20% of India's population. Hence, Guilmoto talks about a "powerful top down mechanism", from rich to poor and urban to rural. By the top down mechanism he refers to the traditional rural societies, which is imitating the customs of the rich urban societies, obviously induced by the media and local powers. (Guilmoto 2007b:19f).

Basically, the trend of a low sex ratio is spreading regardless of urban or rural areas or in wealthier or poorer families.

Figure 2: Sex Ratio (Girls per 1000 Boys) of Second-Order Births, if Firstborn was a Girl, by (...) Household Wealth Index, from 1990—2005



“Red brackets show the natural sex ratio range of 950—975 girls per 1000 boys. Test for trend: poorest 20%,  $p=0.026$ ; richest 20%,  $p=0.002$ ” (Jha et al. 2011:1924).

#### 4.1.3.2. Social Dimension

Jain calls ongoing feticide “a reflection of the psyche in India”. He states that social “economic conditions and religious traditions of the society” are mainly responsible (Jain 2006:16). Hvistendahl refers to Brunmiller, who concluded in her book, *May You Be The Mother of a hundred Sons*, that the reason for infanticide and feticide is the deeply anchored discrimination of women. Yet, Hvistendahl argues that because of abortions due to technology, sex selection methods are much more common and widespread than infanticide. Feticide is occurring much more frequently nowadays. Nevertheless, many other NGOs and feminists are sharing the same opinion as Brunmiller. She refers to arguments of the preference for sons, which creates the main discrimination against women (Hvistendahl 2013:121). The birth of a female child is generally not wanted, son preference is extremely high (Jain 2006:16). This has multiple complex social reasons.

Arguments relating to the status of families, such as only the son can carry on the family lineage (gotra), which includes carrying on the family name, are very prominent. Whereas women are sometimes married off to men in the same cast, but from another village, and while they have to leave their family lineage and names, sons will always stay in their family lineage. Hence, sons are seen as the “only legitimate descendants”. This “patrilineal system has, of course, added prestige to their status, and is a common source of pride for parents” (Guilmoto 2007b:18f). A son will be a support system for the parents once they become older, since he will stay in the family and is therefore seen as financial security as mentioned in the previous chapter (Hvistendahl 2013:121; Jain 2006:16).

Religion wise, Hinduism determines the son as being responsible for the lighting of the pyre at the funeral when his parents die. This procedure is called “mokska (transcending the circle of reincarnation via the performance of good deeds)” and can be only carried out by the son (Jain 2006:16). Furthermore, since sons are supposed to stay always with their parents, they are seen as protection. Usually, this creates more affection between a son and his parents (Guilmoto 2007b:19). Girls, on the other hand, are highly discriminated against and neglected. They are discriminated against in terms of “mothers care, medical services, nutrition, education, inheritance and even the right to a dignified life” (Jain 2006:16). Girls are seen as a great burden (John et al. 2008:72).

The trend shows that India has a demand for small families, which has been induced by legal instruments of the new government. To follow this demand, many families use the above-mentioned new technologies for sex determination. However, in most families, it is not the choice of women to have a sex determination test or abortion. Having more than two children can cause problems and convert her and the in-laws into outcasts. The Panchayats,<sup>3</sup> the village’s council, for example, will not accept any members into their council with more than two children per family. The reputation of the Panchayats is incredibly high, as they are very respected. Therefore, people follow their rules (Hvistendahl 2013:147). In addition, there are certain states, which enforce “punitive measures” to the third child, such as excluding her from government schools, elections, welfare programs and ration cards. Consequently, women are pressured to have fewer children and, at best, only sons. It is basically a

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<sup>3</sup> Panchayat is a council at the grassroot level, which each village has. “It is an Institution of self-government” (Indian Governance Forum 2013:n.p.)

double burden, which forces many women into abortion, deliberately or not (Hvistendahl 2013:147).

Even so, the situation can be more severe. It is not only that women are unable to make choices regarding the size of the family or whether or not to get an abortion - most women have no choice at all. Women are being married off without previous knowledge of their husband. Once in an arranged marriage, it is duty of the woman to follow the will of both her husband and in-laws. The new family makes all choices: how much sex will be practiced, how many children are received, if sex determination test are done, how many abortions will be undertaken, and how many times a woman will be passed around to brothers or her new father-in-law for sexual abuse. The woman herself has no choice. In fact, any kind of resistance will increase her chances of being strongly beaten, attacked with acid, burned, and thrown out and/or killed. However, violence might also occur without provocation (Banerji, Rita 2012b:n.p.; Banerji 2012d:n.p.). Banerji claims that women in India are “socialized from a very young age to repress and deny [their] sex and sexuality”. She describes women as “hand puppets” of society. All they have ever learned is that they are the property of the family, the husband, the in- laws, the community and the culture within which they live (Banerji 2012d: n.p.).

Our body and sexuality are not our individual choice and expression — they are our bidding to do as is expected of us. How we can and cannot dress. Who we can date or not date. Who we can marry or not marry. Whose bed we share, whose children we bear. Nothing belongs to us, not our sexuality, not our bodies, not our wombs! (Banerji 2012d: n.p.).

Banerji calls the sexuality of women in India a “women’s sexual prison”. She claims that there is no sexual freedom for women. Sexuality is carried out within the family and by their rules and this is accepted in society. Although, there are feminist movements fighting for the rights of women, “the sexual boundary walls for women remain dauntingly tall and unchallenged”. According to Banerji, one of the greatest tragedies is that most women are condemned to silence, regardless of the amount of horror they have experienced (Banerji 2010:n.p.). Besides abusive practices, John et al., also refers to the women’s “burden of sexuality”. Here, they argue that every woman is asked to be completely untouched by men before marriage. The older a girl becomes, the higher the chance becomes that she has already had sexual contact. Therefore, parents try to either avoid having daughters entirely or marry them off as soon as possible, potentially resulting in child marriages. If a girl has had

any kind of sexual contact, even if it is only a rumor or based on a sexual assault, the status and honor of the family is stained, if not destroyed (John et al. 2008:77).

Many women who give birth to girls see no other option but to commit suicide. Others are killed. It is not unusual for women to be tortured for giving birth to baby girls. Autonomy of choice for women is not even a question (Hvistendahl 2013:58).

Banerji states that “the Indian woman has been completely stripped of all human worth and reduced to an actual sexual object, whose only function is to provide sexual and reproductive services for the patriarchy” (Banerji 2010:n.p.).

Furthermore, Banerji states the following:

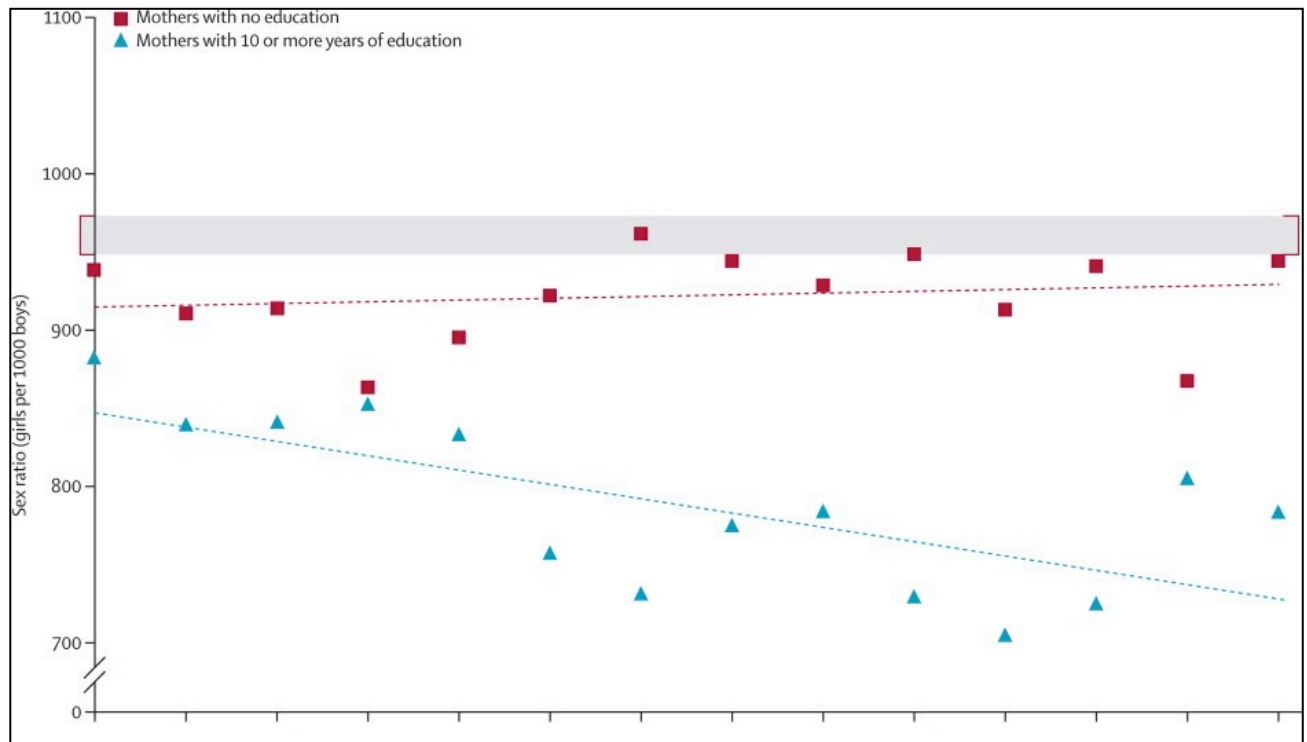
India has built for its women through centuries of acculturation, the ultimate psychological penitentiary—one that turns them against themselves. It operates on the premises of cultural values, of family and community honor, and shame (Banerji 2010:n.p.).

As mentioned above, during British rule, the system of hypergamy was established. Hypergamy meant that families were only allowed to marry their daughters off into higher casts. The reason behind this was to improve the status of the girl and her family. The main idea of the British Rule was to fight infanticide. Though, the opposite happened. Those women, who already had a high status, were not able to marry into a higher cast, since there was not a higher one. As a result, many of them stayed unmarried, which caused shame to fall on their families. Thus, high cast families tended to kill their daughters, instead of running the chance of losing status and gaining shame. In addition, families have always been scared of having their daughters marry into lower casts. Again, this fear is based on losing social status in society through the girl child (Hvistendahl 2013:110). In the words of Guilmoto, “Girls are perceived to be particularly vulnerable, as family honor seems, at times, to rest exclusively on women’s behavior, rather than on men’s” (Guilmoto 2007b:18).

Another important aspect is the education of women in India. The correlation between the literacy level and feticide shall be highlighted here. The results are surprising and again highly linked with the economic dimension. Guilmoto found that the unbalanced sex ratio is at its highest “among the most educated women”. His results question the well-established belief that education is accompanied by social development and female empowerment (Guilmoto 2007b:7f;). He specially highlights the correlation of Indian elite households and their discrimination against women. As illustrated in figure 3, the worst sex ratio happens to be where the most educated women are. Mothers, who are illiterate, still have an imbalanced sex ratio, but not as

severe as that of more educated women (Guilmoto 2007b:7f; Hvistendahl 2013:31f; 65). Figure 3 gives a picture of the correlation between the sex ratio and mothers with education and those without.

Figure 3: Sex Ratio (Girls per 1000 Boys) of Second-Order Births, if Firstborn was a Girl, by Mother's Level of Education (...) from 1990—2005



"Red brackets show the natural sex ratio range of 950—975 girls per 1000 boys. Test for trend: poorest 20%,  $p=0.026$ ; richest 20%,  $p=0.002$ " (Jha et al. 2011:1924).

Furthermore, Guilmoto shows that all religious groups have an increased sex ratio, except Christians. Therefore, it is suspected that all religious sects, except Christians, are using sex selective methods to avoid female children. Sikhs and the Jains, two of the more prosperous communities, share the worst sex ratio. Additionally, these communities have increasing literacy rates in women (Guilmoto 2007b:12; Jain 2006:39). In comparison, Guilmoto finds a lower sex ratio in tribal- compared to caste communities (Guilmoto 2007b:12).

#### 4.1.3.3. Legal Dimension

"Article 14 of the Indian Constitution guarantees all of its citizen the fundamental right of equality. Article 16 prohibits the State from discriminating on the basis of caste, color, creed and gender, thereby assuring all citizens equal protection by law" (Khan 2000:139).



“The Hindu law has equated ‘person in womb’ to a ‘person in existence’ ...”. Any unborn child in India is treated as a person under the Indian Penal Code. Hence, an unborn child has a legal personality with contingent rights. Those rights will be converted into vested rights if the child is born. The unborn child is “entitled for legal protection under the criminal law of India” (Jain 2006:71). In the sense of female feticide, this would be an important law. Though, it can be easily taken advantage of and claims could be made that abortions are criminal.

Abortion was already allowed under the Indian Penal Code (Act No. 45 of 1860), but only if a women’s life was at risk (United Nations Population Divisions; Department of Economic and Social Affairs 2001:57). Hence, the Indian Penal Code also did refer to feticide and infanticide. Sections 315-316 and 299 are covering cases of feticide and infanticide as an offence, which needs to be prosecuted. The only exception where such a case will not be prosecuted is if the mother’s life had been in danger (Jain 2006:84).

Also, British Rule discovered the ongoing infanticide in India and passed a law in 1870 to prohibit female infanticide (*Female Infanticide Act*). It was believed that the law itself could solve the problem, but instead an increase occurred (Hvistendahl 2013:119). Nevertheless, it shows that the problem was already being addressed with legal forces in the 19<sup>th</sup> century.

The current most important legal instruments in India, which can be connected with female feticide, will be discussed here.

In 1961, the Indian government released the Dowry Prohibition Act, which defines Dowry as the following:

...any property or valuable security given or agreed to be given either directly or indirectly by one party to a marriage to the other party to the marriage; or by parents of either party to a marriage or by any other person to either party to the marriage or to any other person, at or before or after the marriage (Government of India; Ministry of Women and Child Development 1961: 1).

Hence, dowry payments have occurred ever since and have even increased, often with deadly results, which are widely accepted in society (McCoid Hedge 1989:2).

Based on Malthus population theory, India implement population control instruments, which were strongly encouraged by so-called western countries (Hvistendahl 2013:196). Mainly, the USA set it as a priority to stop countries, like India, from producing more children. Certainly, the meaning of ‘too many children’ was defined by the USA. A newly created population agency within the United States Agency for

International Development (USAID) became the main actor in deciding questions on population growth in foreign countries. Head of section was Dr. Thorlof Ravenholf, who aggregated huge amounts of foreign aid money for India. Hence, the only purpose of this money was its designation for any kind of population control instruments, such as the following (Mosh 2004:12f).

At first appearance, the *Medical Termination of Pregnancy (MTP) Act* in 1971 seems quite sophisticated in terms of women's rights. The act allowed women to have abortions under the following circumstances: if the life of the women was at serious risk, if the child would be seriously disabled, if the women had been raped, if a previous sterilization had failed, if the pregnant women was been under 18 years old or mentally defective, whereby the last two cases would demand parental consent (Government of India 1971:1f). Hence, the MTP Act can be seen as an instrument of population control, since it does not recognize the women's right to choice or the right of control over her body. An abortion on request is not possible. The government wanted families to stop producing high amounts of children in order to get the desired son, resulting in an increased population. Thus, abortion became quite prominent and the growth of the population decreased. Hence, it reduced mostly in girls (Jain 2006:48;55). Back in the 1970s, it was easy to have a sex determination test and a subsequent abortion. Hvistendahl talks about a boom of sex selective abortions in the late 1970s. As mentioned in chapter 2.1.1., amniocentesis had been largely practiced in India since 1974. Due to population control, doctors encouraged families to have a sex determination test and, if necessary, abortions. People were allowed to use ultrasound machines and claimed abortions. Doctors were referring to the sex determination tests and abortions very positively and promoted it as an effective and ethical method for controlling population growth. As the high damage of such practices became obvious, it was too late, as the mindset of the people had been already changed (Hvistendahl 2013: 135). Approximately 23,000 abortions were done in public hospitals in 1973, only two years after the law was passed (Hvistendahl 2013:135;209). In response, in 1978, the Ministry of Health prohibited sex determination tests in public hospitals. As a result, the number of private clinics grew rapidly. This was in huge favor of the upper class. They had the resources to pay private doctors and the longing to have the desired sex (Hvistendahl 2013:135;139). Nonetheless, intellectuals also saw sex determinations tests as a way in which to fight overpopulation. It was their intention to decline lower classes,

since they saw them as a threat to their own wealth and cast (Hvistendahl 2013:139;147). Many unregistered clinics opened and many people claiming to be doctors practiced medicine. Medical interventions on women's bodies by unprofessional personnel were highly dangerous and resulted in many deaths (Jain 2006:88f).

There is a very thin line between the right to have an abortion, the women's choice, the right of her body and on the other side having a gender-biased abortion. It bears heavy conflict potential between Women Organization fighting feticide and Anti-Abortion Campaigns. Both might claim similar beliefs, but have very different reasoning. In the case of India, abortion rights were specially used to control the growth of the population and had nothing to do with the empowerment of women (Jain 2006:48; 55). As aforesaid, in the context of governmental population control, there are unwritten norms. The trend of the "two child norm", which families are following, is referred to (Jain 2006:51).

Induced population control by the government went as far as setting up sterilization camps with a focus on lower uneducated classes. This project was mainly induced and financially supported by the population agency of the USAID. The main executer of forced mass sterilization in India was the Prime Minister's son, Sanjay Gandhi, who did not even hold a governmental position at the time. In order to meet the given quotas, the government went from giving an incentive for each sterilization case to forcing sterilization procedures in camps. In total, 6.2 million men were sterilized in the time span of one year (Hvistendahl 2010:133; 143f). Many women were sterilized as well (Jain 2006:48). Such actions show how rigorously the Government attempted to fight overpopulation, without considering the damage caused by such measures.

Regarding the MPT Act and the right to an abortion up to the 20<sup>th</sup> week of pregnancy, it was not possible to just abandon female feticide. As a response to a draft by Women's Organizations and NGOs, the Indian Government implemented a bill in 1994, which became the *Pre-natal Diagnostic Techniques Act* (PNDT Act) and was enforced beginning in 1996. The act was amended in 2003 into the *Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Amendment Act*. It has been renamed the *Pre-Conception and Pre-natal Diagnostic Techniques (Prohibition of sex selection) Act* (PCPNDT Act) (Jain 2006:107ff). The Act was amended because of the high misuse of sex determination and termination of unborn female fetuses. The Statement of Objects and Reasons of the PNDT (Amendment)

Bill 2002 also states a high risk of a great imbalance of the sex ratio in India. Therefore, the PNDT Act had been reformed into the PCPNDT Act, which is also focusing on “pre-conception sex selection techniques and the misuse of pre-natal diagnostic techniques for sex-selective abortions” (Jain 2006:109). The Preamble of the Act states the following:

The Act to provide for the prohibition of sex selection, before or after conception, and for regulation of pre-natal diagnostic techniques for the purposes of detecting genetic abnormalities or metabolic disorders or chromosomal abnormalities or certain congenital malformations or sex-linked disorders and for the prevention of their misuse for sex determination leading to female foeticide; and, for matters connected therewith or incidental thereto (Ministry of Health and Family Welfare Government of India,2003:2).

Any misuse shall be prosecuted and punished with up to five years imprisonment and a high financial penalty. If a woman had been forced to undertake any tests or to have an abortion, punishment would not apply (Jain 2006:125). Yet, this is usually hard to prove, simply for the reason that most women will remain silent. In general, the reality of this Act is quite different from its theory. Prosecution based on a violation of the Act remains seldom. Guilmoto names the main problems with its implementation:

...lack of resources to carry out inspection and monitoring, lack of corresponding qualified staff, poor performance of advisory committees at various levels, political pressures brought on the “Appropriate Authorities”, conflict of interest for doctors charged with the prosecution of other doctors, insufficient understanding of the law and procedural errors, and, in some cases, victimization of pregnant women (Guimoto 2007b:21f).

Allahbadia argues that a new market has emerged within the Act. Doctors are charging a “premium for the service” (Allabadia 2002:412). As aforesaid, people would rather pay high amounts to bribe doctors in order to receive illegal treatment instead of being stuck with a high amount of dowry (Guilmoto 2007b:15). The sex selection industry has become a multi-million-dollar-business (Khanna 2010:121). Ultrasound tests are legal, if a medical reason can be proven. This being the case, many parents make appointments under the false pretense of a medical necessity. In actual fact, they want to find out the sex of their unborn child. Therefore, many doctors are using a coded language to inform parents of the sex of the child. For example, if the doctor talks about a highly respected divinity during the ultrasound procedure, he/she is indicating that the child is a boy; if the doctor talks about a less precious divinity, he/she is referring to a girl. There are many similar examples. Jain describes the combination of doctors being an authority and supporting illegal actions as a main problem of female feticide and its prosecution. Many cases of corruption are stated (Jain 2006:149).

Khan describes the inheritance laws in India as strongly linked to economic power which are likely to lead to the ownership and therefore empowerment of women. The traditional Hindu Law determined all the property for the first- born son. “ A daughter never gets a share of the inheritance under traditional Hindu Law” (Khan 2000:144). The Hindu Succession Act, which passed in 1956 is not discriminating women and their share hold of property at all. In fact this law claimed that the “daughter and wife were are the primary heirs along with the son, with an equal share of inheritance in the property of the deceased” (Khan 2000:144). However, “these legislated laws are implemented in such a way that women of all cultures, religions, castes and even different economic status don’t invariably inherit their due share of rights”(Khan 2000:140). Khan states that the main problems are a weak implementation of the laws, a very wide interpretation and “the superiority by men over women” (Khan 2000:140). Therefore, Daughters and wives are usually still excluded from their part of inheritance (Guilmoto 2007b: 20).

In 2001, the Ministry of Women and Child Development introduced the *Convention on the Rights of the Child*. This convention highlights the general principals, such as “best Interests of the child, non- discrimination, the right to life, survival and development” (Ministry of Women and Child Development 2001:iii). Also the Department of Women and Child Protection of India set up a *National Plan of Action for Children* already in 2005. This plan identified several key areas, specifically mentioning girls. Among their goals, it was specifically mentioned “...to stop sex selection, female feticide and infanticide...” in India (Department of Women and Child Protection; India 2005: 26). It also gives a big range of best practices and strategies regarding the achievement of such goals. Furthermore, in 2005 the Indian parliament implemented the *The Protection of Women from Domestic Violence Act*, which was designed to generally protect women and girls from any kind of harm, violence, harassment or any practice, which endangers their health. It states specifically that the government will supply police officers and members of the judicial service, who are specifically trained on the topic, and take action if necessary (Ministry of Law and Justice 2005 :6,3).

By introducing incentives for females, the Indian Government is trying to encourage the birth of girls. The most famous example would be the *Ladli Scheme* from 2008:

The scheme aims at enhancing the social status of girl child in the society as well in the family, ensuring proper education to make the girls self-reliant, ensuring her economic security and protecting them from discrimination and deprivation (Government of India-Ministry of Human Resource Development 2008: 1).

There are more acts, conventions, laws, plans and incentives, which the Indian Government has established, including the Criminal Law (Amendment) Act, which was introduced right after the New Delhi Gang Rape in 2012. This act was based on the detailed Report of the Justice Verma Committee. It focuses on stricter prosecution and punishment for violence against women, including new offences (Das 2013:n.p.; Ministry of Law and Justice 2013; Verma 2013).

Still, the government has been highly criticized, since many suggestions of the Justice Verma Report had not been implemented. Again, it seems like the Government wants to calm and satisfy people by implementing new laws (Reddy 2013:n.p); however, implementation only exists in theory, and is not enforced in reality, resulting in little or no change. If we take the premise that a society's laws are a reflection of this society, we can maybe argue that the legal framework in India is not the definite cause for femicide, but rather the willingness of its authorities to enforce and punish those not abiding to these rules.

Therefore, improvement of the situation via India's legal environment is presently questionable. It seems like theory and practice are not synchronized with each other.

#### 4.1.3. Implications of Feticide

"This distorted demographic masculinization, which has serious social and economic implications, is not a natural phenomenon but is achieved through a deliberate elimination of girls" (UNFPA- Asia and the Pacific Regional Office 2012:2).

What kind of consequences are already in place and what is to be expected? For future consequences, only assumptions can be made. Hence, there are phenomena, which can already be traced back to the missing girls and women of India.

Guilmoto says female feticide can be seen as a "revolution", which will affect all of Asia and ultimately the rest of the world (Hvistendahl 2013:28). While comparing it to an epidemic, he shows simultaneously how serious and threatening the issue is (Hvistendahl 2013:38). In fact, the overall population will decline, since there will be less women and therefore less fertility; "fewer women today translates into fewer births after 20 years" (Guilmoto 2007b:10). However, considering the millions of men, who will be of a marriageable age and looking for women, who will not exist, the outcome will be complete chaos caused by a masculinization of society (Hvistendahl 2013:41). Additionally, this will be mainly a problem of the poor. It will more likely be easier for wealthier men to attract brides. As a consequence, "the proportion of men

remaining unmarried among the low-income groups could well be twice as high as the national average estimated previously” (UNFPA- Asia and the Pacific Regional Office 2012: 56).

Glen is referring to Hudson and Boer,<sup>4</sup> who are predicting “high levels of crime and social disorder” if the surplus of men are not able to find brides. They even forecast great armies, which will need to be created to control “the young men's aggressive energies”. John et al. are calling it a “spousal squeeze”. As a result, phenomena, such as polyandry and bride trafficking, will occur and continue to occur (John et al. 2008:78).

Vibhuti researched women, who are shared as a wife by many brothers’ and/or even distant cousins. Furthermore, cases of polyandry are reported, whereby one woman is married to more than five men. Vibhuti describes the situation in many villages as a state of social crisis, with hundreds of men who can not find brides (Vibhuti 2005:10). Furthermore, Hvistendahl predicts the occurrence of forced marriages, an emerging market of marriage trade, sexual exploitation, sexual trade and organized prostitution. All these phenomena will increase tremendously. The forecast shows a destabilization of the region and an increase of any kind of violence (Hvistendahl 2010:41f; UNFPA- Asia and the Pacific Regional Office 2012: 56). Apart from increasing violence against women, the report titled *Suicide mortality in India: a nationally representative survey* predicts that suicide among young women between 15 to 29 years of age will be most likely one of the leading causes of death in the future (Patel et al. 2007:2343).

In addition, the high son preference will expose boys to extremely high oppressiveness in society. The expectations of the parents to fulfill all “duties” will be very high. Unimaginable for parents would be if a son was not comfortable with his given gender, homosexual or not conforming to carrying out the cultural and traditional practices (Hvistendahl 2013: 368).

Overall, the larger consequences of female feticide will disadvantage women and girls, of and poorer strata of society.

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<sup>4</sup> The original book “Bare Branches: Security Implications of Asia’s Surplus Male Population” (MIT Press) was not accessible.

#### 4.1.2. Further Categories of Femicide in India

The following categorizations are as well artificial and can overlap.

Additionally, categories, such as female infanticide, describe the killing of female babies under one year of age. It is the oldest form of sex selection. According to Banerji, the murder is executed through “feeding poison, feeding salt, drowning, burying alive, wrapping in a wet blanket to induce pneumonia or feeding alcohol to induce diarrhea” (Banerji 2012:8). In comparison to any other country in the world, India and China were the only countries in the new millennium to have higher female infant mortality when compared to male infant mortality (UNDENSA 2011:xvii).

Femicide of girls five years of age and under occurs mostly through starvation, neglect and/or violence. Since the girl is seen as an expensive burden for many families, they will be treated unequal. They will receive less breast milk or none, less food, and inadequate nutrition and medicine or of a lower quality. While twice as many boys are taken to hospitals for treatment when sick, girls often have to hope for survival without treatment (Venkatramani 1992:17). The UNDESA found that the survival chance of a girl child under five years of age is 75% less than boys. Basically, 100 girls die in comparison to 56 boys (UNDENSA- Population Division 2011:xvii). Another category would be dowry deaths, which have already been referred to in the previous chapter. Dowry deaths are deeply anchored in the Indian society. This practice of killing goes back to ancient Greek and roman times (Filip 2013:64). Killings are usually committed by the husband and/or family-in-law “over conflicts related to dowry, such as bringing insufficient dowry to the family” (WHO 2012:3). Women will be rated as “unsuitable wives“, especially if their parents are not able to pay more than they already have and will be killed (Filip 2012:64). After the dowry death, the husband and his family will look for a new wife and therefore another dowry. Dowry deaths thus have a great economic component, as they bring accumulated money and domestic goods to the new family (Kelkar 1992:117). One of the most common causes of dowry deaths are fire-related deaths or so called bride burnings. People will mainly refer to “cooking accidents”, which are already seen as a euphemism for dowry deaths. Most dowry deaths are never reported and therefore statistics are hard to determine. As such, it is almost impossible to prove dowry deaths, since most of the incidents happen at the home of the in-laws and are perpetrated by them; therefore, no further non-family witnesses are available



(McCoid Hedge 1989:1). Other methods of executing dowry murder include hanging, the feeding of acid, drowning or even contract killings (Banerji 2012a:15).

It should be noted that dowry related bride burnings should not be mistaken with burning wives. The burning of wives, also known as *suttee* [emphasis added] means “Sanskrit sati (good woman or chaste wife)” (Doninger 2013:n.p; Radford; Russel 1992:123f). This is an ancient custom, where the bride follows her husband into death if he has died. The widow will dress up in her wedding gown and sit on the husband’s funeral pyre. She will burn herself alive (Radford; Russel 1992:123f). *Suttee* is no longer very common, but still happens, causing it to be banned for the first time in the 17th century. (Radford; Russel 1992:124).

Additionally, honor killings can be committed by male or female perpetrators, yet are again mostly committed by family members. Women are accused of “an actual or assumed sexual or behavioral transgression, including adultery, sexual intercourse or pregnancy outside marriage – or even for being raped”. Honor killings are done to protect reputation and/or honor the family. They are done to follow traditions or religious and/or cultural demands or even to cover up cases of incest (WHO: 2012:2). Methods of this type of murder can vary from “stoning, stabbing, beating, burning, beheading, hanging, throat slashing, lethal acid attacks, shooting” or “strangulation”. Furthermore, killings may be done in public to set a dissuasive example “in order to influence the behavior of other women in the community” (McClelland 2013:60).

The killing of women as a result of the accusation of witchcraft/sorcery is another categorization of femicide. As there is no common definition of witchcraft and sorcery, the definition of the Organization, HelpAge International, will be used. HelpAge defines witchcraft as a supernatural power used by someone to cause harm. It is quite common in India to believe in witches and witchcraft, especially in rural central and northeast India (Sleap 2011:16; Ghosh 2012:n.p). Accused witches are believed to turn “into animals, use invisible weapons or send ghosts to cause illness and death” to others. It is an easy process to dispose of “unwanted” women in society. “Unwanted” are those without children, widows, non-married, mentally challenged, or with any kind of disorder or handicap (Sleap 2011:16; Ghosh 2012:n.p). Those women who are “identified” as a witch are usual haunted, sometimes by the whole village. They are harmed with physical and psychological abuse, ostracism, torture and even murder (Sleap 2011:16).

According to WHO data, India has each year around 170,000 cases of suicide. This is one of the highest rates in the world. Suicides in India mostly happen between the ages of 15 to 29, and rates are particularly high for women (Patel et al. 2007:2343). Although suicide rates by Indian women are almost equal to men, the suicide rate by Indian women is much higher than of women from so-called western societies. The most common methods for suicide are poisoning, hanging and self-immolation. Reason for suicide can vary dramatically: "Divorce, dowry, love affairs, cancellation or the inability to get married (according to the system of arranged marriages in India), illegitimate pregnancy, extra-marital affairs and such conflicts relating to the issue of marriage, play a crucial role, particularly in the suicide of women in India" (Vijaykumar 2007:n.p). Most suicides committed by woman are done due to "family tensions" [emphasis added] and are mostly connected to their position in society (Kelkar 1992:117).

Doopati also describes the so-called "After Effect". She basically states that women escaping from violent situations do not have many choices. Usually they do not have the financial means to support themselves and their children. There exists a high dependency on the husband and his family. In most cases, they can not or will not return to their natal family out of shame as well as for financial reasons. Further, most women, who do escape or try to escape abusive situations, have been either raped, divorced or widowed and are not likely to find a new husband. There will not be anyone willing to pay a second dowry, and the woman will not have much economic wealth on her own. In the end, most of them either return to their abusive husbands or in-laws, become homeless, work as a prostitute or commit suicide (Doopati 2013:n.p.).

In identifying different categories of femicide, it has to be mentioned that the gang factor is crucial in India. This gang factor includes different categories of femicide executed by multiple perpetrators. Banerji claims that most dowry-murders, witch-hunts, infanticides and forced abortions are gang related killings. Furthermore, many rape cases with lethal consequences are executed in gangs. Banerji states the following: "This 'gang factor' is a critical indication of the fact that genocidal violence stems from a collective cultural identity, which often boosts itself by diminishing the individual (de-individuation) and diffusing personal responsibility" (Banerji 2013:23).

Basically, any kind of crime against women in India is conducted in a gang, a group of people. This group can be members of the natal family, family-in-laws or a group of boys and/or men (Interview 6, Banerji: #00:00:57-4#).

## **II. Empirical Part**

### **5. Methodology - Qualitative analysis through problem centered interviews**

As a qualitative method, the problem-centered interview has been chosen because it offers insight from experts, who deal with female feticide, within the areas of the world most affected. The idea was to create space for experts and their opinions, experience and involvement with the issue. The conducted Interviews shall be used to complement the elaborated theoretical approach of the social, economic and legal dimension above and hence lead to an answer for the research question.

#### **5.1. Procedures**

This chapter will explain all procedures in relation to the conducted interviews and meetings.

##### **5.1.1. Contacting Potential Interviewees**

Different governmental Institutions, such as the Ministry of Children and Women, Ministry of Health, The National Women's Right Commission and others, were contacted without success. Finally, it was possible to schedule an interview with an Administrative Functionary of the District of Bhiwani, Haryana. This person asked to remain anonymous and will be referred to as Person A. Person A also organized an interview with the Chief Medical Officer, the District Programme Officer and the District Protection Officer of Bhiwani, Haryana. It was not possible to acquire more appointments with government officials.

Further, Women's Organizations were successfully contacted. It was possible to schedule an appointment with two employees of CREA: Ms. Pooja Badarinath - Programme Coordinator, Advocacy and Research - and Ms. Ruspa Mallik - Director, Programs and Innovation. CREA is an NGO with an office in New Delhi. Both interviewees work in the area of "reproductive rights, sexuality, violence against women, media and human rights" (CREA 2013:n.p.). Afterwards, an interview with Ms. Anju Pandey - Programme Officer of UN Women South Asia – was conducted. UN Women South Asia, with its office in New Delhi, has a focus on "the creation and

implementation of pro-women laws, policies and programmes” in India (UN Women South Asia 2013 :n.p.). The next interview was with three employees working for Plan India: Denge Bhagyashri - the Executive Director - Debjani Khan - the Project Manager of *Let girls be born* - and Lilly Vishuanathan (her position was not clear). Plan India promotes children’s rights while also having projects aimed at fighting against feticide (Interview 5, Plan India: #00:00:41-1#). Additionally, the Center for Women and Development Studies was visited, which is an autonomous research Institute. An interview was conducted with Renu Addlakha, who is the Deputy Director of the Center and a professor. She also kindly invited me to use the Institutes library, which proved to be very useful. The last interview took place in Calcutta with Rita Banerij, the founder of the Campaign *50 Million Girls are Missing*. She shared her views and perspectives for more than 2.5 hours.

In addition, the German and Austrian Embassy were contacted in order to receive a broader picture and to understand the view of a European country represented in New Dehli. Mr. Cord Meier-Klodt, the Deputy Chief of Mission, Head of Economic and Global Affairs of the German Embassy in New Delhi, took the time for a meeting. He is not a specialist on the topic; hence, this was not an expert interview. The German Embassy has been supporting the Center for Social Research on projects related to fighting feticide. An interview with the Center for Social Research had been scheduled as well, but was unfortunately cancelled from their side. The other meeting took place with the First Secretary of the Austrian Embassy, Mr. Robert Wank. For security reasons, it was not possible to record either of them.

### 5.1.2. Data Collection

The literature of P. Mayring and A. Witzel was mostly relied on, as it focuses on the “subjective perceptions and ways of processing social reality” (Witzel 2006:n.p.).

Witzel describes the three most important principles of problem-centered interviews:

- It is distinguished by a *problem-centered orientation* towards socially relevant problems which also characterizes the organization of processes of cognition and learning (preceding interpretation). The interviewer makes use of the formerly noted objective conditions of the observed orientations and actions in order to understand the interviewees' explanations and continue the problem-centered questioning and re-questioning
- The *object-orientation* emphasizes methodical flexibility in face of the different necessities of the objects being observed ... Also, conversation techniques are applied flexibly: according to the requirements of developing a communication situation focused on the individual respondent, the interviewer can more frequently use, depending on the varying degree of the

respondent's reflection and eloquence, narration or recurrent questioning in dialogue procedure.

- *Process orientation* is maintained throughout the course of research and in particular for what I have called pre-interpretation. If the communication process is focused reasonably and acceptably on the reconstruction of orientations and actions, the interviewees respond with trust and thus open up; they feel that they are being taken seriously.

(Witzel 2000:n.p.; Mayring 2002: 68)

These three principles are basic characteristics of qualitative theories. Another important characteristic is openness. The respondent shall have freedom to answer, without having been given any answers from the interviewer. This has significant advantages; such as being a chance to prove whether the interviewee understood the question, the interviewee can give her/his full subjective view of the issue and the interviewee might draw correlations, which were not previously known (Mayring 2002: 68).

All interviewees were familiar with the research question. Therefore, the questionnaire was based on this question. The structure of the questionnaire was followed as much as possible. However, since the authoress is not a professional interviewer, divergences from the questionnaire structure did take place in the process of the interviews. Each interview had its own dynamic and it was not always possible to stay within a strict structure. Situations like this can happen due to multiple reasons, such as not directly answering the question, changing the topic of the interviewee, a lack of knowledge, talkative respondents or if the interviewee brings up new relevant information.

In addition, it needs to be mentioned that two out of eight cases were held with non-experts. Therefore, occurrences will not be referred to as problem-centered interviews, but meetings.

To structure each interview or meeting, questionnaires were used. However, and as already mentioned, practical implementation was not successful in each interview or meeting. Each conversation had its own dynamic. The main focus of the interview or meeting was clear, although digression occurred easily. Therefore, not all the collected material will be used.

The interviewees were identified during the research of this study. It has been the main goal to identify various people within the Indian Government, Women's Organizations, Universities, Campaigns regarding Women's Rights and European representatives living in India. Contact was established via email. In total, a positive

response from nine people, resulting in six interviews and two meetings, was achieved. The biggest challenge has been to obtain meetings / interviews with governmental institutions. Not a single attempt at contact was rewarded with an answered email. The only possible way to achieve an interview appointment with a government official in Haryana was through a contact at the University of Vienna.

Although the interviewer was not a native English speaker, every interview and meeting was held in English. First, it has been the aim to write this thesis in English, so as to address more people. Secondly, and most important, six out of the nine people, with who successful contact was made, English was the only common language. As such, Indian English is not the same as British, American or Australian English. Indian English is also referred to as Hinglish. It is different in writing and speaking when compared to native English speakers from Great Britain, the USA or Australia. According to Rai, "The differences between these Englishes are not just on vocabulary level but from phonological to syntactical levels". Since the interviewer was not very familiar with Hinglish, certain issues of understanding occurred. Some of these miscommunications were realized only upon transcription and were thus marked as non-intelligible (Rai 2006:34).

### 5.1.3 Data Usage and Transcription

To secure the collected data, five Interviews were recorded with the interviewer's cell phone (Samsung III), which had an audio record function. Due to varying reasons, it was not always possible to record all of the interviews or meetings. In fact, the first interview with the government official in Biwhani, Haryana and the second interview with a Medical Officer, a Programme Officer and a Protection Officer of Bhiwani, had to be conducted anonymously. Those interviews will be summarized based on the interviewer's memory and notes, which were taken during each session. The summaries were written as objectively as possible.

The meeting with the Diplomat, Mr. Meier-Klodt, of the German Embassy, and the meeting with the First Secretary, Mr. Wank, of the Austrian Embassy, were not recorded due to security reasons. Upon request, the summary of Mr. Meier-Klodt is not part of this thesis, but might be shared via personal contact to the authoress.

The other five interviews were recorded with the cell phone. Audio material totaling 5.78 hours was collected. For the transcription, the f5 audio- and videotranscriptionsoftware (V1.5.6 from 29.9.2011) was used as well as the *Manual*

(on) *Transcription. Transcription Conventions, Software Guides and Practical Hints for Qualitative Researchers* of Dresing, Pehl and Schmieder (Dresing; Pehl; Schmieder 2013).

The *Manual (on) Transcription* suggests *A Simple Transcription Procedure*, which was used. A simple procedure instead of a more complex system was decided on, since this would best serve the purpose of the current thesis. It was important to have fast and easy access to the conducted transcripts. As Dresing, Pehl and Schmieder show in examples, less detailed transcripts are easier to read and understand. The most important thing about the interviews was the content, not the emotions, gestures or mimics of a person. Therefore, the transcripts are not commented on in detail. The established transcript rules of *A Simple Transcription Procedure* have mostly been followed (Dresing; Pehl; Schmieder 2013:27-30). The interviewer was indicated in each interview with a (*I*) and the interviewees with an (*R*) for respondent. Grammar and spelling mistakes have been corrected, but the sentence structure of the interviewed person was kept. As mentioned above, the attempt was made to keep the transcript in *Hinglish* so as to maintain authenticity.

Each audio record took place only with the full consent of the interviewed person.

## 5.2. Qualitative Content Analysis

Mayring distinguishes between three basic types of qualitative content analysis: summary, explication and structuring. It is the aim of the summary to reduce the material, but thereby keep the main arguments. The material becomes more easily accessible, but main statements remain. The explication identifies parts, which seek more clarification. Therefore, external material shall be used to clarify statements. The method of structuring analyses only filtered aspects of the material, which have been determined by previous coding (Mayring 2002:114ff).

To fit the research question of this thesis, the third method has been chosen.

To use the method of structuring, all material had to be coded. Therefore, the interviews were coded in respect to the research question. The economic, social and legal dimension of feticide has been used to categorize the material. Though the analysis of each transcript shown, it would be less complex to merge the social and economic dimension. This was decided on for the reason that many statements of the interviewees cover both dimensions at the same time and are therefore hard to separate. In addition, the category of consequences of feticide was added. As a

result, the material was coded into the socio-economic dimension, legal dimension and the consequences of feticide. Furthermore, the analysis showed many statements, which were repeatedly spoken. It was decided to also quote similar arguments by different interviewees, to provide a foundation and strengthen certain statements. Further, all three dimensions had to be divided into factors. A strict application of each factor within the dimension was not possible, since they strongly overlap. Hence, each argument was assigned by the best suitable factor. All factors will therefore present corresponding arguments, conducted in the nine interviews. All arguments are within the Indian contexts, if not differently indicated. The text contains remarks, which have been made by the authoress to explain the context of a statement, if necessary. To preserve the interview in the most authentic form possible, corrections in terms of grammar and spelling mistakes were not fully edited. It is crucial to acknowledge the strong coherency of each dimension and its factors. In addition, each transcript and two out of four summaries can be found in the annex and read for further understanding and information.

### 5.2.1.Social-Economic Dimension

The social-economic dimension will contain the following factors: education tradition, religion, patriarchal system, son- preference, health, social oppression against women's choice, honor, shame, class relevance, economic situation of families and women, rural vs. urban region / spreading Feticide and economic and social development of India.

#### 5.2.1.1. Education

Women are neither educated nor economically independent (Interview 1; Person A).

They used to have a joke in school and college: "The higher the man gets educated, the greater is his market value" (...) which doesn't work for the women. Actually the higher you are educated it could be a disadvantage, since you are more empowered, self- confident and outspoken. So the market value for women decreases. But it also works very differently between classes and casts. (...) The idea that she is going to questioning you, the idea she says "this is not right this is wrong" has a tremendous amount backlash within society (Interview 2; Badarinath; #00:11:40-8#).



The more educated the girl gets in certain areas the lesser is her market value. They [Remark: referring to the natal parents] have to pay to get her married and then she becomes one of those outspoken "bad women", so to say, a girl who doesn't listen to her brother, husband, and/or her in-laws is not somebody who is wanted in society. There are a lot of sayings which are so morbid, such as: "The minute a girl child is born her life is a struggle", but there is also so much truth in that (Interview 2; Badarinath; #00:11:40-8#).

Obviously we are looking at only the productive role for men; therefore there is a clear role for men and boys and who will get educated (Interview 4; Pandey; Part 2; #00:00:01-0#).

They [Remark: referring to natal parents] feel to invest in her education is a waste because she is going to be empowered and some other family will benefit of their investment (Interview 5; Bhagyashri; #00:01:15-8#).

[Remark: referring to the question if fathers are sending their daughters usually to school] Yes, because he thinks she will get an education and a good job and will help the family later on (Interview 6; Banerji; Part1 #00:02:34-7#)

The powerlessness, let me tell you as an educated women living in the city, the powerlessness of a women with education is the same as the powerlessness of a women without. And also the powerlessness of a person in the city who is a part of a political group is the same as the powerlessness of a man in the village who is illiterate (Interview 6; Banerji; Part 4; #00:03:15-1#)

The education of the women/ like the more educated a woman is the more likely she will have a job, the more likely the sex ratio will decline. The more there is education, the higher the chances are that the sex ratio is declining. There is something fundamental you need to see in this. "This genocide is an exercise of power". Its an exercise, not just the political power, but of wealth and status and education. In total terms the sex ratio shows, the only section where the sex ratio is normal is in the poorest 20%, which are illiterate. And as you go up the ratio become worse. It is worst in the top 20% areas percent (Interview 6; Banerji; Part 4; #00:02:12-7#)

Kerala is an important example. This is actually one area where I disagree with Amarta Sen, because he said, Kerala was the only state with a normal sex ratio and he said this is because Kerala has the highest literacy rate. It is high, that's true. But over the last two decades their gender ratio is below normal. And it is going down

with each census (...) Infanticide is increasing, dowry murders are increasing, very rapidly, Feticide is increasing. Why? The education is increasing as well, so why is this happening in Kerala with a literacy rate of 99%? And the only difference/ I tell you why in Kerala it didn't happen and why in the north east the gender ratio also is going down. It happens in urban and rural areas (Interview 6; Banerji; Part 14; #00:00:57-4#)

#### 5.2.1.2. Tradition, Religion, Patriarchal System, Son- Preference, Health

I mean of course, feticide and infanticide are very clear expedience and expressions of a deaths occurring, because the baby/fetus is a female (Interview 3; Addlakha; #00:01:16-4#)

Boys and girls are never treated equally; the son preference is very high (Interview 1; Person A).

The whole society is male dominated; it underlies a high patriarchal system (Interview 1; Person A).

Any kind of social traditions are highly anchored in society (Interview 1; Person A).

We had practices like infanticide and active discrimination against the girl child in form of neglect through nutrition and less medication already back then. Those things are playing a much stronger role. This happened already a long time ago. (Interview 2; Badarinath; #00:53:58-8#).

We sort of think that sex selective elimination or female infanticide is mostly done because of the societal set up we have. It is highly patriarchal and devaluing for the girl child. (Interview 2; Badarinath; #00:05:40-3#).

There are many similar sayings that girls are actually the property of another person. The girl grows up gets married and will live with the in-laws. Hence you do not belong with your natal family (...) (Interview 2; Badarinath; #00:14:08-5#)

The way we say it, is power structures have always been within the certain male, not necessarily always the man but mostly. So the minute this is questioned, the system shakes. But the status quo of who has the power is slightly shifting, so there is also a lot of backlash. (Interview 2; Badarinath; #00:20:26-2#)

[Remark: The main reason for sex selection named by the Chief Medical Officer, the District Programme Officer and the District Protection Officer of Bhiwani is:] male preference, the dowry system and unemployed women, which are not

empowered (Interview 1a; Chief Medical Officer, the District Programme Officer and the District Protection Officer of Bhiwani).

I remember we talked about the patriarchal system and (...) how religion and social practices play a huge role in the way society is set up. It's within the Hindu community, that the "last rights" of the parents have to be done by the sons. These are the many excuses why they want a son. It's these little customs why people even need a son. It's never a daughter; it's always a son. They don't want to share their property, which would happen with a girl. They want to keep it all for the son. Apart from the fact that parents have to pay high amounts of dowry for the daughters. Besides, the son carries on the family name. (Interview 2; Badarinath; #00:51:22-9#)

There is a huge son preference in the society. You want to have a son because he will look after the parents once they get old, daughters cost dowry- so that's a problem. Sons will bring in the money. If the parents will die, it's traditional in Hinduism that the sons will light the funeral pyre. It's a Hinduism ritual. And secondly the son carries on the family name. So for these three reasons the son preference is there. Hence people want sons and not really daughters. And it cuts across casts also. So what happens many times is, that there is a young couple, they have one son and won't have any more children. On the other hand if their first child is a daughter, they do will have another child to get a son (Interview 3; Addlakha; #00:01:16-4#).

So typically you will find families where you will have first girl child, second girl child, third girl child and then a fourth boy and then and ahhh (...) and that's usually very typical to see, even families who always believed in small families size of two children will get more children to receive a boy. If it is one boy or two boys they would have stopped then, you know. But if it is one girl, two girls they will go on until having a son. You know the whole mind set is that the boys and men are so much more valued, and absolutely I should say devaluing or not valuing the girls... You know where there is clear preference for boys (Interview 4; Pandey; Part4 #00:00:01-0#)

They [Remark: referring to sons] go out of the house, they will earn a living, they will be the ones who will caring on the lineage they will be the ones who will do the cremation of the parents- you know this whole thing of Nirvana, that you know your sons need to cremate you. You have to have a son to lite your fire, so that is very strong. It comes from the traditions the village practices. Whereas the girls are really seen as a burden because, ah, I'm just sharing this because you know the whole

perspective is that if you're investing in a girl eventually she is going to get married and going to someone else's family. You know therefore, one popular saying is 'Bringing up a girl is almost as watering the garden of your neighbor' you know. So, it's a Hindu saying from the north (Interview 4; Pandey; Part 2; #00:00:01-0#).

Very clear you see this preference for the boys... one part is this traditional cultural religious but then an important part of that is of course the dowry. So parents do not want to have daughters because this means they really have to save and invest in their dowry. Another recent studies has indicated that another reason for the gender biased sex selection this whole issue about safety and security of girls. And parents feel that's a big issue and I know the horrific incident on the 16th December became a global issue plays a big part in that mindset. So, this whole notion of the security of the girls and the purity of the female and all of that. The fact that, you know even if a girl is raped in this country most often she is held responsible for it. The whole mindset of the people and their way of thinking is wrong. People would say the girl might provoked the rape, she might have dressed in a certain way or acted with a certain manner she may have been walking in a certain manner... So what happens is, that person is persecuted only because her gender. So if you put this whole thing of sex selection in the center then one part is very evoked by the society, and this whole cultural and traditional. How it really operated at the level of the families and you know this whole socialization and also that how women are forced into doing what they are asked to do and what are the consequences out of that. Not just for the society but also for their own health. Because if you are forced into multiple abortions what are the consequences for her physical, emotional, mental or psychological health. Many women die because of complication of abortions (Interview 4; Pandey; Part 3; #00:00:48-1#).

In Punjab it was very shocking. Families there want only one child. There is a one-child norm that's emerging, and that one child has to be a boy. Many don't even want to have two sons, only one [Remark: She is not referring to a legal norm, but a norm within the families] (Interview 5; Bhagyashri; #00:04:31-2#).

You will find very few people who are willing to have daughters. Having a child, you know, 99% of the people would want a boy. They may like to have a girl but then the second child has to be a boy (Interview 5; Bhagyashri; #00:07:20-7#).

My sister (...) She told, me anytime you see a big age difference between a first daughter and a son, if there is a six year age difference, you can assume that the parents have gone through multiple abortions in-between, in order to have a son

(Interview 5; Bhagyashri; #00:07:49-1#)

Also dowry is actually a Hindu custom, right! Now it doesn't matter anymore. Anyone is doing it in India, no matter which religion you're from. In the Islam you have something like the Mahar. It works actually differently, the husband needs to give a Mahar to the wife and when they get divorced the Mahar actually becomes her ownership. From all the people we have talked to, nobody gives Mahar. Everyone is using the dowry system. So its been shifted around. (Interview 2; Badarinath #00:18:19-6#)

When people die the last rights in the religion have to be performed by boys. So, and then another thing is carrying the family's name, girls always take the husband's name. So, all these reasons and they are so deep routed since generations (Interview 5; Bhagyashri; #00:01:15-8#).

#### 5.2.1.3. Social Oppression Against Women's Choice, Honor, Shame, Class Relevance

Like you know if you produce a son your status in the family goes up. These are some of the things of social and cultural issues, which we cannot deny. But with the technologies the issues becomes even worse (Interview 5; Bhagyashri #00:21:09-8#).

The linkage of women sexuality and how it affects, you know, how it impacts the field of sexuality and turns into violence is very important. The same thing, if we talk about sex selection. On a societal structure the patriarchal system is controlled by men and that is how, especially the choice of women, we sort of look at things. Hence, we [Remark: referring to the NGO Plan India] sort of work on many different subjects under the broader mandate on choice and consent. We, as women, have the choice and especially marginalized women have the choice and they should be given the right to consent (Interview 2; Badarinath; #00:00:35-4#).

So basically our experience with the cases we had, showed me there is not a big difference between women who are highly educated or not educated. They are doing the same thing. Most of them won't leave the family because it's a shame of the family (...) It's about power and control (...) You know, they have this nice formula, educate the women (...) and they will have money. So this will break their formula. See if you show support to women who came out, it will open a can...other women will come out too. It's always an act of shame. This upper class women they

won't talk about it. They are too ashamed (Interview 6; Banerji; Part 12; #00:02:12-2#).

No women is doing the test [Remark: Referring to the sex determination test] or abortion on a voluntarily basis, these are forced abortions and tests. You know, so in other words, this is not abortion of choice, it is a forced abortion. [Remark: Banerji is illustrating an example about a case she once had] A woman was forced to eight abortions in sex years. She said she wouldn't have any say with her in laws. It's something in-between her husband, the parents in-law and the doctor. They won't even tell her what will happen. They will make her do a test and then take her to the hospital. The doctor will give her an injection and when she wakes up they will have done an abortion on her. When she realized what happened to her, she tried to resist the second time. Then the family started beating her. See in all cases the doctor is working with the husband and in laws. Basically she is a prisoner. And the Government has not closed down any clinics. Even if women are reporting something (Interview 6; Banerji; Part 1; #00:13:40-0#).

But as you go in middle or upper class areas these women won't talk too much. It's almost like a wall. (Interview 6; Banerji; Part 5; #00:02:12-7#).

They are more scared, because there is more abuse as you go up [Remark: Referring to classes]. If you talk to women upper and middle class women, they will tell you, "Yes it [Remark: Referring acts against the choice of a women] happens but, mostly in slums" (Interview 6; Banerji; Part 5; #00:05:10-4#). The pain and the fear are much more. The abuse is more and the shame is more in upper classes. The class pressure is more. If there is violence in a upper or middle class house and a woman starts screaming, or she tells the neighbor- there is a common phrase people would use: "Don't scream like a slum women". Because the slum women- if there is violence if they are beaten if they torturing her for dowry or threatening her to kill the baby- she will shout it out, tell her neighbors and everybody, you know. And if the husband is beating her ... (Interview 6; Banerji; Part 5; #00:05:10-4#) ... many women will come out and screaming and shouting. But in the higher the class is they will keep it inside. They protect their "honor". And that phrase is used in the middle and upper class "Don't scream like a slum women!" (Interview 6; Banerji; Part 6; #00:00:16-1#).

Nobody owns her. Not her husband, not the Government, not the state [Remark: She is referring to any women]. This is why a rape is a violation. Abortion

is/but even forced pregnancy is and even of course a forced abortion is a violation of choice. So people keep thinking it's about abortion, but it's not. Because according to the preamble of the pro-choice movement, even a forced abortion is anti choice (Interview 6; Banerji; Part 7; #00:01:32-1#).

"My god, in India we don't even know this" (laughing) [Remark: She is referring to the pro choice movement which is not very known in India]. All women are forced into marriages; they have to have children if they want to or not, even educated women. I have a friend with a PhD, who is part of this movement, and she was telling me her brother just got married and the sister in-law got pregnant. She said it was unplanned, she is not ready for a child, and she works with the media and is traveling a lot. She doesn't feel ready and doesn't want to have a child yet, but the family in-law would come in a group- sits down and pressures her. They would say: "This is our child". So she is going to have the child. This is an educated woman. I said, do you not see that as Anti- choice? I mean she is a feminist and everything, very educated, a part of the feminist movement in Delhi, but she won't see that as Anti-choice (interview 6; Banerji; Part 7; #00:04:49-1#).

There was one family, which got the media really angry. She was media journalist who used to report in gender issues. She was in love with this boy from another community and they were both shoot and killed in her car. It's barbaric. The thinking is barbaric. This woman, Mary J. [Remark: Mary John is a Professor at the CWDS] ... (Interview 6; Banerji; Part 8; #00:00:04-1#)...she got really upset with me. She said: "You can't call it barbaric! You have to see it in the cultural context". The culture is always coming in (clapping on the table). She said "You can't label it barbaric; you have to engage with the group" [Remark: Referring to the group of perpetrator] and negotiate with them. Yes, right. So what do I tell them? "Please don't kill. Even if you think you should". That's not an option, it won't work like that! The Indian feminist end up protecting the culture before protecting women themselves (Interview 6; Banerji; Part 8; #00:04:19-1#).

It's so strange for a woman to protect a patriarchal system that is killing other women. It is a bigger priority than even the individual abuses of violence on women we live with [Remark: She is referring to multiple examples where women protect the "Indian culture"] (Interview 6; Banerji; Part 8; #00:05:53-9#).

It's power play. (Interview 6; Banerji; Part 13; #00:05:15-2#) [Remark: referring to the violation on women in India]. India is a concentration camp for women, that's what I'm trying to say. (Interview 6; Banerji; Part 13; #00:06:41-8#)

In India every violence is gang violence. Always. All violence of domestic violence, even the killing of infants and fetuses its all gang violence. If the mother doesn't want to give her child to let it be killed, it will be taken from her to be killed. Its all gang violence. Even if she wanted, there is nothing she could do against it (Interview 6; Banerji; Part 14; #00:00:57-4#).

If we start calling sex selective abortion femicide, as a part of the campaign there are Anti- Abortion Groups that are going to start join. And we have been very careful not to have Anti- Abortion Groups. Because we are saying the Anti- Abortion Groups want the same thing as the men. They want the control on the body of a woman. How many women voluntarily, I mean I always ask people- "Give me one example of a women who wants to abort a female fetus". For me, that would be an issue of choice. These forced abortions (Interview 6; Banerji; Part 18; #00:05:17-6#).

#### 5.2.1.4. Economic Situation of Families and Women

Doctors in general play a great role in disclosing the sex of unborn children. Person A also explained it is not as expensive or hard to find someone who will tell any pregnant couple the sex of the child. It might be a bit expensive, especially since it is an illegal action. Though couples believe it is still cheaper than bringing up a girl child. Thus, most of the people would invest the money. (Interview 1; Person A).

The high expenses for dowries and wedding can be also blamed ... (Interview 1; Person A).

Women in rural areas usually don't work as much and are therefore not economically independent. They are responsible for all the domestic work and getting children (Interview 1; Person A).

Person A said the price of the dowry is a lifetime salary. Everybody uses the dowry system. Usually it depends on the income of the bride's father. Person A also claims it is hard to prove the misuse of the dowry. Dowries are often declared as presents and all kinds of presents are certainly allowed on weddings. Money as such is not allowed as a present, but again this is hard to prove. There are also cases of families who are denying dowry. Though this happens very seldom (Interview 1; Person A).



I guess the way we see it [Remark: Referring to Plan India] is the way the Indian system works. A lot of times the economical needs increases the preference of the male child. For example we did have a workshop in my former company, which was about Violence Against Women. One of the women who was attending, told me, its just not viable to have a girl child. And, although it is a horrible thing to say and to hear, when we sat down with the women they told us about a high unequal treatment of boys and girls. Girls are not sent to school, they get less nutrition's and worse medical treatment and so on. This happens because the idea is, that girls grow up, get married and live in their husband's house and the natal parents have to pay a tremendous amount of dowry without anything in return (Interview 2; Badarinath; #00:09:45-0#).

Most places / when you don't have an economic back up / many women want to complain to the police [Remark: Referring to women who are economically not independent]. Domestic violence is very underreported because most women don't report. This is a form of domestic violence. It is still underreported in the country because; we understand that there is really no option. They can't go back to their origin homes because they will be the "women who left her husband" and people won't treat them very nice. So marriage is the ultimate goal. Even if the marriage is not happy, but living in that system the marriage is the ultimate goal for every girl. That's not necessary within rural areas, but also in urban areas. It is a fight for women happening in all casts and classes (Interview 2; Badarinath; #00:26:48-8#)

So, a girl, when she is born is really considered as a sin. The families believe that a girl is an expense; they don't look at her as an investment. So its primarily because of that, also the girls get married and then there is the dowry system which is been prevailing in most of the states, you know, for so long. So it's a financial burden (Interview 5; Bhagyashri; #00:01:15-8#)

In fact in a poor family, they will have five children to have a son. Rich families don't want to have five children, but three children at its maximum. Most of the poor families just go on and have children, they won't go for feticide. In poor families there is more infanticide or neglect of the girl child (Interview 5; Bhagyashri; #00:09:52-4#). It's cheaper that way, than abortion (Interview 5; Bhagyashri; #00:10:26-7#).

There has been an analysis of the Census of the Government by doctor Brachat, who found out: If the first child is a girl, its accepted, if the second one is a girl is most as well accepted but with the third child there won't be any kind of

compromise. If the third child is a girl it won't be accepted and will be aborted. Mostly they have a big age difference in-between the girls and the younger boys (Interview 5 ;Khan; #00:33:23-3#).

There are age gaps up to ten years (Interview 5; Vishuanathan; #00:34:11-6#)

Mainly the distribution of property is to blame [Remark: Referring to economic factors which are responsible for feticide]. In India we have recently passed this act on equality, the equal share of property between girls and boys if they are siblings. (Interview 5; Khan; #00:14:57-5#).

#### 5.2.1.5. Rural vs. Urban Region / Spreading Feticide

If rural and urban regions are compared in the context of feticide, rural areas are hit worse. Person A also said, it is currently most critical in Haryana and Punjab (Interview 1; Person A).

Actually at a recent conference I attended, they said it's always higher in urban upper class areas (Interview 2; Badarinath; #00:20:52-6#).

It is actually spreading. One of the highest rates of sex selection is actually in Punjab, a state that is economically developing. So it is usually higher in urban areas also due to easier access to technologies. Apparently the concentration is in urban areas (Interview 2; Badarinath; #00:21:23-5#).

Now, it is spreading all around the country [Remark: Referring to the increasing sex ratio]. There has been diffusion, especially if you check the Census data from 2001 and 2011. You can see how it has spread to other states as well, partly to do with the spread of technologies. Places, which are economically underdeveloped like the northern states, or used to be, are an emerging market for these machines. Like in some States it would have not been possible to do an sex determination test 20 years ago, nowadays its not a problem anymore. Now they catch up. (Interview 2; Badarinath; #00:49:54-5#).

You should definitely check the very interesting analysis of UNFPA where they found that if a specific district in a state was gender critical in terms of a declining child sex ratio, they have trapped it from 2005 and seen that over the years the neighboring districts also had reflecting a decline in the female child sex ratio. So that is very alarming, which means that the practices and how the whole thing get's transacted you know, even areas which were otherwise showed -in comparison- a

high child sex ratio you gradually see that one pocket begins and ... then it's sort of spreading to the other areas (Interview 4; Part 4; Panday; #00:05:12-9#).

The other thing I want to flag out is, I mean there is so far no evidence on it, it's only anecdotal and very little from the recent Census dealt with it, the tribal communities. Which never ever earlier showed a skewed child sex ratio. This is not really from a research-based point of view, or evidence based, but I do remember hearing that in some tribal areas you can see a declining sex ratio (Interview 3; Part 5; #00:00:02-8#).

According to Ms. Bhagyashri urban areas such as Delhi are more affected by female feticide (Interview 5; Bhagyashri; #00:09:32-7#).

Deli, Haryana and Punjab [Remark: referring to the worst areas addressed by female feticide]. It has nothing to do with the poor people, it has more to do with the urbane elite who wants boys (Interview 5; Bhagyashri; #00:09:32-5#).

I have found women in poorer rural communities they will speak more, even when I was writing my book, I walked around to meet with such women. See in upper class homes mostly in urban areas, people will be cleverer about killing their babies. It will be a sudden infant death syndrome; it will be an accident on the stairs. In the villages it is more naive, you know. So if someone has killed a baby while using a certain poison of a plan, everybody will do the same. You know, there is a guilt mechanism there, If you are psychologically involved with actually killing, you will think about the legal consequences. You will plan it. You will think about the police, none knowing about it, the law... this is what middle and upper class families do (Interview 6; Banerji; Part 2 #00:05:13-1#).

#### 5.2.1.6. Economic and Social Development of India

What happened in Europe took like a 100-150 years to change, everything for us, I mean I can't tell you how different things have been like 15 years ago ( ...). So 15 years of social change is a very small period of time and that's why it is unstable and it is going to throw up a lot more, because man they want to get married and they will but they will marry within the new system [Remark: Referring to a more modern India]. So you know, the woman working outside, dressing the way she wants, spending her money, as she wants to (Interview 3; Addlakha; #00:32:54-8#).

The places they are work for expect them to look smart, trendy. The traditional outfit (pointing at her outfit) is just not required (Interview 3; Addlakha; #00:31:52-5#).

And then if she may get's married, all of the sudden the traditional restrictions come back. She should consult her husband with anything she is doing, her own money won't be controlled by herself anymore, her in-laws will play a great role in her life. And that will create problems, because she is used to such a different life. And that's where she will challenge it. When you challenge the other side will challenge you back. Since you are challenging that person's authority or power. So you have to pay a price. The person who challenges is the person who pays. The person who is in power won't take a challenge easily. They won't suddenly say: "Ok now society has changed, ok now we divide our money, ok dress the way you are, ok...". No, it won't work like that (Interview 3; Addlakha; #00:32:54-8#).

India, anyhow, as a society we are very young, we have our cast differences, gender differences, regional differences, it's all very unequal. As a society we have not been structured on the principle of equality, we are structured on principle of inequality (Interview 3; Addlakha; #00:35:55-8#).

There is another thing, looking at what are the social, so the social traditional, what are the economic dynamics of gender based sex selection. Where she has evidence of families in Punjab, and this is a different research M. John made for UN Women, where she has found evidence for large agrarian farmers with just one child, which is always a male child. So, again because they don't want their property to be divided and they just have one child. All those are very significant areas of enquiry in the context of gender biased sex selection (Interview 4; Panday; Part 5; #00:04:43-6#).

Feticide happens across religion, across casts, across economic strength and there is nothing preventing this female feticide right now. The main reasons for, what are researches showing are primarily that this new family concept with high consumerism leads to a single child household. And the single child is preferably a son. They are not waiting for a girl child. Especially in Punjab the economic factors are important because of the distribution of land. Different and diverse economic strata is responsible (Interview 5; Khan; #00:13:54-9#).

Calcutta was, when I came here ten years ago, a very safe city, you know more than other cities in India. It actually changed drastically. I feel even unsafe being on the street at 7.30-8 o'clock, you know. It's never been like that. And I can't get perniciousness because they don't see political will. You know politicians don't want to address it because many of the men support the political party here in India.

Everything gets divided politically. The politicians don't want to create a problem (Interview 6; Part 1; Banerji; #00:00:55-2#).

### 5.2.2. Legal Dimension

The Legal Dimension is divided into the following factors: Legal Action, Legal Implementation and possible Affective Policies or Actions.

#### 5.2.2.1. Legal Action

The Government of Haryana established a registration system. No doctor is allowed to have ultrasound machines without being registered. If there are still unregistered machines found, they will be confiscated. Hence, there are many unregistered machines. Another problem is, there are things such as portable ultrasound machines. It becomes hard to track them, so Person A (Interview 1; Person A).

A new established pilot program, shall track patients via Internet. If there is a couple getting an ultrasound test, the doctor can only proceed in registering the couple with name and address. The results of the couple will be via Internet handed to the responsible official of the district headquarter. So the district headquarter will get to know the sex of the child and who names of the couple and the doctor in charge. The couple will be tracked until the women gives birth. If the child has been a girl and she wont give birth, the couple will be detected and brought to court. This pilot program shall make it hard to abort the unwanted sex once the couple has been registered, so Person A. Person A calls it a pro- active measurement by the state to fight feticide. Person A sees the main problem in the consistently renewing technology, but also its solution by using it for the good. By using it for the good, Person A said people need to feel pressure and fear. If the people will be arrested, other people will think twice before acting against the law (Interview 1; Person A).

#### 5.2.2.2. Legal Implementation

I think in total numbers, feticide happens the most [Remark: Referring to which kind of Femicide happens the most] (Interview 6; Banerji; Part 3 #00:02:32-7#).

The only way a group can be targeted and exterminated is if there is legal permission for it. Directly or indirectly. Legal means, the permission by the Government. Otherwise it's not possible. Assume, if tomorrow in the USA would do

the same sort of Jewish genocide and they started killing people who are Jewish. What you think how would the Government respond? There would be an immediate pull out of forces, there will be Government locks, there will be an immediate attempt to block it, to stop it at every level. From the executive, judicially and legislatively area. Even if there are anti-Semitic officers, there will be a court and Government mechanism in place, which would effect immediately. What I'm saying is, that kind of hatred is everywhere. Prejudice is everywhere. But where is the line between what allows for that particular group to be systematically exterminated. Means you can go ahead and kill that group. The genocide of women is the only genocide in human history, which has been negotiable (Interview 6; Banerji Part 3; #00:05:27-5#).

So when you look at the inheritance laws in the country there have been changes during the last years. Earlier the girl had no share of the property at all. In India we have something like the ancestor property, because you work in joint families. So the minute a child is born it will get a share in the property without doing anything. That was only for males though. Nowadays its for both gender (Interview 2; Badarinath; #00:15:54-3#).

Since / what usual happens is that the girl writes it over to her brothers. So she won't get her property (Interview 2; Badarinath; #00:16:32-7#).

She is forced but more socially forced. This is how the societal system works. It is a higher version of peer pressure. You have to do certain things even though you are not consent to it. So a lot of time she loses the property. It is the same with divorce laws, which they hopefully change now. If you get divorced, the division of property is not equal. Even if she has brought as much into the marriage as him, she will get less of anything. Economically she will lose. (Interview 2; Badarinath #00:16:54-9#).

In the circle of my friends or family we have people coming up saying things like: "The family of the husband didn't ask for anything, they are so nice", and most of us are saying: "Well there not being nice, they just follow the law." It is illegal, they shouldn't be asking for anything. But everybody does it anyways (Interview 2; Badarinath; #00:18:19-6#).

Person A describes India's laws in favor of women. Nevertheless, if a woman is complaining an offence to the police, it is up to the policemen to file the case or not. Men always hold the last word. Women won't have much choice, but accept it. It is either her own husband dragging her away from reporting him and/or his family or

the police officer himself who will not file the complaint. There is not much media in rural areas and most people don't even know about their rights and legal situation (Interview 1; Person A).

There is a great lack of the enforcement of laws, as Person A says. According to Person A, 95% of the femicide cases in India are feticide (Interview 1; Person A).

Person A sees another great problem in the Panchayat. The interviewee explains, the Panchayat are the lowest elected body and the village eldest. It is the lowest decentralized form of Government in India. This kind of assembly contains wise, esteemed and respected village members, which have been elected by the villagers. Their social influence is very high. If they pass orders, people will follow. For instance, they believe in the caste system which means in this case no one is allowed to marry out of their caste or in their own village to prevent incest. Therefore people need to travel to other villages to find a partner who belongs to the same caste. If people won't follow, they could run danger to be murdered by so-called honor killings, performed on females and males (Interview 1; Person A).

A lot of programs should act more on the societal perception on gender roles, on not devaluing children and stop discriminating the gender. It's not an easy task to undertake. This is a big country. But the expectation that the law will change everything is not happening. I'm a lawyer but even I know there is only so much a law can do. And there needs to be a lot of work ground up (...) So some of the Government's actions are highly problematic, in example giving money as incentives having a girl child. The money always goes to the husband not the women. Many programs are also geared towards; sort of reinforce the current set up. The women still won't have the right to say what happens to her body. It is always the husband. He decides anything. When she has an abortion, if she has an abortion etc. So those programs try to increase the women's autonomy and consent and kind of reinforcing this whole idea of the women should be the wife listening and acting only towards her husband. The idea, that the woman has the right over her own body, is something, I think / it needs a lot of more strong work on. (Interview 2; Badarinath #00:24:49-8#).

One of the women rights activist has the habit of saying; "Unless we don't have property more equally, things won't be equal. If that changes things will change rapidly". Nothing has been proven though; there are many different theories on how to change the situation (Interview 2; Badarinath; #00:23:23-7#).

It's important to broadening the issue and not narrowing it down to the technology and a particular act (referring to the PCPNDT Act). The problem is precisely, that's the easiest way to address things. Everything else seems to be much more difficult. Everybody is just getting after this idea, that if you have this technology and you can regulate it and this would solve the problem, but it wont. (Interview 2; Badarinath; #00:44:07-9#).

There are many new technologies that will come up (...) the PCPNDT Act would become redundant in many ways (...) Its hard for the law to keep up with all the new technologies, because the legal process is so much longer. Hence there are constantly so many new things emerging, new technologies evolving. It's impossible to regulate the interaction between a medical professional and an individual, so that's always been the struggle. Since your not banning the technology you're regulating it or at least trying to (Interview 2; Badarinath; #00:45:05-7#).

Person A explained, people would use a symbolic language at the sex determination tests. Basically, a couple that is pregnant would go to the doctor for an ultrasound with the pretense of finding out if the baby is healthy. In fact, the actual intention is to find out the sex of the baby. Since it is illegal for a doctor to disclose the sex (there are certainly exceptions), s/he would use a symbolic language. In this case, doctors would refer to any kind of symbol, which stands either for a girl or for a boy. In example the doctor would suggest to buy a certain kind of candy. A more valuable candy would indicate a boy and a less valuable candy would indicate a girl (Interview 1; Person A).

In some of these meetings with the doctor in Delhi when they do the ultrasound, they tell you if its a male or female fetus. They start to envy a female or male god. In example they congratulate you: "Congratulating Krishna/Lakshmi is coming to your house". So the patient knows its a male/female child. (Interview 2;Badarinath #00:47:48-7#).

Remark: The last two statements, where also made by Ms. Addlakha (Interview 3; Addlakha; #00:06:52-5#).

There is no medical doctor who has ever been prosecuted. I think there was one case in Haryana, but it has not been followed up with. I don't think there has been ever somebody sentenced. And this was also the first case in the last twenty years (Interview 2; Badarinath; #00:48:50-2#).



Remark: Following it was asked if there is a lot of corruption and bribery happening. This question was answered with “Definitely”. (Interview 2; Badarinath; #00:49:49-6#).

People who have one or two daughters want to be sure to have a son as a next child. So it's not that complicated, but it becomes complicated because it's technically illegal. I mean the law is there but it doesn't mean it's respected (Interview 4; Panday; Part 3; #00:09:37-7#).

There is a legal framework, which they are supposed to follow [Remark: Referring to Doctors]. It's just that many clinics won't (...) And there is the technology, it's not so difficult to get sex determination tests. But its not that there are no mistakes being done. If you look at the medical theater, many times they are not using very sophisticated imagining techniques. They use ultrasounograms, which are always depending on the interpretation of the doctor. Mistakes can happen easily. But that's not being considered, they are assuming, that if the doctors says it's a female, its a female. So she gets aborted (Interview 3; Addlakha; #00:10:38-1#).

Ms. Addlakha was also asked if the implemented legal instruments are working, which she answered with no (Interview 3; Addlakha; #00:22:05-3# - #00:23:07-8#).

The PCDNT Act for example and (...) its implementation about the law and you know how effective it is that regulated part of the law. And I think that is where we have a huge challenge in India. Because under the PCNDT Act there, are appropriate authorities, so under each district they are supposed to have appropriate authorities, which is usually the Chief Medical Officer in the district and under that person they constitute you know. They are very define rules that the appropriate authorities have, both in terms of regulating and registration of the ultrasound machines which will show us another angle of the misuse of the technologies. Because of course you hear sometimes people say 'the ultrasound machine should be banned' but the whole point of the technology itself is neutral, you know. It is the misuse of the technology, which is resulting in feticide (...) Anyways there is anecdotal evidence that you have mobile ultrasound machines that people go with in the villages. All of them are mainly done illegally. So there you see that there is the community, the family, the medical fraternity (Interview 4; Panday; Part 4; #00:00:00-0#).

You do have the laws but if you look at the law and the implementation and you

look at the conviction ever since the Act has been approved by the Government, the number is really low (Interview 4; Panday; Part 4; #00:02:47-2#).

The genocide, we always assume is that the Government kills people, (...) the Government in example (...) knows that the doctors are misusing their machines in every hospital (...) (Interview 6; Part 1; Banerji; #00:13:40-0#).

See the main issue about feticide is, nobody reports. Even if they know it happens, within your friends you will have people getting the ultrasound done to actually find out the sex of the child. But how many people are actually going to get an abortion within each family? Nobody knows, since it happens within the families. Even if you don't believe in it or you don't stand for it, many people still do it. Many women are forced to do sex selection. There is no reporting happening. So if reporting happens people will get punished for that offense, but nothing happens (Interview 5; Bhagyashri; #00:05:20-5#).

No cases have been registered. So that's why the police needs to be sensitized, the judiciary. What also happens is people trying to record a crime but the police won't file them. They don't want to investigate. They might also advice you to not record a case (Interview 5; Bhagyashri; #00:06:17-8#).

Also, in some states you cannot be set up for nominations in elections of the Panchayats if you have more than two children (...). So these are many complicated factors, which are leading to sex selection (Interview 5; Khan; #00:14:57-5#).

There are also a lot of quakes. People who watched doctors doing the tests and declaring themselves after a while of being a doctor as well. Mainly in slums (Interview 5; Khan; #00:19:17-6#) and maternal deaths are increasing (Interview 5; Khan; #00:19:53-5#).

But also the country claims that the overall fertility rate has going also and the number of children born are being less now. So there are two definitions. One is obviously it happens because of the sex ratio of children but the Government says it happens because of the adoption of family planning. So they are basically saying the family planning program is successful. People who are accessing more the family planning methods, which has been able to control the population. that one of the aims of the agenda, which is a hidden agenda. Like the one or two child norm (Interview 5; Khan; #00:19:53-5#).

All of the big magazines and journals are using this sex ratio of 0-6...New York Times etc. Why? And not only that, why puts the Government female feticide and the

killing of girls up to 6 years in one group. Why 6 years? This is wrong. It's a biased number. I wrote that one article where I put three different research studies together. I compared the maximum killing of girls after birth is up to the age of six. One was about killing by violence, one was on neglect (starvation) and the other one was induce the child either diarrhea or anemone by giving them alcohol. After the child got sick they will take it to the doctor, to get a certificate that the child is sick and they kill it. So in case there is a investigation, they can proof the child was sick. (Interview 6; Banerji; Part 2; #00:01:19-1#).

The reason the Government stopped giving at birth ratios is, because the number of female fatal abortions is dropping but at the age of six years the ratio went suddenly down again. Which mean only one thing, the number of killings after birth was going up. And that's why the Government changed the category 0-6 years, it looks better. So, none is questioning that again. I mean how can you put the killing of a fetus in the same category as the killing of a girl who has been neglected? And not only that, why 0-6, why not (...) you not the Government says: "Oh it takes us some time to approximate the data." Well it takes you six years how old the child is? Everything the Government does, is almost to avoid, to not stop what's happening. It creates a situation to allow it to go on (Interview 6; Banerji; Part 2; #00:02:32-7#).

[Remark: She is comparing rape cases of Indian women and foreign women in India] Think about how strange it is, when the American tourist girl was raped here last month in the mountain, at one o clock in the mountain. She went to a wedding party and then she tried to hijack. There were four men, they raped her, she didn't see any faces- but in less than 24 hours the police arrested the perpetrators and in less than two months all of them got their trial- life prison sentence. The Delhi Gang Rape case is almost one year ago. Two of the perpetrators even testified being guilty, also the girl identified all the men. She even had to do it twice because the first time the Government said, they had lost the tape, can you imagine?! That girl was on life support, they made her give a video to testify what had happened twice. There exists a 3 hours video testimony. Before she died. Not only that, two of the perpetrators died under mysterious circumstances in the prison (...) And why is the western media not questioning that? (Clapping on the table) See if you take any case where something happens to a western tourist is raped, even the Swiss- German who was raped, in less than one month, the whole case has been closed. Again, she was in the middle of the forest, didn't even see their faces. All the perpetrators have

been given life sentence. They found the men and arrested them. But why is the western media not questioning that? (Interview 6; Banerji; Part 1; #00:07:23-3#).

In the Delhi case, the bus was illegal. And there was a politician who has given them a permit, and even the driver had a criminal record. So in the end it's all political interest. I mean why did it take the Prime Minister one month to say anything. You know why did the protesting students have been attacked with water canons while they were demonstrating, because they were saying the city is not safe (Interview 6; Banerji; Part 1; #00:10:05-8#).

I mean even last year we had this whole Justice Verma Report. Recommending to the Government that marital rape has to be recognized. The Government has refused it. So again, marital rape is not an offence (interview 6; Banerji; Part 6; #00:01:32-1#).

The Government is working with doctors, politicians, hospitals and police- and all of them are getting money. They get lots of money. It's an industry which is making millions of dollars. It's a big industry today in the country, getting rid of females with the technology. It's a collusion. They are colluding with each other. [Remark: She is mainly referring to sex determination tests and forced abortions] (Interview 6; Banerji; Part 18; #00:05:17-6#).

#### 5.2.2.3. Possible Affective Policies or Actions

Affective policy? I'm really not sure. A lot of our works deal with trainings on sexuality, gender and rights. We target audience in mid- level to high- level workers in CEOs of NGOs. The ideal part is that this trickles down within their work and their NGOs. We also have feminist movements and leadership building trainings with the same effect that should trickle down into society (Interview 2; Badarinath #00:32:53-5#).

The states have to intervene. Since you have too much collective violence otherwise. So the Haryana Government has done some things in giving special incentives to families. For example, at the University there is an incentive, like if there is a girl with only brothers she gets special incentives. This is in Delhi. I mean there is a lot of son preference here too. So it's an incentive for single girl child. Another one is, if a woman gives birth to a girl and she registers her, the Government will create a bank account for her and the girl can use it, with the interest, once she is 18 years

old. So that money is for her education. It's called the Ladli scheme (Interview 3; Addlakha; #00:18:49-0#).

The Delhi Ladli Scheme (...) tries to enhance the social status of girl child by giving her education and ensuring her economic situation, and also to protect her from discrimination. All this information is on the Government webpage of Haryana, but you know the challenges are the implementation. The society has been very active on changing the mind set. Another thing which is very important in changing the way of the mind- set, is to work with men and boys and not only empower the women. So to change the mindset of men and boys and how they define their identity and the whole issue of just wanting a boy to carry on with their lineage (Interview 4; Panday; Part 6; #00:00:23-9#). Actually we are working with them [Remark: Referring to the Panchayat] on our Anti- Trafficking Program. So we try to work with the local Government. So we are working with the State Commission, we working with the local Government Institute that trains the elected representatives, and those representatives will follow up the level of the Panchayat. That's the most grass root level of the Government. Getting them into the boat about the change of the mind set is very important. But also the implementation to the law, schemes and so on (Interview 4; Panday; Part 6; #00:02:39-6#).

So Plan India works primarily with the underprivileged section of societies this is one issue, which is across. So that's why to create awareness on the issue we do mass awareness campaigns, trainings etc. We also feel that this is an issue, which can't just be addressed over a couple of years. It's so deep rooted. It has to do with the status of the girl child in India (...) we have to actually start at school level. So when these children grow and get into the age of marriage they won't do the same anymore. So they will take different decisions with their own children and they won't think the birth of a girl child is something to mourn about, you know. Now, with the one or two children norm, families want to have two boys and in some states we work the sex ratio is declining more and more. Like Haryana, Punjab and even Delhi. I think at the moment its 915 girls to 1000 boys, which is the lowest sex ration since independence (Interview 5; Bhagyashri; #00:01:15-8#).

Implementation, awareness and reporting. The first problem is the reporting, the second problem the filing and the third one the implementation. That's why we are targeting adolescent in our program. We try to target young people for gender training and gender sensitizing (Interview 5; Bhagyashri; #00:08:36-9#).

We [Remark: She is referring to her campaign] are fighting for getting the genocide legally recognized by the UN under the 1948 UN Act. Our focus is that it has to be recognized as genocide and it has to be followed by the same international actions, as any genocide deserves. The people need to be convinced of it as well. Every minute there are baby girls and girls raped and killed. So how can you say you are willing to wait and to see? For a mind- sets to change. How long will it take to change a mindset?! A mindset is a mindset with a long history (Interview 8; Banerji; Part 6; #00:06:15-1#).

To fight feticide, Haryana established campaigns such as posters and essay competitions in colleges and in villages (Interview 1; Person A).

### 5.2.3. Consequences of Feticide

One of the consequences of the low female sex ratio, are males who are not able to find brides. Therefore they go to different states, search for women and pay her family up to one Lakh. It is almost a reverse dowry system (Person A was laughing while saying that) (Interview 1; Person A).

Other consequences of the declining female sex ratio are an increase on violence against women and women trafficking (Interview 1; Person A).

What men are doing is trafficking brides from the eastern states to come. And then you think about the quality of life and all the violence that these women have to undergo. Of course it's anecdotal (...) you have instances where this women from Jharkhand, 16-17 years old was used as a shared property between the brothers and the father. So she is really like a slave. But also the consequences, the numbers of the girls is declining and the violence is definitely going to go up (Interview 4; Panday; Part 5; #00:03:03-2#).

[Remark: Referring to the slavery in the USA] ...this man writing this article, he was in favor of race equality, and he wrote an article saying... (Interview 8; Banerji; Part 16; #00:03:19-5#) ...the more black people get killed, the more it affects our economy [Remark: She is comparing it with India. The more women, which are getting killed, the more the economy will suffer from it] (Interview 6; Banerji; Part 17; #00:00:05-9#).

Remark: The following answers are referring to the question if people are aware of consequences: I don't think so. Honestly, I don't think so. I think any person who is doing it, is always thinking individually / There are so many abortions and

cases of infanticide, feticide etc. so one more or less won't make a difference. That's how the society thinks. I don't think an individual act can lead to a systemic change of the situation. I think everyone who is doing this is thinking individually (Interview 2; Badarinath #00:30:53-9#).

I don't think that matters to people. I don't think people think about the others. They think about themselves. They think about what they want. It's for the State or other Organizations to think of the society, its for the media. Media is playing a role. I think it does. But my point is, I have my life to live and I will do what I want to do which is very deeply structured within my consciousness and some of it, and some of these structures do not get changed by loyalty, right. Its deeply rooted by preferences, passion, desire they do not necessarily get changed by someone saying "I grown up..." ahm and its coming from religion, the idea of wanting a son. The idea, that you must have a son. Otherwise you who is going to lite the pyre, who is going to keep the family name, who is going to look after your family. I see 15 different shows on TV talking about "Don't kill your daughter, sons are not more important, sons ... it doesn't matter..." and so on, but people don't act like it's effecting them. See, what I mean is, the media has a limited role. They might create awareness. You might be more aware of something, but that doesn't mean your behavior will change.

(Interview 3; Addlakha; #00:26:52-9#-#00:27:24-9#).

So you know, a lot of people who can afford it go abroad. [Remark: Referring to the sex determination tests] (Interview 5; Bhagyashri; #00:17:43-3#)

(...)they go to Singapore. Singapore doesn't have a ban like we do. So they are going to Singapore, having the determination and then again we have the MTP Act -Maternal Termination of Pregnancy Act- since 1961, which again gives the right to the women to get an abortion done [Remark: Getting an abortion done in India] (Interview 5; Khan; #00:17:50-8#). rich people go outside and get it done. Either In-vitro or sex determination tests (Interview 5; Khan; #00:18:57-2#).

Technically there are two things. First of all the child sex ratio (0-5 years) that is not only feticide. It includes also infanticide and the neglect of the girl child. And now, I think the past three years the Government started to look at the actual birthrates, but that's only for few selected states, which are doing it. They call it the EAD Stated Economically Aggravated Empowered States; all the human development indicators in these states are poor. So there are eight states. Out of those, we are focusing on six states. So they are looking at the sex ratio per birth,

with actual number of births. And if these numbers are declining it can be linked as an contribution to female feticide. Since they are preventing the child to be born. Or, after the girl child is born she can be eliminated through neglect. So there are two concepts. But obviously, the inequality of men and women is getting worse. We do see human trafficking, Polygamy a lot of increasing domestic violence and other sorts of violence. After the 16th of December the Government suddenly starts to focus on rape in putting up big banners on the street. But it's not only rape; there is also a lot of other forms of violence against women. If you just read the news from today, you will find a student of the university attacking a former girlfriend of his with an axe. It's been all over the news (Interview 5; Vishuanathan #00:21:59-2#).

### **III. Conclusion**

#### **6. Findings**

The final chapter will compile and analyze the main results in relation to the suitability of the theories.

First, the introduced theories and their relevance to feticide in India will be highlighted and discussed.

Further, the main findings and outcomes of the previous research and analysis will be analyzed. The aim is to find an adequate answer to the research question.

##### **6.1. Theories and Relevance to Female Feticide**

Moser's framework can certainly be applied to femicide or, more specifically, female feticide. Certainly, some aspects need a more direct adaptation to the issue. Hence, this structure is a good outline to start with. For instance, the categorizations fit the research question of this thesis quite well. In fact, the first categorization - "gendered continuum" - which focuses on social, economic and political violence, can be related, although it would need to be revised for the Indian case. As an example, economic violence in India is also motivated by economic gain, but mostly perpetrated by the family itself. Political violence is also "inspired to win or hold political power", but usually by the current government, government officials of any reign, or the Panchayats; though, as Moser already stated, it is not a static framework and can be adapted to the different complexity of varying situations (Moser 2001:31). The main part, which seeks complementation, would be the fact that femicide or female feticide always ends with a deadly outcome. In fact, one of



the Interviewees referred to feticide, saying the following: "It is a continuum of violence and discrimination. It's an extremely hostile environment in which girls and women are living their lives in India" (Interview 2; Mallik; #00:53:58-8#).

As well, the Concept of Patriarchy seems appropriate in the context of India. India's society is brand marked by its highly patriarchal structures and this can be seen as a major cause of female feticide. In the case of India, the old described concept is certainly fitting. The research has shown that men are still seen as the main economic suppliers in families and women remain in a position of economic dependency. Even though society sees a change in Concept of Patriarchy, the mindset of the people has not yet changed. Nevertheless, the patriarchal system can not be blamed for all occurrence of female feticide in India.

The desired decline of the population, which was endorsed by Malthus, provoked an imbalance in the male/female sex ration. Specifically, female births were in decline. Such an outcome had not been considered in Malthus' theory. His theory was mainly created for so-called western societies and their values (Hvistendahl 2013:196). Developing or emerging countries and therefore different social, economic and political systems, had not been taken into account. The idea of Malthus' theory was used by the Indian Government to control the population, without considering the unique condition of the country and possible consequences. Malthus' theory is certainly not a theory explaining feticide, but one, which can be partly blamed for an increase of occurrences. A high son preference, coupled with strict population control instruments, can be partly considered responsible for a highly imbalanced sex ratio. Guilmos concept of sex imbalance in Asia, on the contrary, gives a global approach. Even though his approach might not yet be labeled as a theory, it can be seen as one, which fits this thesis. It explains the different economic, social and legal dimension of feticide, analyses the consequences and seeks out a solution.

## 6.2. Discussion based on Results

Female Feticide has been chosen as a research topic due to its crucial relevance in India. Research on this issue claims that the main cause of female feticide might be founded in a mixture of economic, social and legal dimensions. Therefore, the research question of "To what extent can economic, social and legal dimensions explain causes of gender biased sex selective feticide across India" has been identified.

By first using a theoretical approach, the current situation of female feticide in India, based on its dimensions and various factors, was analyzed. Further, finding a suitable theory to create a fundament and explain the phenomenon was the aim. The empirical part attempted to underpin the theoretical findings by field studies. This was done by identifying experts in India on the topic and by conducting problem centered interviews with each identified expert. These two methods were used to complement and create a foundation for the results and findings of each part.

The theoretical analyzes of the three dimensions causing feticide initially proved one major fact: the urgency to find the cause/s of these mass killings. This need became more apparent when taking into consideration that 160 million women and girls are missing in Asia and 50 million women and girls are missing in India. The illustrated tables and figures in this thesis give an intelligible picture of the situation. Sex ratio statistics are worsening and this negative trend is spreading to neighboring villages, cities and states in India.

The analyzes of the three dimensions showed that relevant factors are strongly overlapping, yet divisible. Hence, it has to be acknowledged that all dimensions, along with the corresponding factors, have to be seen in the whole picture and not only individually. One of the most crucial economic factors is India's tradition of transferring property only to the son, due to patriarchal customs. Further, the impact of British rule, which enforced this tradition instead of changing it, also contributes to the current issues. Additional crucial economic factors are expensive dowries and wedding ceremonies for daughters, both of which seem inevitable in every family. This is accompanied by a new trend of education, which implies paying for renominated schools. As a result, the daughter is seen and treated as a financial burden, providing zero profit to the natal family. As a result, the preference for a son is rising.

Economic development accelerates both progress and inequalities. On the one side, education and women's rights are more highly promoted, but leading to more discrimination of women, who might question the system or demand their own choices.

Socially, explanations for female feticide lie in patriarchal, religious, cultural and / or traditional practices and customs. This can be seen when screening the patriarchal family structures, which are stiff and stubborn. Religious, cultural and traditional customs are still carried out and believed in, since they have been imparted from

generation to generation. Even above the patriarch of each family, the local leaders of each village and their strong influences need to be considered. Most believe firmly in old customs and practices and those who do not follow can be easily labeled as outcasts. It was also found that if a woman/family is higher educated and from a higher, wealthier class, it is more likely that feticide will occur. This happens mainly due to modern technologies and financial possibilities. Modern technology is becoming wide spread, cheaper and therefore easily accessible. This directly leads to an increase of feticide. Although it becomes inexpensive, many situations require bribery or a journey to a foreign country. The more educated the women, the more she knows of the kind of horror she could go through in giving birth to a daughter. Ultimately, it is not her choice, but the choice of the family-in-law. In addition, the birthrate lowers due to more women being occupied by work.

There is a long lasting tradition of many practices and customs, whereby most can be linked to the economic well being of a family. Causes of female feticide have to be explained with both dimensions and the various associated factors. Further, it has to be acknowledged that each case of feticide can differ from another case. Hence, in India, causes can be found somewhere in-between the mentioned factors of the economic and social dimension.

Laws and regulations, which are theoretically in favor of women, are endless, though, most will not serve their purpose in practice and only exist in theory. The legal dimension therefore can be seen as an additional problem. It can not be seen as a main cause, but as a main instrument, which could improve the situation, but does not. In fact, the government has seemed to enforce feticide for a long time. India was trying to fight overpopulation, and systematic abortion seemed to be a welcome instrument. In theory, prohibited and regulated by law, sex determination tests should not be accessible to everyone. In reality, most people can afford or find a way to afford such a procedure. Cheap solutions can be found at plenty of unregistered clinics with unprofessional doctors. These conditions are an additional threat to any women's life and that of her unborn life. The practice of the law reflects the social rules of society. Therefore, the legal component has been identified as a paralyzed system. Theoretically, a good foundation of laws and regulation exist, but almost none are practically implemented.

The direct implications of female feticide show the urgency of the issue. The great threat of a masculinization of the country was identified; a masculinization, which is

already appearing in small villages and causes bride trafficking from one region to another. Besides human trafficking, scholars are warning of an increasing crime rate, which could lead to a destabilization of whole regions. Additionally, there is yet no implication of an increase of the sex ratio and an end to this horror.

Therefore, the main causes are seen in the identified socio-economic factors, which can vary from each individual situation. Ultimately, the lamed judiciary contributes to a worsening of the situation.

### 6.3. Outlook

According to Guilmoto, the first step for an improvement of the situation is to fight gender violence and discrimination, such as sex selection, by all means available. Along with the mindset of the people, the attitude has to change (Guilmoto 2007b: 27).

There are many local NGOs tackling this issue while also raising awareness, giving legal advice to women and the government through different campaigns, workshops and conferences.

UN Women India, for instance, tackles the issue with a joint UN Group consisting of UNFPA, UNICEF and UN Women. A joint Action Plan on gender biased sex selection in India had been established and put into practice. The central task of the joint Group is to promote advocacy for all females throughout the whole life cycle “by supporting analysis and reforms in policies and laws that can promote gender equality and non-discrimination, and developing specific programme responses and research initiatives to systematically address this multi-faceted issue” (UNFPA 2011:1; Interview 4, Pandey, #00:02:53-8#).

The NGO, Plan India, implemented a project called “Let Girls Be Born”, which focuses on raising awareness of female feticide by creating “community based advocacy groups”. The project aims to strengthen the PCPNDT Act. It is their main objective to balance India’s sex ratio and therefore eliminate female feticide. Plan India focuses on those States facing the worst sex ratio imbalances (Interview 5, Bhagyashri, #00:00:16-0#; Plan India 2013: n.p.).

Another NGO in India, known as CREA, focuses on “women rights, sexual rights, body autonomy, choice and consent”. CREA organizes workshops concentrating on these issues and focuses on high-level NGO employees or CEOs of different

companies. It is believed that the information trickles down to other employees and society (Interview 2, Badarinath, #00:32:53-5#; #00:00:35-4#).

India has many NGOs and international organizations working on female feticide. The main objectives seem very elaborated and professional. The sector is definitely moving forward and being noticed. Hence, activists are proving much competency and strength in tackling female feticide.

The next important step for the government is to acknowledge the urgency of revising old policies, generating new ones and finally using them. It is hoped that this will be addressed in the very near future, rather yesterday than tomorrow. The sooner this occurs, the more girls can be saved.

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## **V. Annex**

### **7. Transliterated Interviews**

#### **7.1. Interview 1**

Haryana Mini Secretariat, DC Bhiwani Haryana Office, India

Monday 29.07.2013, 11.00 am IST

Interview with a Administrative Functionary of the District of Bhiwani /Person A

The first meeting took place with an Administrative Functionary of the District of Bhiwani in Haryana, in the Mini Secretariat, DC Bhiwani Haryana Office. Due to protect the person's security I was not allowed to record the interview or to name the person itself. Therefore, the most important points of the meeting will be summarized as objective as possible. It will be referred to the person as Person A.

Before the interview was started, Person A referred me to three other people who wanted to meet with me. The Chief Medical Officer of the Bhiwani public hospital who is also in charge of the PNDT Act, the Protection Officer who is in charge of child care and women who suffered violence and the District Programme Officer who's function has not been clear. Person A has been so kind to arrange a meeting with them.

I introduced my topic of research and why I identified Person A to talk to. I explained that it has been very important to get the opinion of a Government official and it has not been easy to get in contact with Government officials. Person A said, many Government officials are scared to lose their jobs if they talk to foreigners about the issue.

I asked Person A about the situation of feticide in Haryana. The interviewee explained that Haryana has great problems with femicide, especially with feticide.

Person A explained, people would use a symbolic language at the sex determination tests. Basically, a couple that is pregnant would go to the doctor for an ultrasound with the pretense of finding out if the baby is healthy. In fact, the actual intention is to find out the sex of the baby. Since it is illegal for a doctor to disclose the sex (there are certainly exceptions), s/he would use a symbolic language. In this case, doctors would refer to any kind of symbol, which stands either for a girl or for a boy. In example the doctor would suggest to buy a certain kind of candy. A more valuable candy would indicate a boy and a less valuable candy would indicate a girl. Doctors

in general play a great role in disclosing the sex of unborn children. Person A also explained, it is not as expensive or hard to find someone who will tell any pregnant couple the sex of the child. It might be a bit expensive, especially since it is an illegal action. Though couples believe it is still cheaper than bringing up a girl child. Thus, most of the people would invest the money.

Therefore, the Government of Haryana established a registration system. No doctor is allowed to have ultrasound machines without being registered. If there are still unregistered machines found, they will be confiscated. Hence, there are many unregistered machines. Another problem is, there are things such as portable ultrasound machines. It becomes hard to track them, so Person A.

A new established pilot program, shall track patients via Internet. If there is a couple getting an ultrasound test, the doctor can only proceed in registering the couple with name and address. The results of the couple will be via Internet handed to the responsible official of the district headquarter. So the district headquarter will get to know the sex of the child and who names of the couple and the doctor in charge. The couple will be tracked until the women gives birth. If the child has been a girl and she wont give birth, the couple will be detected and brought to court. This pilot program shall make it hard to abort the unwanted sex once the couple has been registered, so Person A. Person A calls it a pro- active measurement by the state to fight feticide. Person A sees the main problem in the consistently renewing technology, but also its solution by using it for the good. By using it for the good, Person A said people need to feel pressure and fear. If the people will be arrested, other people will think twice before acting against the law. (Remark: No one thinks about women who might want to abort for other reason but sex selection. The right of the bidy of a women is not taken into account. Also the idea of the women being forced to abort. Also the incident of a women loosing the baby for medical reasons- not true, since allowed to abort under certain conditions.)

Haryanas economic sector is more developed in comparison to other states, which does not apply for the social sector. If rural and urban regions are compared in the context of feticide, rural areas are hit worse. Person A also said, it is currently most critical in Haryana and Punjab. As Person A explains, this has multiple reasons. Boys and girls are never treated equally; the son preference is very high. The high expenses for dowries and wedding can be also blamed for that. The whole society is male dominated; it underlies a high patriarchal system. The education level of girls is

kept very low. Women in rural areas usually don't work as much and are therefore not economically independent. They are responsible for all the domestic work and getting children. Any kind of social traditions are highly anchored in society.

Person A describes India's laws in favor of women. Nevertheless, if a woman is complaining a offence to the police, it is up to the policemen to file the case or not. Men always hold the last word. Women won't have much choice, but accept it. It is either her own husband dragging her away from reporting him and/or his family or the police officer himself who will not file the complaint. There is not much media in rural areas and most people don't even know about their rights and legal situation. Women are neither educated nor economically independent. There is a great lack of the enforcement of laws, as Person A says. According to Person A, 95% of the femicide cases in India are feticide.

One of the consequences of the low female sex ratio, are males who are not able to finde brides. Therefore they go to different states, search for women and pay her family up to 1 Lakh. It is almost a reverse dowry system (Person A was laughing while saying that). Apart from that, everybody uses the dowry system. On the question how high the dowry is, the interviewee said it's a lifetime salary. Usually it depends on the income of the brides father. Person A also claims it is hard to prove the misuse of the dowry. Dowries are often declared as presents and all kinds of presents are certainly allowed on weddings. Money as such is not allowed as a present, but again this is hard to prove. There are also cases of families who are denying dowry. Though this happens very seldom. Apart from that, other consequences of the declining female sex ratio are an increase on violence against women and women trafficking.

Person A sees another great problem in the Panchayat. The interviewee explains, the Panchayat are the lowest elected body and the village eldest. It is the lowest decentralized form of Government in India. This kind of assembly contains wise, esteemed and respected village members, which have been elected by the villagers. Their social influence is very high. If they pass orders, people will follow. For instance, they belief in the cast system (remark: officially banned by Government), which means in this case no one is allowed to marry out of their cast or in their own village to prevent incest. Therefore people need to travel to other villages to find a partner who belongs to the same cast. If people wont follow, they could run danger to be murdered by so- called honor killings, performed on females and males.(remark:



more females are a victim of honor killings)

To fight feticide, Haryana established campaigns such as posters and essay competitions in colleges and in villages.

Person A also stresses that they are multiple cases of fake rapes, to harm husbands and their families.

The interview ended with a sincere thank you to Person A for the time and availability devoted to discuss this issue.

## 7.2. Interview 1a

General Civil Hospital Bhiwani, Haryana, India

Monday 29.07.2013, 13.00 am IST

Interview with the Chief Medical Officer, the District Programme Officer and the District Protection Officer of Bhiwani.

Person A from the first interview arranged a meeting with the Chief Medical Officer, District Program Officer and the District Protection Officer. I went to the General Civil Hospital to conduct the interview there. During the meeting other people came and sat with us, without introducing themselves. I was not allowed to record the meeting. I was given some data on sex ratios in Haryana, on legal abortions (private and public clinics) and the PCPNDT Act as a booklet. It was almost impossible to follow the discussion. All the participants were mostly talking with each other and not myself. The main used language was Hindi, which I was not able to understand. Once people talked English to me, it was due to quiet talking and strong accents very hard to understand. Questions of mine, regarding female feticide remained unanswered. The overall impression was, that all of the people were not willing to talk to me about the feticide. It seemed like they knew what I was trying to find out, but would not talk to me about it. The women in the meeting seemed to be pressured by one of the men attending the meeting. In two situations one of the women wanted to talk about feticide and told me it does happen, but then, after this man talked to her in Hindi she retracted her aforesaid. They told me, feticide has never been reported so far. Nevertheless they said it does happen. The main reason for sex selection they named is: male preference, the dowry system and unemployed women, which are not empowered.

Further I had been told that legal abortions are not happening very often, since they are too expensive. I was also clarified about the Medical Termination Practice-MTP Act which is only allowed in the following cases: If the women's health is in danger due to the pregnancy, if the child is handicapped, if the woman is under aged and unmarried, if the woman got raped, if the woman's sterilization has been failure or if the women is lunatic.

### 7.3. Interview 2

CREA, New Delhi, India

Tuesday 30.07.2013, 09.00am IST

Interview with Pooja Badarinath Programme Coordinator, Advocacy and Research and Ruspa Mallik Director, Programs and Innovation

R1: Pooja Badarinath

R2: Ruspa Mallik

#00:00:10-3# I: Introduction of thesis and objective.

#00:00:23-3# R1: It sounds like a very interesting project and would be nice if you could share it with us once you are done.

#00:00:27-6# I: Of course.

#00:00:35-4# R1: At CREA we work with young girls. Our projects are about women's rights, sexual rights, body autonomy, choice and consent. These are probably the key issues we look at. Many times we work on different areas under this broader mandate. So if we work on violence it is again within this broader mandate of the key issues. The linkage of women sexuality and how it affects, you know, how it impacts the field of sexuality and turns into violence. The same thing, if we talk about sex selection. On a societal structure the patriarchal system is controlled by men and that is how, especially the choice of women, we sort of look at things. Hence we sort of work on many different subjects under the broader mandate on choice and consent. We, as women, have the choice and especially marginalized women have the choice and they should be given the right to consent. So basically everything has to do with these, sometimes very difficult to explain, words (laughing). Until now we have not worked on femicide specifically. A few years ago though, we had a

campaign on son preference. We are very careful why we do not engage with it too much. It is because of the term feticide. Considering the sex ratio at this time there is very little bit of disconnect between the groups who work on abortion rights and the groups who work on sex selection. So at most times what happens is, there is a clash. So when you talk about sex selection and feticide, the fetus being a person of its own and the "do not force abortion angle" sort of gets conflicted with abortion. So, at times what happens, the women's bodily autonomy does get missed out because you want the sex ratio to rise. In order to assess systemically how this is affective, there has been a lot of surveillance of pregnant women- to reduce sex selection and to prevent abortion after finding out the sex of the child. So we have been very clear that we do not support abortion groups. We would rather work at more structural issues of son preference because that is what leads to feticide, sex selective abortions or female infanticide. So the idea is to increase somehow the value of the girl child and to work on the son preference and why son preference is a systemic problem, to analyze the patriarchal system. One thing we are very clear on, is the right to abortion in India. The MTD Act, it did not come / it was drafted from a women's right perspective though, it came from the population. But it should not be diluted. Because it has become very tricky to navigate, how we are not against sex selection but at the same time we say every woman can chose weather she wants an abortion or not. Its very different / Systematic elimination of fetuses is very different from an individual women who chooses to get an abortion out of XYZ reason. So that road is quite tricky to navigate sometimes. It is a balancing act, which has been sometimes very difficult and worked sometimes very well.

#00:05:32-2# I: So, you are basically saying that the PCPNDT Act needs to renovated as well?

#00:05:40-3# R1: Yeah! Exactly. I think this was xhomme (unintelligible) doing very good work on sex selection, within different parts of the country. One thing that we are trying to say is, we have to look at it more systemically and not individually. So it is not ok to surveillance a pregnant couple without their consent, at the same time we need to work at it in a larger level to ensure the life of girl children. So it is very tricky. We sort of think that sex selective elimination or female infanticide is mostly done because of the societal set up we have. It is highly patriarchal and devaluing for the girl child. You know, everything / Ill give an example, one thing what we did do when we had the "Son preference Campaign" is creating a poster. So when we were all in

school we used to have this little poster about jobs and professions. If you look at the older ones there is an actual clear cut in the gender roles, the women are in the kitchen and the men are the doctors, teachers and professionals. So our new poster reversed that, it had little picture as women as police officers, women as doctors. We did it in the Hindu speaking states, started to raise awareness that mostly is about gender roles you know. The men are supposed to do only particular kind of jobs, same applied for women. So we are trying to work on that level, instead of looking directly at the laws such as the PCPNDT Act. This Act deals with how sex selection is against the law and no doctor is supposed to tell you the sex of the child. The implementation of this law has been very bad. It is so difficult to proof, so there have been very few reports and prosecutions. Also as technology increases its even more difficult to kind of track it, you know. Nowadays you have mobile little vans, which are conducting ultra sounds.

#00:09:06-9# I: I'm also focusing on social factors leading to feticide and you mentioned a couple times the high son preference, patriarchal system leading to sex selection. Do you see other factors or could you go more in depth?

#00:09:45-0# R1: Ahm (...) I guess the way we see it is the way the Indian system works. A lot of times the economical needs increases the preference of the male child. For example we did have a workshop in my former company, which was about Violence Against Women. One of the women who was attending, told me, its just not viable to have a girl child. And, although it is a horrible thing to say and to hear, when we sat down with the women they tell you about a high unequal treatment of boys and girls. Girls are not sent to school, they get less nutrition's and worse medical treatment and so on. This happens because the idea is, the girls grow up, get married and live in their husband's house and you have to pay a tremendous amount of dowry. I don't know how familiar you are with the dowry system?

#00:11:32-0# I: Quite familiar.

#00:11:40-8# R1: Then you know that the family of the husband is always asking for more money. So it becomes a big issue. They used to have a joke in school and college: "The higher the man gets educated, the greater is his market value". So, in order to get more dowry / which doesn't work for the women. Actually the higher you are educated it could be a disadvantage, since you are more empowered, self-confident and outspoken. So the market value for women decreases. But it also works very differently between classes and casts. So a lot of times the more

empowered a women becomes the more wanted people get (?), because she is going to (...) the idea that she is going to questioning you, the idea she says "this is not right this is wrong" has a tremendous amount backlash within society. In one of our programs we work with adolescent girls using sports. We talk a lot about body autonomy. It has been very interesting. This came from our son preference campaign, because we learnt that most of our games are very gendered. The beginning of our struggle was to get an open field for our girls. The idea was playing football with girls and breaking down the norm. Then these girls started actually to talk to us, but there was a tremendous amount of backlash. Suddenly fathers and boys were asking us: "Who are you? What are you doing"?, while the girls started to question their life and home.

#00:14:20-1# I: Could that also lead to an increase of Violence?

#00:14:08-5# R1: It absolutely does. In that way the more educated the girl get in certain areas the lesser is her market value. They have to pay to get married and to be one of those outspoken "bad women", so to say, a girl who doesn't listen to her brother, husband, and/or her in-laws is not somebody who is wanted in society. There are a lot of sayings which are so morbid, such as: "The minute a girl child is born her life is a struggle", but there is also so much truth in that.

There are many similar sayings that girls are actually the property of another person. The girl grows up gets married and will live with the in-laws. Hence you do not belong with your natal family (...) The family won't consider her as their property but as something they have to give away.

#00:15:45-5# So the girl doesn't bring any economic benefit.

#00:15:54-3# R1: Right. So when you look at the inheritance laws in the country there have been changes during the last years. Earlier the girl had no share of the property at all. In India we have something like the ancestor property, because you work in joint families. So the minute a child is born it will get a share in the property without doing anything. That was only for males though.

#00:16:23-6# I: And that changed now during the new law? Is that law implemented?

#00:16:32-7# R1: It has at many levels but its still not equal. Since / what usual happens is that the girl writes it over to her brothers. So she won't get her property.

#00:16:51-7# I: Is she forced to give it up?

#00:16:54-9# R1: She is forced but more socially forced. This is how the societal system works. It is a higher version of peer pressure. You have to do certain things

even though you are not consent to it. So a lot of time she loses the property. It is the same with divorce laws, which they hopefully change now. If you get divorced, the division of property is not equal. Even if she has brought as much into the marriage as him, she will get less of anything. Economically she will lose.

#00:18:01-0# I: Talking about policies. There are many laws, which are in theory in favor of the women but none of them seem to work in reality.

#00:18:19-6# R1: Yeah. Like 90% - although I don't know a specific number since I haven't done research on that (laughs)- on families, which are still using the dowry system. People still give dowry because it is a tradition and it becomes something, which is so engraved in families. In the circle of my friends or family we have people coming up saying things like: "The family of the husband didn't ask for anything, they are so nice", and most of us are saying: "Well there not being nice, they just follow the law." It is illegal, they shouldn't be asking for anything. Also dowry is actually a Hindu custom, right! Now it doesn't matter anymore. Anyone is doing it in India, no matter which religion you're from. In the Islam you have something like the Mahar. It works actually differently, the husband needs to give a Mahar to the wife and when they get divorced the Mahar actually becomes her ownership. From all the people we have talked to, nobody gives Mahar. Everyone is using the dowry system. So its been shifted around.

#00:20:18-3# I: So it not related to religion?

#00:20:26-2# R1: The way we say it, is power structures have always been within the certain male, not necessarily always the man but mostly. So the minute this is questioned, the system shakes. But the status quo of who has the power is slightly shifting, so there is also a lot of backlash.

#00:20:52-8# I: Talking about feticide, do you see a difference in urban and rural areas?

#00:20:52-6# R1: Actually at a recent conference I attended, they said its always higher in urban upper class areas.

#00:21:19-3# I: Because of money issues?

#00:21:23-5# R1: Yes. And it is actually spreading. One of the highest rates of sex selection is actually in Punjab, a state that is economically developing. So it is usually higher in urban areas also due to easier access to technologies. Apparently the concentration is in urban areas.

#00:21:57-5# I: So do you think there is more infanticide or neglect in poorer areas?

#00:22:01-7# R1: Probably. But I don't want to say it like that.

#00:22:16-5# I: So the dowry system is a remnant of a preindustrial society. Do you think with the changing of the workforce of women that would change? Feticide or Femicide would decline?

#00:22:42-3# I would hope so. Not now but like ten years down the line that could work.

#00:23:10-2# I: Do you think the policies which are trying to support women, empowerment, awareness rising in the community would be favorable for women?

#00:23:23-7# R1: Yes. One of the women rights activist has the habit of saying; "Unless we don't have property more equally, things won't be equal. If that changes things will change rapidly".

Nothing has been proven though; they are many different theories on how to change the situation.

#00:24:02-6# I: Who said that?

#00:24:05-5# R1: I will check.

#00:24:09-4# I: There are so many policies and programs focusing on the effect of feticide and its illegal abortion. But should the issue be targeted even more?

#00:24:49-8# Absolutely, a lot of programs should act more on the societal perception on gender roles, on not devaluing children and stop discriminating the gender. Its not an easy task to undertake. This is a big country. But the expectation that the law will change everything is not happening. I'm a lawyer but even I know there is only so much a law can do. And there needs to be a lot of work ground up. That's what a lot of Organizations are trying. So some of the Government's actions are highly problematic, in example giving money as incentives having a girl child. The money always goes to the husband not the women. Many programs are also geared towards, sort of reinforce the current set up. The women still wont have the right to say what happens to her body. It is always the husband. He decides anything. When she has an abortion, if she has an abortion etc. So those programs try to increase the women's autonomy and consent and kind of reinforcing this whole idea of the women should be the wife listening and acting only towards her husband. The idea, that the woman has the right over her own body, is something, I think / it needs a lot of more strong work on.

#00:26:45-8# I: It seems like this is hard to tackle, since it is something happening in-between the families? Is it also something where the state or organizations have a no

high influence in?

#00:26:48-8# R1: Yes, yes. It is very difficult. Most places / when you don't have an economic back up / many women want to complain. Domestic violence is very underreported because most women don't report. This is a form of domestic violence. But it is still underreported in the country because; we understand that there is really no option. They can't go back to their origin homes because they will be the "women who left her husband" and people won't treat them very nice. So marriage is the ultimate goal. Even if the marriage is not happy, but living in that system the marriage is the ultimate goal for every girl. That's not necessary within rural areas, but also in urban areas. It is a fight for women happening in all casts and classes. Negotiation changes with respect of how independent you are and how much you have, that decides about the room of negotiation. So if you have nothing you can get stuck in that system.

#00:28:01-5# I: Do you think the perception of women and girls are changing due to recent media upheavals or demonstrations and work of organizations? Does it change the mindset of people?

#00:28:41-7# R1: It does. It definitely does. I remember before the New Delhi Gang-Rape there was this (...) actually after the gang- rape the number of people who just came out on the street in Delhi was unprecedented. A lot of us who went there didn't know any faces. Usually you know everyone on these kinds of demonstrations fighting for women's right, but we didn't know anyone. The number of people who came was just hugely unprecedented. But at the same time there is so much focus on violence, has also made it kind of like "we need to protect our women" instead of "we need to give our women freedom", right (...). But we need to create an amendment where they have the freedom rather than protect them. So I need Delhi's streets to be save so they can go out at night rather than keep her in the house protecting them. People do see that, but a lot of focus is on the protectionism argument. "We need to protect our women", rather than saying: "A: She is not your women B: She has a right/freedom to go out as well." I think a lot of changes had happened, there has been a lot of recognition of the violence women are facing. The sentence "It is her own fault" has reduced a little bit in comparison to what it was a few a years ago (unintelligible). I think a part of it in respect to violence has changed.

#00:30:44-7# I: Is the Indian society aware of consequences of the changing sex ratio due to sex selection?



#00:30:53-9# R1:I don't think so. Honestly, I don't think so. I think any person who is doing it, is always thinking individually / There are so many abortions and cases of infanticide, feticide etc. so one more or less won't make a difference. That's how the society thinks. I don't think an individual act can lead to a systemic change of the situation. I think everyone who is doing this is thinking individually.

#00:32:39-7# I: Legally, seems very difficult to reach every Indian family especially in rural areas. What do you think would be a more affective strategy or policy to reach everyone?

#00:32:53-5# Affective policy? I'm really not sure. A lot of our works deal with trainings on sexuality, gender and rights. We target audience in mid- level to high-level workers in CEOs of NGOs. The ideal part is that this trickles down within their work and their NGOs. We also have feminist movements and leadership building trainings with the same effect that should trickle down into society. We have them nationally and globally. We also do basic training on sexuality and gender rights, which is only for Hindu speaking people. It shall give these women a first look into gender rights and gender norms autonomy. Having done that, many women go to the sexuality rights trainings. We just had the whole campaign of the son preference, working with adolescent girls. The idea is target a certain group and work with them intensively and let it trickle down. I think a lot of times it does, and sometimes it might not. But that's the way we work. Other than that we analyze the laws and policies, do recommendations and consultations. We work with networks, for example with disability networks. We do a lot with people suffering from disabilities in connection with gender and sexuality rights. A lot of it is also about to make the space so people can speak. It is not just about us speaking. It is a space where these people are represented. (...) Pretty much everything is about trainings to change the mind set in society.

#00:35:32-1# I: Are there corporations between women organizations and the Government? Sharing best practices, ideas, strategies, and experiences?

#00:35:49-8# Well there is, the National Committee of Women, although we might criticize them (unintelligible), but a lot of the policies that come for the benefit of women have been established because of long standing women rights group and activism around it. Actually the PCPNDT Act was created because of an extremely long-standing activism of women rights groups in a state called Maharashtra. After it became a national law. There has been an intense work with these groups and the

Government to created the PCPNDT Act.

#00:36:30-4# I: Why are you criticize the National Commission of Women?

#00:36:33-8# R1: I mean a lot of times what they say is not necessary what we want to say.

#00:36:42-8# I: They speak with the voice of the Government?

#00:36:42-8# R1: Yes, many times. They are supposed to work with the Government groups. The Ministry of the Child and the Women has been calling for conciliation for chaining many laws, asking from responses from groups and they ask for hearing. There are small rooms, which open. Sometimes they do overreact but there is a room where they meet (?).

#00:37:09-8# I: Do you think the National Commission of Women could be a help to connect with the private sector? In terms of working with the Industry, Media and as they do work further with women organizations?

#00:37:44-6# R1: You know we get to asked that a lot these days. As far as I know there is very little connection. A lot of us are just apprehensive with the private sector (unintelligible) I mean I'm sure there are foundations or things like that (...)

#00:38:11-4# I: I guess specially the media here, from what I saw, is representing a quite strong patriarchal system, no?

#00:38:13-5# R1: Yes. It is to be honest, we actually understand that a lot of representation (...) I mean workforce, all of it is in the private sector but in many results it's very (...) kind of shut off with the complexity, which a lot of us speak about decisions. It's not direct. Its not like you do this and this will stop. Like you do one particular thing and this whole thing will change or shift everything. It requires systemic changes within their own organization and set up. And a lot of these are little apprehensive with that kind of change. It requires too much attention, too much involvement (unintelligible). You don't have to make profit (unintelligible). So we did hear that a lot "what is your involvement with the private sector" I think it's increasing over the years /

#00:39:21-5# Interruption because R. Mallik is entering the conversation. Introducing each other. R. Mallik gives me Information about where to get good resources. She refers me to the Centre of Women and Development Studies, where I happened to already have an appointment the same day.

#00:43:41-2# I: You told us about the son preference project, could you maybe share some documents/reports about that with me?

#00:44:07-9# R2: Sure. Send us an email and Ill try to send you what we have. Its important to broadening the issue and not narrowing it down to the technology and a particular act (unintelligible). The problem is precisely, that's the easiest way to address things. Everything else seems to be much more difficult. Everybody is just getting after this idea, that if you have this technology and you can regulate it and this would solve the problem, but it wont.

#00:45:05-7# R1: At this conference I have been to, there were people from this medical company called Sama. They work on technology, specially medical technology and women gender lenses (...) she said that there are many new technologies that will come up in terms of (unintelligible) the PCPNDT Act would become redundant in many ways because (unintelligible), because with the ultrasound you can already choose what is the sex of the fetus (unintelligible). Its hard for the law to keep up with all the new technologies, because the legal process is so much longer. Hence there are constantly so many new things emerging, new technologies evolving. It's impossible to regulate the interaction between a medical professional and an individual, so that's always been the struggle. Since your not banning the technology you're regulating it or at least trying to.

#00:46:27-5# I: I was told in Haryana that the Government will actually try to track women who are pregnant from the day of the ultrasound to the day they give birth by a registration system. So they would be able to check if women who are pregnant with girls are actually delivering. If not they could prosecute her and the husband.

#00:46:42-6# R1: Yeah there is a huge surveillance of pregnant women.

#00:46:41-8# I: Which clashes with the autonomy and choice of a women.

#00:46:41-8# R1: Right. It's a huge issue and something we are criticizing very strongly. This whole pregnancy tracking / and then I think in (unintelligible- very loud background noise). It's very tricky.

#00:47:48-7# R2: In some of these meetings with the doctor in Delhi when they do the ultrasound, they tell you if its a male or female fetus. They start to envy a female or male god. In example they congratulate you: "Congratulating Krishna/Lakshmi is coming to your house". So the patient knows its a male/female child.

#00:48:34-8# I: So they use a secret language?

#00:48:34-8# R1: Yes. So technically you're not informing them at all. And there is no way to track a process like that.

#00:48:50-2# R2: That's what it is. You know otherwise, imagine we had this

(unintelligible) over the last twenty years. We are really not able to stop the technology in anyway. And you know that's why there is so much focus on the community. There is no medical doctor who has ever been prosecuted. I think there was one case in Haryana, but it has not been followed up with. I don't think there has been ever somebody sentenced. And this was also the first case in the last twenty years, can you imagine? The medical associations are taking no responsibility in terms of canceling (unintelligible) or taking away the license (...) I mean maybe they pay a fine maybe they are taking away the non- registered machines, but in the end there is no penalty or anything like that.

#00:49:40-2# I. So there is a lot of bribery or corruption?

#00:49:49-6# R2: Definitely

#00:49:53-1# I: Is it something which only the middle or upper class can afford anyway, right?

#00:49:54-5# R2: Now, it is spreading all around the country. There has been diffusion, especially if you check the Census data from 2001 and 2011. You can see how it has spread to other states as well, partly to do with the spread of technologies. Places, which are economically underdeveloped like the northern states, or used to be, are an emerging market for these machines. Like in some States it would have not been possible to do an sex determination test 20 years ago, nowadays its not a problem anymore. Now they catch up. It's also spreading across the communities (unintelligible)

#00:51:00-7# R2: Even some of the social practices like dowry are increasing (unintelligible) even in the Muslim communities. And that's linked, to shift in the sense of where sex ratios are now declining (unintelligible)

#00:51:22-9# R1: I remember we talked about the patriarchal system and (unintelligible) and how religion and social practices play a huge role in the way society is set up. It's within the Hindu community, that the "last rights" of the parents have to be done by the sons. These are the many excuses why they want a son. It's these little customs why people even need a son. It's never a daughter; it's always a son. They don't want to share their property, which would happen with a girl. They want to keep it all for the son. Apart from the fact, that parents have to pay high amounts of dowry for the daughters. Besides, the son carries on the family name.

#00:52:24-6# R2: It so deep rooted (unintelligible) Families are still stuck with their way of thinking (unintelligible- very loud hammering outside). Families are stuck with

this thinking. There is this writer ... Sadish? Ambliong? (unintelligible) who wrote a book about sex ratio and he came up about something called the "Prosperity factor"- he says the declining sex ratio is not due to poverty, its not only in periphery, its not that. He wrote a book about it. He was very closely working with the CWDS, I think they even published the book. He talked about the prosperity factor (...) saying it is by certain kind of classes who have property and don't want to divide it (...) so you know inheritance rights, equal inheritance between girls and boys. So it's all related to that.

#00:53:58-8# R1: The fact is, we focused a lot on this whole phenomena of sex selection, but historically, since the beginning of 1901 the sex ratio is declining. We had practices like infanticide and active discrimination against the girl child in form of neglect through nutrition and less medication already back then. Those things are playing a much stronger role. This happened already a long time ago. Suddenly, our lenses are narrowed into this. If you you take a further look, you see the kind of violence which women are experiencing on different levels. It is a continuum of violence and discrimination. Its an extremely hostile environment in which girls and women are living their lives in India. And then people think technology will save our problem, but it wont.

#00:54:38-5# I: So /

#00:54:57-6# R2: /and actually you know, if you want to speak to women themselves...(unintelligible)

#00:55:40-6# R1: /also the women is highly blamed for receiving a girl. It will be her fault. She will be punished. It's very depressing.

#00:55:51-9# R2: Its very deep. It's not shifting in terms of attitude.

#00:57:15-7# : The interview ended with a sincere thank you to Pooja Badarinath and Ruspa Mallik for their time and availability devoted to discuss this issue.

#### 7.4. Interview 3

Centre for Women and Development Studies, New Delhi, India

Tuesday 30.07.2013, 3 pm IST

Interview with Renu Addlakha, Deputy Director & Professor

R1: Renu Addlakha

#00:00:11-1# I: Introduction of my thesis.

#00:00:01-2# R1: First of all let me know what you mean by using the word femicide?

#00:00:23-6# I: When I use the term femicide I refer to any kind of gender related killings. Which could start of by gender biased sex selective fecitide, infanticide, neglect of the girl child, any kind of domestic violence turning into murder, dowry deaths, any kind of violence against women (where she is violated because she is a women) turning into murder, neglected widows...

#00:00:57-2# R1: Basically you defining it as a fertility death resulting out of a gender based violence experience?

#00:01:00-5# I: Well yes, that would be feticide but I think there are more categories which can be considered as femicide as I mentioned above.

#00:01:09-0# R1: Ok. So what was your question?

#00:01:10-5# I: What do you think are the most extended types of femicide in India?

#00:01:16-4# R1: I think what you just said, practically. Large sections of the population in India are victimized to these kinds of experiences. Weather it is feticide at home or its neglect of the child within the family or domestic violence in material relations or weather it is neglected (unintelligible). Many of those experiences are negative. They have a (...) consequences for the women's life in terms of wealth; economic well-being, social status and many women in these situations eventually die. You may take (...) well this may work in isolation or it works in cumulative aspects. So you may have a situation where you are neglected as a child, you experienced domestic violence as married women and as widow you experience a whole range of neglect and finally you die. So would that fit your definition of femicide framework? Because many times it may not be only one dimension, but cumulated actions over the lifecycle. It accumulates and at a given point of time there is a situation created which is an interface between mind and body, which results in death. But the death may happen due to a heart attack, you know.

#00:02:48-1# I: Right, right.

#00:02:48-4# R1: Or it might happen because of TB. But a TB because all your immunity is gone you know, since you have been chronicle expose to under nutrition. So I think if we look at these factors they work incrementally, they work in tandem and accumulatively. I mean of course, feticide and infanticide are very clear expedience and expressions of a deaths occurring, because the baby/fetus is a female. Mhm dowry, well dowry is more complicated. Yes, you have no men dying for dowry you have only women dying for dowry, but again there will be writer in social science saying: "What is dowry?" I mean it's one expression of a range of factors in the domestic sphere. So there is always an "ongoing situation" and then there is what is called the "precipitating factor". The precipitating factor is what immediately causes something. But what immediately causes something is not necessarily always the main cause. The main cause is maybe over time an interaction of many causes. So you know a woman, for example, who dies in giving birth to a child because of under nutrition. So she is under nourished. But why is she under nourished? Because she may has been the sister of six brothers and she never got enough to eat, maybe as a adult she has been again chronically deprived of food, as a married women maybe she always had to eat at last in the house, after her husband. If it is a poor household she would get the least nutrition. So she dies in giving birth, because she has been constantly being under nourished. But now, what is the cause of that under nutrition? It is a base of gender related variables. So that's how I see it, you know. A lot of it is accumulative, it is incremental and of course there are exception such as in the early phase of lifetime the feticide or infanticide, where it is very direct. But then it becomes more complex.

#00:05:09-8# I: Do you see a trend in the recent years? Especially, in the case of feticide?

#00:05:20-6# R1: Well I don't see it, but due to the changing sex ratio it is obvious that there is a trend. So I mean there are differences from 1981 - 2011 or actually 2001. Then it became very prominent and certain policy level measures were instituted because of the drastic decline. Ahm, I do think that it happens and I do think...see because it is illegal you won't hear about it and people won't talk about it because it will below the (unintelligible)

#00:06:05-6# I: But is really no one talking about it?

#00:06:07-8# No, they will not talk about it. Because people know its illegal, so why

should they talk about it. If you go to people and ask them if they had an abortion because they find out it was a girl, they won't tell you. Because you are not supposed to find out the sex of a child. That is illegal. It is not legal for us to know the sex of a child. But then there are other ways of handling the situation if you are really interested. That's a coded language.

#00:06:49-6# I: Yes, I have heard about it.

#00:06:52-5# R1: For example, something which used to happen- I don't know if it still does- So there are ultrasound scans of the fetus done at certain stages of the pregnancy right. So at some point the doctor would very casually say "Oh give me this sweet"...

#00:07:17-2# I: Excuse me, a sweet, like a candy?

#00:07:17-9# R1: Yes. So if he was referring to a superior quality sweet it was a boy and if he referred to a lower quality sweet it meant it is a girl. So there was this whole coded language developed. And actually I think this whole issue would be more open discussed in rural areas. Unfortunately, a lot of this sex ratio changing is happening in urban areas among very well off people.

#00:07:44-6# I: That's what I heard. That sex selection is not necessarily related to the prosperity of the area. It's more anchored to the traditions and cultures of the areas.

#00:07:55-1# R1: Yes, because there is a huge son preference in the society. You want to have a son because he will look after the parents once they get old, daughters cost dowry- so that's a problem. Sons will bring in the money. If the parents will die, it's traditional in Hinduism that the sons will light the funeral pyre. It's a Hinduism ritual. And secondly the son carries on the family name. So for these three reasons the son preference is there. Hence people want sons and not really daughters. And it cuts across casts also. ...(unintelligible). So what happens many times is, that there is a young couple, they have one son and won't have any more children. On the other hand if their first child is a daughter, they do will have another child to get a son.

#00:09:36-2# I: But if it will be a second daughter?

#00:09:37-7# R1: Yes. Then there will be different options to choose from. That's where the technology kicks in. People who have one or two daughters want to be sure to have a son as a next child. So its not that complicated, but it becomes complicated because it's technically illegal. I mean the law is there but it doesn't



mean it's respected.

#00:10:36-8# I: So I guess especially private clinics won't register all of their abortions?

#00:10:38-1# R1: Well they are supposed to. There is a legal framework, which they are supposed to follow. It's just that many clinics won't (unintelligible) And there is the technology, it's not so difficult to get sex determination tests. But its not that there are no mistakes being done. If you look at the medical theater, many times they are not using very sophisticated imagining techniques. They use ultrasounograms, which are always depending on the interpretation of the doctor. Mistakes can happen easily. But that's not being considered, they are assuming, that if the doctors says its a female, its a female. So she gets aborted.

#00:11:34-1# I: Do you see any instrument to measure femicide?

#00:11:40-3# R1: No you cannot measure it. I mean there is a normal range of how many people would be within a population, like the statistics and the number of women. So if it falls below that, this could be one indicator. Basically the sex ratio.

#00:11:51-5# I: It's all approximately of course?

#00:11:52-7# R1: Yes. You can't really tell. I mean it's hard to proof dowry deaths and even harder to get them in a statistics. I mean how do you define child infanticide. You can say the child has been under nourished and dies or got ill.

#00:12:13-7# I: So they would claim natural causes.

#00:12:16-4# R1: Yes. Yes. It's very difficult. I don't think it's that easy. And that's why it keeps on happening. Since it's not very easy to track.

#00:12:24-7# I: Bu there is data on sex ratios?

#00:12:35-2# R1: That kind of statistics has been done by the Government itself, so there are a number of studies which you can check online. A lot of them are the Census studies, which have been done across the country. So where are they more, where are they less, in some places they like care a lot and the sex ratio is better in these states- also the women in that society are mostly better off. And that is also better because of traditions, like 80-100 years ago it was not patrilineal. So the property went automatically to the women. So there are places where women might be more empowered, traditionally. Similarly in many sub tribal's in Kerala, Assam (unintelligible) (...) the property passes to the women and they stay after their marriage with the mother. So there are some societies in which the women status has been traditionally better, so in those sporadic societies the sex rates will be

better. But then you see Punjab and Haryana and the status of women in these states is very alarming, it's not a good status. And then you have another phenomena, which is honor killings.

#00:14:36-8# I: Right very true. Still, I try to focus on feticide.

#00:14:56-4# R1: Right but if you look at Haryana you cannot avoid Honor killings.

#00:15:03-8# I: Though actually I have been in Haryana yesterday and a Government official told me honor killings are not a big issue.

#00:15:08-0# Well, it depends. What are honor killings? It's a definition of a phenomenon whereby two people, in Haryana it's the kinship system, which means you are not allowed to marry near relatives. In Haryana there has to be a large separation, so you cannot marry someone in your own village. The village you marry someone from has to be far away from your own village. Since it is considered that people within the village are brothers and sisters. So you have to move out of the village. So what happens is, that child marriages are becoming less. So young people start marrying at an older age. They build connections with people they study or work with. SO even in the village there is a connection between young unmarried people. That is resulting in relationship development. Many of those relationships are sexual relationships, but many of these couples want to get married. And that's where the honor killing (...) the honor- is the idea that the each member of the family represents the honor of the whole family. And remember, honor killings are not just related to women. Men also get killed. It's a family phenomenon. Its actually to me a naturally outcome. One wants to kill the daughters, so you have very high feticide rates in these areas and the then you want to control the composition of the population by insuring who marries who. And there is where you kill off people and marry of and there are again more women getting killed than men, to break of this union. One reason why the daughter is killed, once a daughter has been reported that she had a sexual relationship with a man out of the marriages; she becomes a problem with the family. It's a dishonor. You know, so that's why many times the honor killing victims are more often the women than the men. But men are getting killed as well. So if you look at Haryana the whole gender relationship is in a situation of crisis. When young people are protesting against traditions and that is resulting in a kind of, I don't know however you want to call it, femicide malice. So and then due to the son preference many of the female fetuses are eliminated before birth. And its not just India, you have the same situation in China...

#00:18:43-8# I: Oh yes. I agree. Actually the situations is worse in some parts of China.

#00:18:49-0# R1: So the states have to intervene. Since you have too much collective violence otherwise. So the Haryana Government has done some things in giving special incentives to families. For example, at the university there is an incentive, like if there a girl with only brothers she gets special incentives. This is in Delhi. I mean there is a lot of son preference here too. So it's a incentive for single girl child. Another one is, if a women gives birth to a girl and she registers her, the Government will create a bank account for her and the girl can use it, with the interest, once she is 18 years old. So that money is for her education. It's called the Lady scheme.

#00:20:23-9# I: This is in Delhi?

#00:20:33-7# R1: And Haryana.

#00:20:36-0# I: Is it for single mothers or couples?

#00:20:50-7# R1: Only married couples. We don't have any interesting for singles. We don't believe in single mothers yet (laughing).

#00:20:54-4# R1: So there is another incentive, if you buy property there is something called "Stamp Duty" its something that you have to pay to the state. Ah (...) when the women is the property owner the stamp duty – it's a lot of money it comes to 1-2% of the total property value- but if it's a women then she gets a discount. So there are my incentives and exemptions that have been instituted. But the problem is that many of them are not new and secondly sometimes they don't make a difference. Sometimes the traditional thinking is too strong. And these incentives don't matter since men will still abuse them.

#00:22:05-3# I: So basically there are policies but the implementation is not working?

#00:23:07-8# R1: Yes

#00:24:03-8# I: What kind of consequences can you see happening?

#00:23:58-5# R1: Bride trafficking is happening a lot in Punjab and Haryana, it's actually not called bride trafficking but cross- region- marriages. So basically, imagine I'm a bachelor, Im getting old in my village and need to get married but there are no women around because all the women have been killed so who do I marry?! I'm poor (...) so what do I do? I have some money, but not much (...) so, I go to another part of the country, where women are even poorer and get a women from there to marry her. So I'm living in Haryana and I go to Bangalore or Assam or I got to ahm

Khutchar, whatever, some area where women are poor and I find myself a bride. And she comes with me, back to Haryana. We settle down and have children.

#00:25:12-1# I: And he pays for everything? No dowry? Paying the family of the women?

#00:25:26-4# R1: This is a trade. It's economically motivated. So suppose, I'll give you an example. There is a man in his mid thirties, hasn't got married, no women around, he is a farmer, so he goes to Bangalore and finds himself a woman. The woman's family is poor so they get some money from the man, the woman has to go with him, she only speaks bangalore and is totally out of her comfort zone. But she settles down, has children, and then there are other men in this village who never married and are looking for wives. So in her old village there are other poor women, maybe her sisters, friends and so on. So she gets them to Haryana for these men. And all this happens through economic transaction.

#00:26:25-5# I: So the Indian society is aware of some of the consequences happening then?

#00:26:52-9# R1: I don't think that matters to people. I don't think people think about the others. They think about themselves. They think about what they want. It's for the State or other Organizations to think of the society, it's for the media. Media is playing a role. I think it does.

#00:27:17-7# I: In how far?

#00:27:24-9# R1: A lot of movies, television series, talk shows, advertisement. But my point is, I have my life to live and I will do what I want to do which is very deeply structured within my consciousness and some of it, and some of these structures do not get changed by loyalty, right. It's deeply rooted by preferences, passion, desire they do not necessarily get changed by someone saying "I grown up..." ahm and its coming from religion, the idea of wanting a son. The idea, that must have a son. Otherwise you who is going to light the pyre, who is going to keep the family name, who is going to look after your family. I see 15 different shows on TV talking about "Don't kill your daughter, sons are not more important, sons ... it doesn't matter..." and so on, but people don't act like it's affecting them. See, what I mean is, the media has a limited role. They might create awareness. You might be more aware of something, but that doesn't mean your behavior will change. So I might be aware I should smoke to not get sick, but how many people will stop because of this? So behavior change is different from awareness. They might be aware but won't change

their behavior.

#00:28:40-1# I: Of course its the first step. But with more development in the country more can maybe change. Maybe out of awareness become a behavior change once?

#00:29:25-6# R1: Yeah, that's logically what should happen. But I don't know if it will. We are a very big country. I mean there is a lot of exposure to the Internet and so on ... and there is the rural society...so I don't know how it will happen, I don't know how fast a change will be. (...) I mean I was grown up in Delhi and the kind of precautions once does nowadays to go out at night, we didn't do that in the past. It was not required. It was a different ambience. You felt save walking around at night.

#00:30:36-1# I: I heard it more about protecting the women know instead of giving her freedom?

#00:30:37-6# R1: Well, I don't know. See it's again very complex. Why are all these women need to leave their homes? It's because they are getting jobs, right. Here in urban areas the women are employed. Most of them are working in the service industry; they need to use the metro. You see them dressed modern now. Women are wearing jeans today. When I went to college only a particular group, you know, of women would wear jeans. Today it's quite normal.

#00:31:52-5# Interruption since a colleague is bringing tea.

#00:31:52-5# R1: So why are these women on the street? These women are on the metro since have to go to work. Why are they wearing jeans? Well cause the places they are work for expect them to look smart, trendy. The traditional outfit (pointing at her outfit) is just not required.

#00:32:25-1# Interruption because her mobile rings and she answers.

#00:32:54-8# R1: Right, sorry. Coming back to the metros and way of dressing (laughing). So that is actually you know the tool thing if your out in public shares, being confident. And she better be confident having a job in like a call center or she loses her job (laughing). This is all a great challenged to the way it's been in the past. What happened in Europe took like a 100-150 years to change, everything for us, I mean I can't tell you how different things have been like 15 years ago. Really different. I lived in both these areas. The advantage is that most of my earlier life I lived abroad so it doesn't appear different to me so much, but it is. So 15 years of social change is a very small period of time and that's why it is unstable and it is going to throw up a lot of you know, because man they want to get married and they

will but they will marry within the new(?) system. So you know, the woman working outside, dressing the way she wants, spending her money, as she wants to. And then if she may get's married, all of the sudden the traditional restrictions come back. She should consult her husband with anything she is doing, her own money won't be controlled by herself anymore, her in-laws will play a great role in her life. And that will create problems, because she is used to such a different life. And that's where she will challenge it. When you challenge the other side will challenge you back. Since you are challenging that person's authority or power. So you have to pay a price. The person who challenges is the person who pays. The person who is in power won't take a challenge easily. They won't suddenly say: " Ok now society has change, ok now we divide our money, ok dress the way you are, ok..." No, it won't work like that.

#00:35:05-8# I: Is another factor also the rural exodus creating slums in urban areas and therefore a bigger inequality which appears very visible? So there is a clash between modernity and tradition, could that create also violence?

#00:35:55-8# R1: Yes, that is true because you know on the one hand the people who are migrating to the cities are finding it better in the cities because, they are more economically prosperous here than in the villages. So they want to be here. But while there are here they do have to confront this inequality. And inequality has reasons of course. I mean if you adopt capitalism it has consequences. In the early stages of capitalism inequality is increasing, that is normal. And that is the way the system works. And that is very painful. Because see India, anyhow, as a society we are very young, we have our cast differences, gender differences, regional differences, its all very unequal. As a society we have not been structured on the principal of equality, we are structured on principal of inequality. So what happens if a banker and a rural farmer migrated to the city? The migrant- by the media- is given to believe that he can also become like a banker. But he can't. So what will happen? He will feel deprived. And once he feels that he will resort to non- legal means. That's a well known thing in sociology, when you feel deprived you won't necessarily use legal means. If I'm legal I'm going to remain poor, but if I steal I can become rich. I can become credit cards, I can go to 5 Stars Hotels, I can wear fancy clothes- I just need to steal. It's not a big deal. I can steal (smiling). So you know there are these multiple factors at work. One of these factors is, if gender comes into play you know. Ahm, many of these people who are migrant come from very traditional societies. Many times their wives and families remained back home. And it's like what

happened Europe during the industrial revolution. The man are living alone in the cities, they need outlets for their frustration, for their sexuality. You know they usually see women only home, as their wife their sister or mother and here in the cities they see the city women who seem so available. So they say "Why not". That can result in violence against women. You know this whole incident of the December 16th in Delhi; I mean why did this one become so important- there are many of these cases. It was because class inequality was built in to the crime. The girl was an unmoving person. She was from a working class family. They were not poor but from the lower middle class. She had great aspirations. She was going to study abroad school, she was in physiotherapy school, she had a computer, she was wearing jeans. So these were all symbol of modernity. And she was going out, she was alone with this guy- who her family actually never referred to as her boyfriend. They call him a friend. If you asked the family, if they were going to get married- her family! You know- And this is to me really - I'm not a sociologist- but this is to me really annoying! Because her family even now will say: "They were just friends, and how they could have gotten married, they were from different casts!" See, here you can see the power of traditions. I mean the girl is dead! At least you could say, you know, ok they were going out. No big deal. But it's all about the family honor. Sooo important. That they would still say, they were friends, they were not going to get married. And that's hypocrisy to me. I mean the woman is dead, in heavens name! Anyways, and then there were these waistroms (?). These men on the streets were robbing people, driving busses and they were just doubt to have a good time (?). And you know why was that women beaten so violently? Because, she answered back. You know the way that crime happened is, they were sitting in that bus and these guys who later raped her, they said to them/

#00:40:17-2# Interruption of a colleague who steps in.

#00:41:42-6# R1: Right, so in that crime, they were sitting in the bus and then one of the guys said to the friend of the victim who was with the girl "what are doing with this women out so late? What are you doing with this girl, is she your wife?" and then the friend of the victim said "no she is not my wife". So the girl, said: "What is it to you if I'm his wife or not, its not of your business". That's how it started. You know, she contested them. That infuriated them.

#00:42:18-5# I: I actually did not know that there is so much detail known about the case, even about what they talked.

#00:42:19-6# R1: A lot of it was known because the friend of the victim spoke up a lot. There were many NGO's, which got into the scene and also many Women Organizations. So she answered back. And then you know these boy's got infuriated. In fact the friend of the victim was interviewed many times and the girls family was actually quite annoyed by the friend, since they blamed him on not doing enough to protect the girl. So it's very complicated. Now the family got many incentives, many of them. They got a house, the brother got admission in a high reputed school.

#00:43:47-1# I: really?

#00:43:49-5# R1: Yes, yes. That's incentive reward. To me it's a bit annoying, but yes. But they are not a very rich family. So these are big things. They would have not been able to get that on their own. It's a different way of thinking. And also they are accepting all of it.

#00:44:11-9# I: You said the male preference is basically a source from religion, right?

#00:44:21-2# R1: Religion and property.

#00:44:25-8# I: So which was religious? To light the pyre and to carry the name on?

#00:44:37-0# R1: Yes, yes.

#00:44:37-2# I: Can you think of a fitting theory?

#00:44:37-2# R1: You should check the South American literature to check on that. Also we don't use the term femicide here.

#00:45:38-0# I: You say sex ratios?

#00:45:40-1# R1: Yes, but only referring to feticide. You know,

#00:45:49-8# I: Do you use gender related killings?

#00:45:56-8# R1: No not really. We use Feticide, Infanticide, violence against women, dowry deaths, ahm

#00:46:05-8# I: So you would not combine them into one word?

#00:46:14-2# R1: No, we might call them gender based violence, but not femicide. We don't use that term here.

#00:46:23-2# I: May I ask why?

#00:46:25-4# R1: I don't know.

#00:46:26-1# I: Ok I thought you might had a personal opinion on it.

#00:46:35-1# R1: Well I think the reason why we don't use it, because we associate it with a particular kind of gender related killing, that is/

#00:46:55-6# I: Yeah. Probably intimate femicide by D. Russel



#00:47:01-9# R1: Yes, so we don't use it. I can't tell you why. But I think it has something to do with how the term got defined, developed...I think we don't find it appropriate in the Indian context.

#00:47:27-9# I: ok. Well it's definitely not an easy term.

#00:47:38-4# R1: But do you use the term in Europe?

#00:47:40-6# I: Yes, yes. I'm collaborating with ACUNS and we use the term in our projects, since we are talking globally about gender related killings. We use it for all kinds of gender related killings. But yes, of course that's not very easy to define.

#00:48:14-7# The interview ended with a sincere thank you to Renu Addlakha for her time and availability devoted to discuss this issue.

## 7.5. Interview 4

UN Women New Delhi, India

Wednesday 31.07.2013, 11.00am IST

Interview with Anju Pandey, Programme Officer

R1: Anju Pandey

Due to technical difficulties this interview had to be divided into 6 Parts.

### Part 1

#00:00:00-9# I: Introducing Thesis topic and myself

#00:00:35-2# R1: Introducing herself and her work.

#00:01:33-3# I: How do you see the situation of femicide and feticide in India? What are do you think are the driving political, social and economical factors of feticide?

#00:01:48-5# R1: I'm so happy to hear, that this is your topic of research. This is something, which is absolutely a critical right now. So, let me just begin to share with you, what it is what we do in India and then I could talk about maybe briefly what the UN Agencies are doing and maybe which could be other interesting people for you. And then I can talk about the issue and the different dimension.

#00:02:35-2# I: Ok. So I do have one question beforehand. Are you using the term femicide?

#00:02:47-1# R1: No.

#00:02:55-4# I: Is that only in India? Also I think the UN mainly doesn't use the term femicide, no?

#00:02:53-8# R1: Yes, it doesn't. In fact, actually very consciously in India we are trying to shift the discussion in India typically, if you speak with people you will hear the word female feticide, That is the terminology that is most often used. Ah but we have been thinking about this and right now there is the case that a consciously talking about gender biased sex selection rather than saying female feticide and then you know we can look into the reason of the discussions why there is an internet thinking right now within India within the UN agencies, ah by using gender biased sex selection and not female feticide. Ah here in India, and I just talk about India right now, there is a joint UN Group and a joint action Plan developed in 2011 which is led by UNFPA, UN Women and UNICEF. This was formulated in October 2011, we had the joint statement that was issued in our Bangalore Office (?- unintelligible due to noise). So the aperient

(?) was of course that the three agencies work on the issue of the declining child sex ratio in India, and as you would be aware that when I'm saying the child sex ratio I mean children up to six years. And from 927 in the 2001 Census it has come down to 914. Of course this is almost as we say a national emergency, that's what almost all of us think. Not just the whole issue in itself is bad but also and mainly the consequences of gender biased sex selection for men, women and girls and for the impunity of the society and for countries at large. Now, mhm maybe I can begin from there. You know this whole issue, so one there is an accrument between the UN Agencies, which we work jointly on it. I think this is one of the best things India that we do have a joint group to give each other updates and network together. This means periodically we meet every quarter; of course the group is led by UNFPA because they take the issue on populations. Un Women comes with the education, gender and empowerment perspective. And then of course we have UNICEF and UNDP, UNIC (...) so we have multiple agencies (...) also this is the UN Systems first response to the whole crisis of the declining child sex ratio and the relating issue of gender biased sex selection. We have the UNDAF, that is a development assistant framework, mhm (...) If I'm not wrong, this is the first year where multiple UN Agencies have signed a joint framework which was of course in the presence of India and therefore there are certain outcomes which are identified as joint outcome that each of the agencies are going to contribute to. There are very define indicators that we have for each of those and one of the outcomes of this joint UN effort in India, of the UNDAF is the declining serration and gender biased sex selection. The reason why I speak of all of this is, to kind of you know, begin on a positive way, to share that there is an absolutely clear awareness and commitment on gender biased sex selection. Having said that, right now...

## Part 2:

#00:00:01-0# R1: ... UN women is actually been working mostly on the issue of sex selection. Currently, Nora, we actually commissioned a research, which is basically a analysis of literature, but particularly with the focus with the impact of macro policies, specially macro economical policies on gender biased sex selection. So that's something that we will taking up next, where we would like to go. What we are discussing is based on the decision on the joint group. Right now, which means our current research will try to find out the impact on macro policies on gender biased sex selection. Mhm, in addition to doing that, in our own annual work plan we also said that

we need to look at how do you have small amount of inputs of a much larger gain for us (?) and ah, because we have been talking about convergent within our own groups and therefore the other pillar for us, is to work on gender biased sex selection, to build up capacities of UN Women partners, on the issue on how do you prevent and actually stop it. And ah in this we are working both with NGO's and also with the Government now. We had a training with the NGO's last year, with ten NGOs Partner across ten states and we also had our governance program in five states among those, where we worked with the elected women representatives. We worked with them and the idea is that you don't sort of (...) how do you built this convergence on multiple issues, which are related with the means of empowerment and the status of the girl and the girl child in this country. So, this year we have a partnership with the State Commission for Women in the state of Chhattisgarh ah, the State Commission for Women is a autonomous body, Nora, and we also have a National Commission for Women. Both are created through an act of the parliament and both are autonomous bodies. Chhattisgarh is one of the states, which showed a very steep decline of 18 points in the National census. This is one of the reasons why we had chosen this state. But also in this state we are working on the issue of Anti- trafficking, which is a very interesting connexion linked to the gender biased sex selection. Although right now here is not much research in this area done. So that's largely what UN Women currently doing. UNFPA is of course also involved with the issue, which would be very interesting for you. Mhm, ok now when we come to this whole issue I think ah you know one part of it is this whole social cultural patriarchal traditional mind set. You know where there is clear preference for boys and I think there are huge (dynamics?) (Unintelligible) the lineage in India everything is through the men and boys in the family and therefore there is this (...) ah you know its very curious, because on the one hand there have this society where the women being raped, sexually harassed and not even getting into the discussion. But on the other side there is a very clear preference for the boys and we are not even using the word (evasion?-Unintelligible) but we, yes ah there is this, you know, I don't want to say conscious selection, but yes we do say there is a declining child sex ratio of the number girl children being born (...) so typically the researches which are happening show that the first child might be a girl but as you go down within the number of children in the family you find that the selection tends to, you know being more pronounced. You know, so its important to analyze the sex ration at birth. So typically you will find families where you will have first girl child, second girl child, third girl child and then a fourth boy

and then and ahhh (...) and that's usually very typical to see, even families who always believed in small families size of two children will get more children to receive a boy. If it is one boy or two boys they would have stopped then, you know. But if it is one girl, two girls they will go on until having a son. You know the whole mind set is that the boys and men are so much more valued, and absolutely I should say devaluing or not valuing the girls. I think the ultimately link is, Nora, how the society has kind of you know, how the gender roles are defined in society and women. Obviously we are looking at only the productive role for men; therefore there is a clear role for men and boys and who will get educated. They go out of the house, they will earn a living, they will be the ones who will caring on the lineage they will be the ones who will do the cremation of the parents- you know this whole thing of Nirvana, that you know your sons need to cremate you. You have to have a son to lite your fire, so that is very strong. It comes from the traditions the village practices. Whereas the girls are really seen as a burden because, ah, I'm just sharing this because you know the whole perspective is that if your investing in a girl eventually she is going to get married and going to someone else's family, you know therefore, so one of a popular saying is ' bringing up a girl is almost as watering the garden of your neighbor' you know so. It's a Hindu saying from the north.

#00:07:34-2# I: So it is connected to religion then?

#00:07:36-2# R1: Its not a religious saying. I think you know you will not find it in any of the scriptures you know, its just part of the culture and the tradition. And I think that's interesting to say, how the whole feminine thing is constructed and the religions and also Islam and what we call the sancritarization ....

### Part 3

#00:00:00-0# R1:(Unintelligible)... of the rest of the communities

#00:00:04-4# I: But isn't it in the Islam the other way around?

#00:00:22-9# R1: Its the Maher.

#00:00:22-9# I: Right. So in India, no matter if you are Moslem or Hindu they would both use the dowry system then?

#00:00:48-1# R1: No not really. So again you know I think we have some very interesting pockets- if I may call it like that. I mean very clear the Islam uses the Maher, and in Hinduism the dowry is used, although the dowry prohibition exists. We can also talk about the legal issue later since this also refers to gender biased sex

selection, right. So what happened is that you have certain percentages of people who have converted. So within Hinduism and its cast system, you will see that the (...) well so you have the four casts in India, the Brahmins, Kshatriyas, Vaishyas and the Shudras, so you do have over the years very strong social movements have resulted in convergent to other villages and specially of communities which belong to the Kshatriya cast. You know we have Christian dullars (?) Islamic dullard (?) whereas you know dullars is more a category you would find in Islam or Christianity. But you know so those convergence have resulted in very interesting populations, in a way where you do have people coming from a certain casts, have converted to another religion but in terms of their status and their access to development and resources they may still be as much nice as they were in their original religion. So, now very clear you see this preference for the boys. But also you know, talking about dowry, one part is this traditional cultural religious mindset but then an important part of that is of course the dowry. So parents do not want to have daughters because they this means they really have to safe and invest in their dowry. Another recent studies has indicated that another reason for the gender biased sex selection this whole issue about safety and security of girls. And parents feel that's a big issue and I know the horrific incident on the 16th December became a global issue plays a big part in that. So, this whole motion of the safety security of the girls and the purity of the feminim and all of that. The fact that, you know even if a girl is raped in this country most often she is held responsible for it. The whole mindset of the people and their way of thinking is wrong. People would say the girl might provoked the rape, she might had dressed in a certain way or acted with a certain manner she may have been walking in a certain manner... So what happens is, that person is persecuted only because her gender. And in the case of this gender biased sex selection there is definitely, (...) they looking at consequences for the men that are only because of their specific gender (?). Because you are a woman you are not wanted. I think it's also interesting to see, I mean of course while I'm saying this I also see that things are changing for the better, but also what you see from the governmental side. So we do have the PNDT Act. Which got reformed due to changed in technologies. The Pre Conception was added later, so it used to be only Pre Natal, but then with the changes of the technologies and the medical development, people had easy access to whatever is available on the internet in terms of detecting the sex of your child, so now they changed it into the Pre

Conception and Pre Natal Determination of Sex Termination that is banned by the Act. So when we are looking at this whole issue, I think there are three or four things, which are important. So if you put this whole thing of sex selection in the center then one part is very evoking by the society, and this whole cultural and traditional. How it really operated at the level of the families and you know this whole socialization and also that how women are forced into doing what they are asked to do and what are the consequences out of that. Not just for the society but also for their own health. Because if you are forced into multiple abortions what are the consequences for her physical, emotional, mental or psychological health. Many women die because of complication of abortions. And the fact that a large population of this country are (6:38 Luminc?- unintelligible) (...)

You know it's tricky. But let me come back to this whole (unintelligible) gender biased sex selection. Because in India we have the Medical Termination of Pregnancy Act, MTP Act and therefore abortion as such is legal, but only under different conditions. So it's not like absolute abortion, but there are like 5 conditions identified under which a women is allowed to abort. Also the period of the abortion has been increased, now you can abort up to 5 months, earlier it was up to 3 months. So now, its legal until the 5th months....

Part 4:

#00:00:00-0# ...so in case a women has been raped and she gets pregnant she can get an abortion, or if there is any genetic disease, if there is a threat to the mothers life and there is one more condition which I can't remember now, Sorry. So the second part is where we talking about the laws and the PCNDT Act for example and but the third aspect is the implementation about the law and you know how effective it is that regulated part of the law. And I think that is where we have a huge challenge in India. Because under the PCNDT Act there are appropriate authority so under each district they are supposed to have appropriate authorities, which is usually the Chief Medical Officer in the district and under that person they constitute you know. They are very define rules that the appropriate authorities have, both in terms of regulating and registration of the ultrasound machines which will show us another angle of the misuse of the technologies. Because of course you hear sometimes people say 'the ultrasound machine should be banned' but then whole point of the technology itself is neutral, you know. It is the misuse of the technology, which is

resulting in feticide. So they have very clearly layer out norms in registering for the machines and also who shall be allowed to get one etc. but we do know that in practice- we heard of instances where for example in Punjab, New Delhi and Haryana, which are actually in terms of economic growth the better off states, but those are also the states where the child sex ratio worse compared to the rest of the country. So, when I'm saying we, I'm not necessarily referring only to research done by UN Women. Anyways there is anecdotal evidence that you have mobile ultrasound machines that people go with in the villages. All of them are mainly done illegally. So there you see that there is the community, the family, the medical fraternity. So it seems like there is a, you know what's the word?! (...)

#00:02:47-2# I: like a common sense between those actors?(laughing)

#00:02:47-2# R1: (Laughing)Yes, exactly. So you know that's the other aspect which I think is important to flag, you know. You do have the laws but if you look at the law and the implementation and you look at the conviction ever since the Act has been approved by the Government, the number is really low.

#00:03:10-0# I: Its more caused by a lack of effective resources of the police or is it more that the system is also still on a stage where it doesn't really perceive the consequences of feticide? And I also read that many Government officials are quite in favor of the sex selection?

#00:03:46-3# R1: Absolutely. I think both are the case. Its not neither nor. Its both. And that's why we are in such a crisis. Because one part is for example, when you look at the resources in terms of the budget allocation in sectorial (?) for specific initiatives that are for women and gender- here I add another angle and tell you that we have to necessary link this to whole issue of sex selection in our country with the largest status of women and girls and of course we have seen a lot of changes in the past. But in this specific area we have seen a consistent decline, despite the fact that we are an middle-income country now. You have seen the growth now over a certain period of time in the GDP. But I think on this one issue of development it is really serious, because we constantly over the last five Censes or longer we are seeing the decline of the child sex ratio.

#00:05:04-7# I: But hasn't it also gone up, very little?

#00:05:04-6# R1: No, no.

#00:05:04-5# I: Because I have seen statistics of the Census where the ratio went up?



#00:05:12-9# Ok so that could be specific districts, Nora. Checking the latest statistics from the Government is had not gone up. For that kits best to check the webpage Office of the Register General & Census Commissioner, India. We have actually worked very closely with them together. And one thing which the whole data collecting was very focused on, was the engendering of the whole data, which mean you are really looking at (unintelligible) women and girls emigration in data (unintelligible). But despite that huge amount of effort was made to engender that huge amount of data collection; For example I'm talking about 0-6 years, which is the child sex ratio, despite identifying gender critical districts and so on, we still see a declining in the child sex ratio. Which means that the situation on the ground is probably even much worse than what we can even comprehend. There is an assumption and we do know that in certain districts in Punjab and Haryana it did show an increase in the child sex ratio, but if you take the overall picture it is still declining. You should definitely check the very interesting analysis of UNFPA where they found that if a specific district in a state was gender critical in terms of a declining child sex ratio, they have trapped it from 2005 and seen that over the years the neighboring districts also had reflecting a decline in the female child sex ratio. So that is very alarming, which means that the practices and how the whole thing get's transacted is, you know, even areas which were otherwise showed -in comparison- a high child sex ratio you gradually see that one pocket begins and...

#### Part 5:

#00:00:02-8# ....begins and then its sort of spreading to the other areas. The other thing I want to flag out is, I mean there is so far no evidence on it, its only anecdotal and very little form the recent Census dealt with it, the tribal communities. Which never ever earlier showed a skewed child sex ratio. This is not really from a research-based point of view, or evidence based, but I do remember hearing that in some tribal areas you can see a declining sex ratio. Those would be an interesting area to look at and sort of check what are the changing dynamic that are changing. On the one hand we are talking about any different criteria in terms of- so if you look at education and I think we have done very well on that if you consider the different MDG Goals, ahmmm maternal mortality rate, infant mortality rate has definitely improved, ah ah (...), on the label of age I think we are doing ok in terms of being on track with the MDGs. Of course though, child sex ratio is one area where I think,

despite development and all of that, we still falling behind on this whole issue of gender biased sex selection. The other thing is, that we need to see this is a much larger picture, such as what is the status of women in India? And what have been the changes? And what are the schemes and policies we have? And what are the resources? What are the budget allocations? And what percentage of the budget is in the favor of women?

#00:02:14-0# Interruption of a colleague who need the room in around 5 minutes.

#00:02:29-7# R1: So the other thing, Nora, is that we are working on this whole issue about Anti- Trafficking in six states in India. So for example an employee of UNFPA had made a study like six years ago. This employee travelled to Punjab in the north. Because of the extremely low sex ratio in this states, there are villages where there are almost no more girls left.

#00:02:58-5# (not relevant parts)

#00:03:03-2# So, you have pockets up in the north and in the rest of India where there are villages with no girls at all. There is village in Rajasthan had like 400 boys but like 20 girls. And therefore, what men are doing is trafficking brides from the eastern states to come. And then you think about the quality of life and all the violence that these women have to undergo. Of course it's anecdotal, but it's so powerful that I'm going to share it ... (Unintelligible- problems with the micro)... you have instances where this women from Jharkhand, 16-17 years old was used as a shared property between the brothers and the father. So she is really like a slave. But also the consequences, the numbers of the girls is declining and the violence is definitely going to go up. So all these linages are important to build. But also linked to this whole thing is, the property and the whole thing of the land you know. So, especially the links of gender biased sex selection and property with ownership and land rights and what is the consequence of that. Mary John from the CWDS has made some very interesting study about that I don't know if you know her/

#00:04:43-6# I: Yes, we meet her yesterday very briefly.

#00:04:43-6# R1: Oh you did, very good. There is another thing, looking at what are the social, so the social traditional, what are the economic dynamics of gender based sex selection. Where she has evidence of families in Punjab, and this is a different research M. John made for UN Women, where she has found evidence for large agrarian farmers with just one child, which is always a male child. So, again because they don't want their property to be divided and they just have one child. All those are

very significant areas of enquiry in the context of gender biased sex selection

#00:05:41-1# (Not interview relevant)

Part 6:

#00:00:00-0# R1: Haryana for example has come up with a lot of schemes for girls, since its been a gender critical state on the indicator of gender biased sex selection.

#00:00:11-7# I: Do you find these initiatives by the Government fruitful?

#00:00:16-8# R1: Ahhh...

#00:00:21-4# I: I mean would they be able to change the mind set? or help?

#00:00:23-9# R1: The issue of monitoring and evaluation of those schemes, you know. I mean we have been developed a monitoring framework, which is in domestic violence, Nora, and I'm just speaking of this example because we have been advocating for developing frameworks for monitoring and evaluation for these schemes. So exactly what you are asking for. But I do know that there is one researcher who had done of the Delhi Ladli Scheme". The scheme tries to enhance the social status of girl child by giving her education and ensuring her economic situation, and also to protect her from discrimination. All this information is on the Government webpage of Haryana, but you know the challenges are the implementation. The society has been very active on changing the mind set. Another thing which is very important in changing the way of the mind set is to work with men and boys and not only empower the women. So to change the mindset of men and boys and how they define their identity and the whole issue of just wanting a boy to carry on with their lineage.

#00:02:04-7# I: A high official in Haryana mentioned that the role of the Panchayat. Not all of them follow the central laws as such since it seems quite far away from their local traditions. And they do have a very very high influence on the people, right. I guess a lot of programs are targeting these people, since changing their mind would change the mind- set of many villages.

#00:02:39-6# R1: Absolutely. Actually we are working with them on our Anti-Trafficking Program. So we try to work with the local Government. It's this program which is in six states, and we are developing convergent strategy and developing multi sector plans to prevent trafficking of women and girls. Therefore we look at the intersectionality of many different social, economic, political issues you know. And when politic comes to my mind I want to share that. In Jharkhand for example we are

working with the State Commission of Women and the State Institute of Rural Development. Even the Government developed a manual to mainstream this whole issue of gender biased sex selection in the national Institute of Rural Development Curricular. So how do you institutionalize the change, you know? Which means the National Institution of Rural Development and the High Academy (Unintelligible) which trains the (...) and the very senior Indian Administrative Service Officers, so we work with them as well to really mainstream these issues into their curriculum. So we are working with the State Commission, we working with the local Government Institute that trains the elected representatives, and those representatives will follow up the level of the Panchayat. That's the most grass root level of the Government. Getting them into the boat about the change of the mind set is very important. But also the implementation to the law, schemes and so on.

#00:05:06-4# Interview gets interrupted again.

#00:05:09-6# R1: I'm very sorry I have to go now.

#00:05:13-3# I: Don't worry; thank you so much for your time.

#00:05:14-5#: The interview ended with a sincere thank you to Anju Pandey for her time and availability devoted to discuss this issue.

## 7.6. Interview 5

Plan India, New Dehli, India

Thursday 01.08.2013, 09.30 am IST

Interview with Dingle Bhagyashri, Executive Director and Debjani Khan, Projekt Manager "Let girls be born" and Lilly Vishuanathan, position not clear

R1: Dingle Bhagyashri

R2: Debjani Khan

R3: Lilly Vishuanathan

#00:00:00-0# I: Introducing myself and my topic of research.

#00:00:16-0# I: I read you have a specific project to fight feticide, can you tell me about it?

#00:00:19-3# R1: Yes, it's called "Let Girls be born". So, it is primarily creating awareness of the PCPNDT Act, primarily focusing on sex selection.

#00:00:27-2# I: Is there any information about the project on the Internet?

#00:00:41-1# R1: No, There is no information about it on the internet, but my colleague Debjani Khan who is the Project Manager will give you later more information about that. There will be no details in the Internet.

#00:01:02-6# I: I learnt you are not using the word Femicide in India?

#00:01:03-5# R1: No, no.

#00:01:06-5# I: How are you referring to the issue?

#00:01:15-8# R1: Its primarily feticide and infanticide what we are working on and (...) it's highly prevalent and it's across social and economic strata. So Plan India works primarily with the underprivileged section of societies this is one issue, which is across. So that's why to create awareness on the issue we do mass awareness campaigns, trainings etc. We also feel that this is an issue, which can't just be addressed over a couple of years. It's so deep rooted. It has to do with the status of the girl child in India. Although, that social conditioning that happens right from (...). So, a girl, when she is born its really considered as a sin. The families believe that a girl is an expense; they don't look at her as an investment. As investing in her, you know. Its not really (...) So its primarily because of that, also the girls get married and then there is the dowry system which is been prevailing in most of the states, you know, for so long. So it's a financial burden. Secondly they feel to invest in her

education is a waste because she is going to be empowered and some other family will benefit of their investment. And lastly, you know, when people die the last rights in the religion have to be performed by boys. So, and then another thing is carrying the family's name, girls always take the husband's name. So, all these reasons and they are so deep rooted since generations that (...) that's why (...) you know, and then if you really want to make a change, we have to actually start at school level. So when these children grow and get into the age of marriage they won't do the same anymore. So they will take different decisions with their own children and they won't think the birth of a girl child is something to mourn about, you know. Now, with the one or two children norm, families want to have two boys and in some states we work the sex ratio is declining more and more. Like Haryana, Punjab and even Dehli. I think at the moment its 915 girls to 1000 boys, which is the lowest sex ration since independence.

#00:04:14-7# I: Where is the sex ratio at its lowest?

#00:04:18-7# R1: Haryana and Punjab are the lowest.

#00:04:31-2# I: Event though these states are economically growing...

#00:04:31-2# R1: In Punjab it was very shocking. Families there want only one child. There is a one- child norm that's emerging, and that one child has to be a boy. Many don't even want to have two sons, only one.

#00:04:43-8# I: One- child norm by the Government?

#00:04:43-8# R1: No, no. It's the family. They just want one child, and that one child has to be a boy, because they don't want the property to be divided.

#00:04:58-1# I: This is only in Punjab?

#00:04:58-1# R1: It's primarily in Punjab.

#00:04:59-8# I: How does your campaign works? Or maybe Ill wait for your colleague to tell me about it.

#00:05:20-5# R1: Yes, she will tell you more (unintelligible). See the main issue about feticide is, nobody reports. Even if they know it happens, within your friends you will have people getting the ultrasound done to actually find out the sex of the child. But how many people are actually going to get an abortion within each family? Nobody knows, since it happens within the families. Even if you don't believe in it or you don't stand for it, many people still do it. Many women are forced to do sex selection. There is no reporting happening. So if reporting happens people will get punished for that offense, but nothing happens.

#00:05:52-7# I: So the campaign is in favor of the PCPNDT Act?

#00:05:52-7# R1: Yes. We are creating awareness for people to report. Because the more people who start reporting, the more we can reduce it (...) because there is 3-5 Years of prison punishment on it. The punishment counts for the doctor who conducts the test and for the person who is influencing the mother to get it done.

#00:06:17-0# I: Also for the mother?

#00:06:17-8# R1: Not for the mother. See no mother would want an abortion. Research and data show us that mothers don't want to kill their children. But it is always somebody within the family like the husband, mother in-law or (...) you know, who is influencing her in doing it. So the influencer and the doctor, they both can be punished. But no cases have been registered. So that's why the police needs to be sensitized, the judiciary. What also happens is people trying to record a crime but the police won't file them. They don't want to investigate. They might also advice you to not record a case.

#00:07:16-7# I: Do you think some of them are in favor of the feticide?

#00:07:20-7# R1: Its across, you know. You will find very few people who are willing to have daughters. Having a child, you know, 99% of the people would want a boy. They may like to have a girl but then the second child has to be a boy.

#00:06:32-9# I: There has to be at least one boy?

#00:07:49-1# R1: Yes. But my sister (...) I had never thought of it. She told me anytime you see a big age difference between a first daughter and a son, if there is a six year age difference, you can assume that the parents have gone through multiple abortions in-between, in order to have a son.

#00:08:33-3# I: So it seems like the policy framework is there, the PCPNDT Act, and the problem is the implementation?

#00:08:36-9# R1: Implementation, awareness and reporting. First problem is the reporting, the second problem the filing and the third one the implementation. That's why we are targeting adolescent in our program. We try to target young people for gender training and gender sensitizing.

#00:08:52-8# I: In whole India?

#00:09:11-4# R1: In our Program Communities in 11 States. So it's were gender training is a big part of our program

#00:09:09-5# I: Is it hard to address rural areas vs. urban areas?

#00:09:32-7# R1: No. Actually Delhi is the worst at the moment.

#00:09:32-5# I: Really?

#00:09:32-5# Yes. It's Delhi, Haryana and Punjab. It has nothing to do with the poor people, it has more to do with the urban elite who want boys.

#00:09:45-1# I: So we could decouple the economic factors. We could say that this is independent to income, to education, to even wealth of the family.

#00:09:52-4# R1: Nothing to do with that. In fact in a poor family, they will have 5 children to have a son. Rich families don't want to have 5 children, but 3 children at its maximum. Most of the poor families just go on and have children, they won't go for feticide. In poor families there is more infanticide or neglect the girl child.

#00:10:26-7# I: Because its cheaper?

#00:10:26-7# R1: Yes, Its cheaper that way, than abortion.

#00:10:31-5# I: So Infanticide happens more often in rural areas than in urban areas?

#00:10:38-8# R1: No, because there are also many urban slums. More poor people are living in urban areas now and the number is going to increase.

#00:10:56-1# I: But the majority of poor people lives still in rural areas?

#00:10:59-2# R1: Yes. And then in the poor areas, it's not just the fetus or the baby girl, which is in danger, but also the mother. They might not go for a proper medical abortion. They may resort to some brutal ways of killing the fetus (violence, medicine). So the mother is in high risk. That's why you have in India high maternal mortality rate.

#00:11:44-5# I: In an Interview on CNN you said the sex ratio level in India has dropped to an all time low. It was surprising to me, since I was reading that it had been actually increasing a little bit?

#00:11:56-1# R1: If you look at sex ratio of under five years. Which means right now the feticide is very prevalent.

#00:12:15-7# I: So the sex ratio under five is declining?

#00:12:19-7# R1: Yes its declining considerably. It's worsening.

#00:12:32-1# Do you see any differences in the incidents across different religions in India? On the Sikh, Hindu, Christian or Muslim communities? Is there any relation?

#00:12:44-4# R1: My colleague would be good to tell you that. There is a desegregation of data concerning religions.

#00:12:54-8# I: I heard that the social practices of the Hindus are quite extended



throughout the country. Are Muslim communities using the dowry system?

#00:13:10-0# R1: Moslems for example have a lot of children. Not so many...

#00:13:31-5#: Interruption since Debjani Khan is joining. Dengle Bhagyashri gives her a quick introduction about we had talked and asked her about the connection to religion.

#00:13:54-9# R2: Feticide happens across religion, across casts, across economic strength and there is nothing preventing this female feticide right now. The main reasons for, what are researches showing are primarily that this new family concept with high consumerism leads to a single child household. And the single child is preferably a son. They are not waiting for a girl child. Especially in Punjab the economic factors are important because of the distribution of land. Different and diverse economic strata is responsible.

#00:14:27-3# I: Which economic factors are you talking about?

#00:14:57-5# R2: Mainly the distribution of property. In India we have recently passed this act on equality, the equal share of property between girls and boys if they are siblings. Also, in some states you cannot be set up for nominations in elections of the Panchayat if you have more than two children (...). So these are many complicated factors, which are leading to sex selection.

#00:15:51-7# Sorry how does it work with the elections for the Panchayat??

#00:15:53-8 R2: We have a decentralized System which goes down to the grassroot level. State, District, Panchayat, Village. It's the lowest system of the village. A village is a small unit and maybe ten villages make up one Panchayat. The Panchayat is a small administrative unit, 5000 people make up one Panchayat.

#00:16:11-5# I: It's interesting to see that there is no clear relation between economic factors and feticide. The social factors seem to be more important, as you were saying the traditional, religious and cultural factors?

#00:16:52-8# R2: Social factors are everywhere. Same as in China or Korea. Most of the south Asian countries have a strong son preferences. Now since there are all these new technologies, it's easier to identify the gender. The misuse of the technology needs to be stopped. Therefore we have the PCPNDT Act. So it is prohibited to know the sex of your child by choice in comparison to other countries. Like in Europe for example. And secondly after conception also/

#00:17:43-3# R1: So you know, a lot of people who can afford it go abroad.

#00:17:47-1# R2: Yes, yes.

#00:17:47-1# I: So they go to Europe to get the/

#00:17:50-8# R2: Not even that far, they go to Singapore. Singapore doesn't have a ban like we do. So they are going to Singapore, having the determination and then again we have the MTP Act -Maternal Termination of Pregnancy Act- since 1961, which again gives the right to the women to get an abortion done. The right to choose. If I'm a mother I have every right to choose if I want to keep the child or not.

#00:18:17-2# R1: Abortion is legal in India. So if you go to Singapore, get a sex determination test and realize it's a girl you can come back to India and get the abortion here. Since the abortion is legal.

#00:18:35-1# R2: Even 20 weeks after that/

#00:18:40-2# R1: They will disclose the sex/

#00:18:44-6# R2: She will say "I don't want to continue with the pregnancy" and its her choice.

#00:18:48-0# I: Are economically stronger people also make use of In-Vitro? Outside of India?

#00:18:57-2# R2: Yes

#00:18:57-2# R1: Absolutely, rich people go outside and get it done. Either In-vitro or sex determination tests.

#00:19:17-6# R2: There are also a lot of quakes. People who watched doctors doing the tests and declaring themselves after a while of being a doctor as well. Mainly in slums.

#00:19:53-5# I: And they are also doing abortions?

#00:19:53-5# Yes. And maternal deaths are increasing. But also the country claims that the overall fertility rate has going also down and number of children born are being less now. So there are two definitions. One is obviously it happens because of the sex ratio of children but the Government says it happens because of the adoption of family planning. So they are basically saying the family planning program is successful. People who are accessing more the family planning methods, which has been able to control the population. that one of the aims of the agenda, which is a hidden agenda, but it is one of the agenda. Like the one or two child norm.

#00:20:44-9# I: Of the Government?

#00:20:48-8# R2: Yes

#00:20:33-9# I: According to the your experience, there are educated and economically well off families in the state of Delhi and Haryana, also there are many

political instruments in fighting feticide. Why does it still happen?

#00:21:09-8# R1: See I think it's the social-cultural (unintelligible) status of women, again. Like you know if you produce a son your status in the family goes up. These are some of the things of social and cultural issues, which we cannot deny. But with the technologies the issues becomes even worse/

#00:21:34-7# : Interruption because the third person Lilly Vishuanathan joints the meeting

#00:21:28-0# I: Do you see presently consequences which can be connected to Feticide and a declining sex ratio?

#00:21:59-2# R3: Technically there are two things. First of all the child ratio (0-5 years) that is not only feticide. It includes also infanticide and the neglect of the girl child. And now, I think the past three years the Government started to look at the actual birthrates, but that's only for few selected states, which are doing it. They call it the EAD Stated Economically Aggravated Empowered States; all the human development indicators in these states are poor. So there are eight states. Out of those, we are focusing on six states. So they are looking at the sex ratio per birth, with actual number of births. And if these numbers are declining it can be linked as an contribution to female feticide. Since they are preventing the child to be born. Or, after the girl child is born she can be eliminated through neglect. So there are two concepts.

But obviously, the inequality of men and women is getting worse. We do see human trafficking, Polygamy a lot of increasing domestic violence and other sorts of violence. After the 16th of December the Government suddenly starts to focus on rape in putting up big banners on the street. But it's not only rape; there is also a lot of other forms of violence against women. If you just read the news from today, you will find a student of the university attacking a former girlfriend of his with an axe. It's been all over the news.

#00:25:09-9# I: Do you think people are more aware for the topic, after the Delhi Bus rape on December 16th and its huge impact on the national and international media?

#00:25:21-0# R3: Shaking her head. I have observing girls are maybe slightly more careful in choosing their bus to go home (I: comment- Delhi Bus rape took place in an illegal bus). They try to ignore men.

00:26:05-4# R2: There is much more awareness in the media and the topic is much more discussed in the media. Usually sexual violence is not discussed openly.

Women's Organizations are much more aware of sexual violence (unintelligible due to loud background noise). These days, women who are sexually assaulted or in violent environments come out easier and tell their stories. Women Organizations seem to be more active and resisting. People are talking about it more open, which has not been like that before. But there are still not more reports filed and the violence is also not decreasing so far (unintelligible due to loud background noise).

#00:27:39-0# I: Would you say the sex ratio is a good indicator to measure feticide?

#00:28:25-0# R2: As we are also focusing on the rights of a child we don't work so much with sex ratio statistics. But you should use the data from the Government, which are indeed a good indicator (unintelligible due to loud background noise).

#00:28:25-0# R3: We also have projects like "break the silence" or "A secure the city for girls". Most people are not even aware of practicing violence or being affected by it (unintelligible due to loud background noise). They are considering many many acts of domestic violence as normal. (...) The sex ratio is one indicator and it basically shows how the discrimination begins in early stages. But if you look at the life cycle of a girl, there are many other indicators: Nutrition, medical care, school education etc. And it shall be not forgotten that also boys are sexually violated.

#00:30:53-0# I: It would be interesting to know what kind of indicator we could use to measure feticide.

#00:31:07-0# R3: One indicator is definitely the sex ratio/

#00:31:12-4# R1: Sometimes it is difficult to use the sex ratio as an indicator, since it is not conducted in every state. Another problem, we are focusing on are girls which are born but not registered. So it is hard to proof if these girls will survive the first 5 years and they won't be considered in any statistics. So basically the normal child sex ratio is highly biased and in reality much worse. Because of that we are fighting for a registration of children in between different ages. We are finding the north registration rates have been mostly very poorly conducted in many states. It needs to be improved. It's a challenge (unintelligible due to loud background noise). The problem with feticide is also very hard to proof or track since it is a hidden action. It doesn't happen in front of all of us (unintelligible due to loud background noise- referring to a study of lancet).

#00:33:23-3# R2: There has been an analysis of the Census of the Government by doctor Brachat, who found out: If the first child is a girl, it's accepted, if the second one is a girl it's most as well accepted but with the third child there won't be any kind

of compromise. If the third child is a girl it won't be accepted and will be aborted. Mostly they have a big age difference in-between the girls and the younger boys.

#00:34:11-6# R3: There are age gaps up to ten years.

#00:34:45-4# R1: According to the recent data you can see there are so many girls which are not born. I think at the moment its 919 girls to 1000 boys.

#00:35:41-5# I: Do you have any kind of supporting documents you would be willing to share?

#00:35:41-5# R2: Yes we recently conducted a study of the situation of the girl child which deals a lot with feticide. I can share that one with you. It belongs to the feticide project, many community perceptions and so on. You should also look at the Government data which is all online available. Also there is an UNFPA study from 2011, which could be interesting. There actually calculated more than 100Mio. girls have been missing in one decade.

#00:36:55-4# Interviewer kindly thanks for the time and effort made by the threes respondents and says good-bye.

## 7.5. Interview 6

The 50 Million Missing Campaign, Kolkatta, India

Monday 05.08.2013, 09.00 am IST

Interview with Rita Banerji, Authoress and founder of the "50 Mio Girls missing campaign"

R1: Rita Banerji

Due to a technical default, this Interview is divided in to 17 parts.

#00:00:13-4# I: Introducing my thesis topic and myself.

#00:00:26-0# R1: So you are doing it specifically on femicide?

#00:00:32-0# I: Feticide actually, that would be the main topic.

#00:00:36-0# R1: So basically you are doing sex selection?

#00:00:42-0# Yes, I still want to call it femicide in India but then focus on feticide. To just focus on one type

#00:00:44-0# R1: Yes, yes its very big. That's why people separate it. But yes, you can put it all under one because the aim is the same. Which is to terminate females.

#00:00:46-0# I: Right, so I came here as a tourist to conduct my research on the topic, which can be a bit scary researching all this violence in India and the traveling here as a women (laughing)

#00:00:55-2# R1: (Laughs too) Actually, yes very true. Calcutta was, when I came here ten years ago, a very safe city, you know more than other cities in India. It actual changed drastically. I feel even unsafe being on the street at 7.30-8 o'clock, you know. It's never been like that. The last three years, in this neighbor hood it used to be pretty safe. But then, a while ago, at 12 o'clock in the afternoon a women was waiting for her husband, very close by and a group of man in a van come by and kidnapped her. And I get pernicious because I don't see political will. You know politicians don't want to address it because many of the men support the political party here in India. Everything gets divided politically. The politicians don't want to create a problem (...) Like last week there was a TV journalist and her friend who got into a fight with some men. One of the men grabbed the journalist hands, so she hit him. Suddenly many men came and started grabbing at both of the girls screaming "rape them rape them". At 11pm at night! And see if she would have not been a journalist, this would never become big.

#00:02:04-7# I: It seems a bit like the case of the gang rape on December 16th in Delhi. Since she was quite modern, talking back to her perpetrators ... I have heard people saying if the same incident had happened in a rural area, it would have never become so big.

#00:02:14-7# R1: Yes, one because it happened in Delhi, two she went to a mall. She came from a quite poor family. I think her mother is even illiterate. The father was a farmer who sold his land to send his daughter to school. Now he works at the airport, not earning much. So it's not even been a middle class family. It is a poor rural family.

#00:02:32-7# I: It is quite seldom that the fathers sell his land to put his daughter in school, no?

#00:02:34-7# R1: Yes, because he thinks she will get an education and a good job and will help the family later on.

#00:02:36-7# Interruption because of loud music, and since I asked to lower it.

#00:02:36-7# R1: A lot of girls actually try to talk back while they get raped, they try to fight. You should read about the case Sohaila Abdulali. I think it was 1981 or something. She lived in Bombay, was 18 years old, she went for a walk near by her house with a male friend. She was attacked by four men, they had sticks, and it was the same issue with the Delhi Gang Rape- when they interviewed the man who had raped her, he said "She was with a boy". So that seemed to be the first issue. She actually begged and pleaded them, she didn't try to resist. And she told them: "Look I won't tell anyone, just let me go". So she tried to save her life by that. In India, the girl is told "Fight until you die", you see they keep saying one of the reasons...well the Delhi girl basically died to save her soul her honor. But if she accepts the rape, let's it happen to save her life, she will be without honor. Like in Calcutta there was a woman being raped who did not resist, since she wanted to survive. But after she survived, the link is on our block. See the name needs to be hidden. This year, though she said "Why shall I hide my name". Her name is Luza Jordan, she is also Anglo-Indian. Which is when the British were here they mixed with the Indians you know. So the Anglo-Indians are looked at differently and separated a little bit. The women are assumed to be loose, means like free with men. So there was not so much support. There are so many women who have been gang raped for fighting for their right. Why don't western feminist groups focus on those women? You know in India, there is not much support from the public, but from the Indian women's groups there

is support for these women, like the Suryanelli Rape. In Suryanelli, there was this 16 old girl about 16 years ago was gang raped by 42 men over 40 days. And I was thinking how can you take a man accused of a rape like that, and let him speak at a international conference? And the reason is that the party in power is protecting him

#00:04:38-3# I: He was a politician?

#00:04:39-6# R1: Yes, from the congress party.

#00:04:40-7# I: All the 35 men who she could identify, were accused, there were first put in jail by the first judge. When the case went to the supreme court which is more under the party, they released all of the 35 men, saying she didn't answered questions like "Did you fight? Was your clothes torn? Where your panties torn?" So it means you didn't resist, therefore it was no rape. You know and even last year, one of the journalist had such a big fight because one of the judges said "she was not raped, she was just a child prostitute". You know, and there was no court order to tell the judge "How can you make a statement like that?" Nothing.

#00:05:55-9# I: Where do you get all the cases from?

#00:06:03-1# R1: All of these cases are very high profile cases in India. Suranyelli the Park...See for me, the western media doesn't report on these cases, is since the victims are alive. And the media doesn't want to report on these cases because, they will tell you what was happening. The media doesn't want them to tell that. See in the end, in India and the UK too, the media is funded by cooperated houses, and the corporations now wanting business in India and if they start reporting on stories the Government doesn't want them to report on, the Government can stop the corporate houses. SO it is this nexus between corporate houses and media. And that is why (...)the average people don't know, but western feminist know exactly. And that was why the Suranyelli case was filled with so much anger.

#00:07:05-5# I: So basically your saying only if the victim gets killed it gets a big thing?

#00:07:09-5# R1: Why?

#00:07:13-4# I: because of the whole media attention and since the girls can't talk anymore.

#00:07:23-3# R1:Yes, because that way they cannot talk anymore. See even right now with the whole Delhi gang rape case, isn't (...) think about how strange it is, when the an American tourist girl was raped here last month in the mountain, now one o clock in the mountain...why was she taking a lift in the truck? She went to a



weeding party and then she tried to hijack. There were four men, they raped her, she didn't see any faces- but in less than 24 hours the police arrested the perpetrators and in less than two months all of them got their trial, life prison sentence. The Delhi Gang Rape case is almost one year ago. Two of the perpetrators even testified being guilty, also the girl identified all the men. She even had to do it twice because the first time the Government said, they had lost the tape, can you imagine. That girl was on life support, they made gave her a video to testify what had happened twice. There exists a 3 hours video testimony. Before she died. Not only that, two of the perpetrators died under mysterious circumstances in the prison, the other two, now they are saying we have a video of the bus where is shows that they not have been there. And why is the western media not questioning that? (Clapping on the table) See if you take any case where something happens to a western tourist is raped, even the Swiss- German who was raped, in less than one month, the whole case has been closed. Again, she was in the middle of the forest, didn't even see their faces. All the perpetrators haven been given life sentence. But they found the men and arrested them. But why is the western media not questioning that. Same as with the Suryanelli case, why does nobody questioning that. She had identified everyone (...)

#00:10:27-5# I: Its political interest...

#00:10:05-8# R1: See with the Delhi case, the bus was illegal. And there was a politician who has given them a permit, and even the driver had a criminal record. So in the end it's all political interest. I mean why did it take the Prime Minister one month to say anything. You know why did the protesting students have been attacked with water canons while their were demonstrating, because they were saying the city is not save (...) you know this is when the media, got so attitude. There are many young people in the media. Who are saying they don't want to take the silence anymore

#00:11:43-9# I: Why do you use the word gendercide? Not femicide?

#00:11:53-5# R1: We are actually only using the word genocide. Under the 1948 Act, covers all the arguments / including if you are using the word femicide, the preventing of a birth of a group is genocide under the 1948 Act. Which is there in the definition of the genocide.

#00:12:27-6# I:I thought Genocide is a more a state supported systematic killing? So this is a systematical killing of the society against women?

#00:12:30-4# R1: Yes, it is. Because, there was another Act the Responsible to

Protect-R to P Act by the UN. It's an addition to the 1948 Act. There is nothing in the 1948 Act that says that the Government is actively doing the genocide. So that is why the R to P clarifies, it was an addendum in 2006, which says even if a Government has a law to prevent the genocide of a group which is the systematic extermination- which are 20% of women will be exterminated in less than 20 years.

#00:13:38-5# I: So you think its planned? Thought ahead?

#00:13:40-0# No, that was the clarification: Is it planned to remove them. And the R to P says, even if the Government has a law for the protection of the group, it is not necessarily evident that the Government is actually protecting that group. If the Government does not implement the law than the Government is account to be for genocide. Because in Germany during the Jewish genocide, it was a violation of their own laws. So only because the law is there doesn't mean that its been actually followed. So the R to P is actually there, so if a community fails to implement the law the international community has a responsibility and a right has to protect. So in other words you are legally holding the Government accountable. Mean it has failed to protect, the group, in that case. There is a genocide and the international community has a right and the responsibility to intervene (...) there are people for example Kathryn Mc Kinnens, she wrote a paragraph on my blog where she says that, the genocide we always assume is that the Government kills people, but the government in example, we have the PCPNDT Act now, right, the Government still knows that the doctors are misusing their machines in every hospital, besides no women is doing the test or abortion on a voluntarily basis, these are forced abortions and tests. You know, so in other words, this is not abortion of choice, it is a forced abortion. If you take a look at Amirkahan on our blog, its the same story. Another women was forced to eight abortions in sex years. She said she won't have any say with her in laws. Its something in-between her husband, the parents in law and the doctor. They won't even tell her what will happen. They will make her do a test and then take her to the hospital. The doctor will give her an injection and when she wakes up they will have done an abortion on her. When she realized what happened to her, she tried to resist the second time. Then the family started beating her. See in all cases the doctor is working with the husband and in laws. basically she is a prisoner. And the Government has not closed down any clinics. Even if women are reporting something (...) there was this one case 4 years go where this women from Agra talked about how she was forced to have abortion by her husband and the in laws. So it's been a

violation on two counts. Because there is a law against the sex determination test and here is even a law against families forcing women to abort. So there are two laws violated there. The BBC told this women, why don't you do a confrontation with the Minister of Women and Child Affairs, since the PCPNDT falls under this. They wanted to make a story out of it, like a documentary (...) so there are many women groups who are urging a big international media, they want the confrontation. Take a women who has made a complaint like that, take her case- now she has reported her case, its filed, take her case and ask the Minister- how can this happen? Nothing has happened. How come the doctor still practices, the in laws are still there and... I mean what is the use of having a law? So every one is watching the BBC thing, even the Indian media is watching. Everyone was following the story about this woman. The women and her family went from Agra to Delhi. And there was a blog where everybody was following the stories. But suddenly that video went off, the blog went off and BBC went silence. Yeah and BBC called me back in the days, and asked me what happened. I told them I had no clue, ask CNN. They said CNN is not answering on that issue.

#00:19:17-6# I: Political pressure of the highest level?

#00:19:20-4# R1: Absolutely. And that is why, why does the Indian media not cover?

#00:19:33-0# I: If BBC backs off, there emus be so much power behind.

#00:19:44-0# R1: I know. I told them, listen I run a non- found campaign, we don't have money and your asking me. Funny no.

#00:20:10-9# I: What is the name of the case?

#00:20:16-3# R1: I can't remember the name of the women I think her name was Verginty. And then the BBC did actually another video with her, after this. They took her around the country and they meet women all of them talked about their abasement as women, how many girl babies have been killed. So know, Verginty knows there are other women who suffered the same. So, what is the use? I mean fine bring them together and fight against it. But this is not what happened. In the end it is a political power play. And that political power you can not confront you cannot question.

#00:21:26-1# I: Would you say the UN is more active?

#00:21:34-3# R1: No, the same. They are politically instrumentalized as well.

#00:04:10-6# I: Even their programs about capacity building/

#00:04:19-8# R1: and the capacity building its more like to take responsibility of (...) because then you see your not doing anything. Because with the capacity building you confront (...) There was for example an awareness program / I lived in the USA for many years, the project means to bring responsibility. The person looks at you and gets a shock. If you say " Girls are all mothers, don't kill them" Do you think people think "Oh we never thought of that before.

#00:05:04-2# I: So you think people are not aware of consequences?

#00:05:13-1# R1: How can they be, look at the language they are using. If you were in India, Think about what would go through your mind if you would kill someone. You have to think about the psychology of the person who is killing. You have to put yourself in his head. And also the killing increases. All the "save the girl project", why do you think they are using poor women as an example. But the rate at which, that a why I gave you Mitus example. She didn't go back, we separated from her. She was using us. She took the children back to her husband and we could not warranty for their safety anymore. She was willing to find that risk. (R1 is referring to an email correspondence from before the interview) But I have found women in poorer communities they will speak more, even when I was writing my book, I walked around to meet with such women. See in upper class homes, people will be cleverer about killing their babies. It will be a sudden infant death syndrome; it will be an accident on the stairs. In the villages it is more naive, you know. So if someone has killed a baby while using a certain poison of a plan, everybody will do the same. You know, there is a guilt mechanism there, you understand what I'm saying? If you are psychologically involved with actually killing, you will think about the legal consequences. You will plan it. You will think about the police, none knowing about it, the law... this is what middle and upper class families do. But when you are operating on a guilt, almost ritualistic killing, that's when everybody uses the same method. So one of the cases we had in Begale, is they put salt in the mouth. When I started investigating on that I found an autopsy report of 1933 of a baby girl...

### Part 3

#00:00:03-2# R1:... the doctor said in Bengali they give the baby girls salt, because it effects the ionic balance in the babies body, which is very small. It would not do any harm to a grown up, but it kills a baby. The ionic balance in a baby is very delicate,

so it dies rapidly from too much salt. So when they use that method, they are actually doing it mechanically. Almost ritualistically, you know. But the rape, see none is questioning that if you read the western media report they would say, the sex ratio is 0-6 years, and what does that mean?

#00:01:11-3# I: Is 0 to?

#00:01:19-1# R1: 0-6 years. All of the big magazines are using this sex ratio of 0-6...New York times etc. Why? And not only that, why puts the Government female feticide and the killing of girls up to 6 years in one group. Why 6 years? This is wrong. It's a biased number. I wrote that one article where I put three different research studies together. I compared the maximum killing of girls after birth is up to the age of six. One was about killing by violence, one was on neglect (starvation) and the other one was induce the child either diarrhea or anemone by giving them alcohol. After the child got sick they will take it to the doctor, to get a certificate that the child is sick and they kill it. So in case there is a investigation, they can proof the child was sick.[Remark: Interviewee is referring to female infanticide]

#00:02:28-9# I: What do you think, which kind of gender related killings are in number the highest?

#00:02:32-7# R1: I think in total numbers, feticide happens the most. Also since its easier to do it. With infanticide (...) see the reason the Government stopped giving at birth ratios is, because the number of female fatal abortions is dropping but at the age of six years the ratio went suddenly down again. Which mean only one thing, the number of killings after birth was going up. And that's why the Government changed the category 0-6 years, it looks better. So, none is questioning that again. I mean how can you put the killing of a fetus in the same category as the killing of a girl who has been neglected? And not only that, why 0-6, why not (...) you not the Government says "Oh it takes us some time to approximate the data.." Well it takes you six years how old the child is? Everything the Government does, is almost to avoid, to not stop what's happening. It creates a situation to allow it to go on.

#00:04:05-5# I: to permit it?

#00:04:11-3# R1: Yes. to permit it.

#00:04:13-4# I: So what are according to you the driving factors leading to feticide? I know that's a high question, but do you see more social, economical or political factors?

#00:04:22-8# R1: I mean, as a social factor, there is a male preference for example in most countries. Even in Germany, when they did a recent study, they don't do feticide but it seems like there is a social expectation to have one son.

#00:05:01-5# I: To carry the surname and so on...

#00:05:08-7# R1: Yes. And there is a high male dominance in all the Arab countries. Girls are underprivileged and discriminated/

#00:05:25-1# I: Do you think the case in India is different though?

#00:05:27-5# R1: In India, my argument has been two things. One, the only way a group- see there are group discrimination everywhere- the only way a group can be targeted and exterminated is if there is legal permission for it. Even directly or indirectly. Legal means the permission by the Government. Otherwise its not possible. If tomorrow in the USA, assume, the same sort of Jewish genocide happens and they started killing people who are Jewish, what you think how would the Government respond? There would be an immediate pull out of forces, there will be Government locks, there will be an immediate attempt to block it, to stop it at every level. From the executive, judicially and legislatively. Even if there are anti-Semitic officers, there will be a court and Government mechanism in place, which would effect immediately. What I'm saying is, that kind of hatred is everywhere. Prejudice is everywhere. But where is the line between what allows for that particular group to be systematically exterminated. means you can go ahead and kill that group. The genocide of women, is the only genocide in human history which has been negotiable. What is happening to women in India, say it was happening to any other group based on religion. Just imagine. What would people say or do? Would they say, this is a social issue? Or this is a finical issue? See when the Jewish genocide, the financial argument was there too...

#### Part 4

#00:00:01-5# R1: We need to have power. Economic power, or they wanted to have more social power. But we don't except any of those arguments. The bottom line is, it was a human rights violation against of a group and whatever your prejudices are, they are not expectable. We are not there to entertain them. Why do we entertain in with the systematical extermination of women?

#00:00:20-8# I: But what do you say, are the main driving factors then?

#00:00:36-4# R1: Yeah, there are definitely political factors. Politics is the biggest

driving factor of what is legal. The Government is the top most structure of what is legal. Can you think of any genocide, e. the Jewish genocide or the Tutsi genocide, stopping by putting a banner that say "We shouldn't kill these people". See ask why. Why would that not work. What is the answer to that. Whatever it is, its the same for this genocide on women. This answer is very important to the question you are asking (...). I think there are two big problems with the genocide in India. See during the Jewish genocide there were a lot of people in the Nazi regime who were hired who were Jewish (remark: I guess she is referring mostly to soldiers who tried to save their life), see and we have a lot of officers like that.

#00:02:40-2# I: basically all the Government officials is in favor of the male dominated society, in private and for public. Also there is much bribery, corruption happening. Now if you are from a rural area and don't have the means how can you fight the officials/

#00:03:15-1# R1: But have you found a single successful case in the urban areas? See people keep that/ again its a western device. Rural vs. urban. The powerlessness, let me tell you as an educated women living in the city, the powerlessness of a women with education is the same as the powerlessness of a women without. And also the powerlessness of a person in the city who is a part of a political group is the same as the powerlessness of a man in the village who is illiterate. Like one of the dowry cases, was that the in laws tried to feed acid to the daughter in law. And her father in law was the head of the village judiciary. He was the political Panchayat of the party in power. So there was nothing that they could do judge the family. I mean these people might be illiterate but yet we have/ like for example, after this thing the yawned more dowry from her family to set up a shop for selling mobile phones. You know they tried to kill her and then he opens a mobile phone shop, I mean where did he get the money from? One year later he opened a shop with motorcycles and a big show room. I mean, I don't have money for such that (laughing). How did he do it. See, he dresses one way, he can't speak very nicely, he is mostly illiterate but he owns land in a country, which is 1.2 billion people. Land is gold. he owns land he owns (unintelligible)

#00:05:22-2# I: So that definitely a big economical fac/

#00:05:27-9# R1: So, he doesn't has a bank account but he keeps it in his house. You know. Because honestly who would give him loans, I was asking the girl. She said nobody has the money.

#00:05:50-9# I: So what had happened to her in the end.

#00:05:53-7# R1: She went back to the family. This is something, which happens over and over again. Getting her out of this environment was so difficult. Usually the girls don't want to get out in first place. Even in upper class educated homes. They don't want to get out, they have money they can probably could. So like the HBSC, a girl is one of the top manager of this bank in Delhi. So she has much money, she got married, and she finds out that her parents in laws are in huge debt. So she pays for that, and also buys a house for them. Then her brother in law was send to the USA to study there, which also she pays for. In the end she dies. Dowry harassment. This woman, who has money to pay for her revenge. But the other thing is, these women, most women who are running NGOs in India, are middle class educated women who either were in abusive relationships or have witnessed it in their house. But they have never confronted it.

#00:07:47-4# I: What happens with those who do leave?

#00:07:55-5# They will be very rarely supported. But what I find is a woman...

## Part 5

#00:00:02-9# R1...who in her mind has an idea of her safety and her integrity will not debt into the river. If they have already a dowry paid, somewhere in her basic thinking, she will go the whole way. The structure of the fact, that she owes them money because she is a woman is already there. You know what I'm saying. So if she is into the marriage she is also likely to staying in it. Even if she has money she is very likely to remain silent. If they are getting into the situation they most likely won't leave.

#00:01:10-4# I: Are there any estimations of the difference between rural and urban population and by income?

#00:01:26-7# R1: Yes there is this one article on the blog.

#00:01:32-8# I: How is it called?

#00:01:36-3# R1: Why education and wealth are not the solution to India's female genocide. In that I'm giving all the data and links.

#00:01:58-5#I: My intuition is, even though there are very well of families and which are high educated, progressive- that in absolute terms, it is more happening in rural areas where the infrastructure is worse/



#00:02:12-7# R1: Its the complete opposite. In total terms the sex ratio shows, the only section where the sex ratio is normal is in the poorest 20%. And as you go up the ratio become worse. It is worst in the top 20% areas percent. This analysis is also in the article. They look at how, the education of the women/ like the more educated a women is the more likely she will have a job, the more likely the sex ratio will decline. (Remark: Due to technology, they can effort it, poor families might still get gels, exploit them and if too many kill them until having a boy) The more there is education, the higher the chances are that the sex ratio is declining. There is something fundamental you need to see in this. This genocide is an exercise of power. Its an exercise, not just the political power, but of wealth and status and education. And it is more internalized in women as you go up in the classes. When there is a dowry case, like if I go and talk to them/ ok so there is a gender survey on our blog, but I did also at the time a full survey. So any women who wanted to could take that survey. So I would walk into to the slums as well and ask if they had heard about the issue, that more and more women are killed as fetus or baby or grown ups, and the women in these areas they are quite shy but more receptive. But as you go in middle or upper class areas these women won't talk too much, Its almost like a wall.

#00:05:09-6# I: Why are they so much more scared?

#00:05:10-4# R1: Because there is more abuse as you go up. The reason that women and girls in India are point in to the slum is shame. It's almost like; don't look here, at me. If you talk to women, they will tell you, "Yes it happens but mostly in slums". They will be saying it with a face where you see its not true. And if your going to the slums and talk to those women, the situation is different. You know its a body language. Firstly they will be shy but they won't disclose. They will tell you openly. Also there is much emotion coming out of them. I always heard them say "This is evil, this is not right, this is a sin" For me, there is a moral issue there. The moral issue is not broken down yet. If you go up they will be saying "no" classifying it, that is depersonalization. Education that is depersonalization. There is some (unintelligible) the human factor is gone. And when you start to classify it like that, and women in middle and upper classes will start doing that. And its always about their face and their body language. It will be rigid. The face will be always blind and its depersonalized. The pain and the fear is much more. Its the abuse is more and the shame is more. the class pressure is more. And that is why, even we, when we are

growing up in middle and upper class homes. If there is violence in a house and a women starts screaming, or she tells the neighbor- there is a common phrase " Don't scream like a slum women". Because the slum women, if there is violence if she is beaten if they torturing her for dowry or threatening her to kill the baby, she will shout it out, tell her neighbors and everybody, you know. And if he is beating her ...

Part6

#00:00:16-1# ...many women will come out and screaming and shouting. But in the higher the class is, they will keep it inside. They protect their "honor". And that phrase is used in the middle and upper class "Don't scream like a slum women!"

#00:01:24-4# I: So honor, education of a higher class women is a women who would permit more violence to keep the honor of the family?

#00:01:32-1# R1: Yes. yes. You should see the story of a woman called Yukhta Mookhey, She recently filed a case of dowry harassment and she wrote - and I also explain why she wrote abnormal sex- which means essentially sexual torture and rape in the marriage. I mean even last year we had this whole Verma Report, Justice Verma Report. But marital rape has to be recognized. The Government has refused it. So she cannot file it.

#00:02:33-0# I: So marital rape is not recognized?

#00:02:34-0# R1: That's why she cannot file the case. She is very wealthy. The family she married into is very wealthy as well and she is an actress. She was something like Miss India or Miss World. We also did something on our blog about her. She spoke out. She said that in the end its about power. They asked her how much property she owns. Then they began to abuse her, because she should put her house and property in the name of her in laws, of her husband. And one of the things I had constantly mention, you know, when you hear about dowry abuse and torture, they torture a women with violence or starvation. But what we don't hear is sexual abuse. Brother's in- laws, fathers in law- all of them. I mean if the idea is to kill a women and torture her, don't you think she will be multiple sexual abused by man men of the family? It's the easier way to torture a women is sexually. But in India, see last year one case from Kerala, where this women was been sexually tortured by her husband and brothers in-law. They tied her down to the table, they put things into her vagina like chili peppers- its sexual torture. They gang raped her. So, we put it up on our news blog by the time. but every few hours there is a new case coming up. It was not possible to keep pace with that. So now we are going to do it differently. We had

to close it down.

#00:04:36-9# I: Who is we?

#00:04:40-0# R1: The volunteers helping to keep the blog and the campaign alive. And personally I have to put a lot of time into that. It won't be a NGO created, it will stay a blog. (Not relevant information).

#00:06:15-1# R1: We are fighting for getting the genocide legally recognized by the UN under the 1948 UN Act. Our focus is that it has to be recognized as genocide and it has to be followed by the same international actions, as any genocide deserves. The people need to be convinced of it as well. Every minute there are baby girls and girls raped and killed. So how can you say you are willing to wait and to see? For a mindsets to change. How long will it take to change a mindset?! A mindset is a mindset with a long history. Even in the USA, I can tell you, I lived there and this case of the boys who was killed came up. You know this black boy who got killed in the white neighborhood a couple months ago. I mean he didn't have a gun, he didn't do anything and he was black and was wearing a hood. I mean there a white kids wearing hoods. But he was a black kid wearing a hood in a white neighborhood, who was no threat. And they said the law is, if you think somebody is a threat you can kill him/her....

## Part 7

#00:00:00-6# it stops because, the system can't continue that way anymore. You know give me one example of a place where systematic violence has because the mindset has change, large-scale systematic violence. Even small scale systematic violence.

#00:00:47-8# I: So but it is forbidden by the law, but not enforced, tarts what your saying?

#00:00:52-7# R1: Exactly, its not enforced. That's also why I said if you look at any of the other genocides, which had happened, the law was against it. But that doesn't seem to matter. So it's like in the end, that is why the UN created the R to P. So its not enough to just have a law, it needs to be carried out.

#00:01:30-2# Do you think the Resolution on Femicide which ACUNS is fighting for and which got adopted by the Crime Commission in April this year ail change anything?

#00:01:32-1# R1: I think they use the word Femicide very carefully. See the term got

defined by D. Russel, you know that right. And D. Russel, me and Kathryn McKinn, she is a lawyer who has brought up the issue of female genocide in Bosnia. She works as a special gender advisor at the court of Den Hague. She has said, women are the only group where genocide is not recognized. If a systematic killing happens on a basis of race, religion anything else, it is recognized. Even in the genocide of Bosnia, where many women have been killed because of their gender, it won't be recognized as genocide of females but of religions or race... It is not gender. But here, women are getting killed because of they are females. And D. Russel, she defined the term femicide, but she meant it for the killing of after birth. But this time, when she was going to give her speech, we discussed beforehand a lot. Should femicide include /ah because I still make a distinction, since I don't want to become the hero of the anti abortion movement in the USA (laughing), you know. I was there for a long time. I was a part of the pro-choice lobby. This is very strange. When I went to the USA I was very surprised about the movement. When I heard the argument of the pro-choice lobby, I thought "Oh my god". See the argument is that a woman has full control and ownership of her sexuality and reproduction. Nobody owns her. Not her husband, not the Government, not the state. This is why a rape is a violation. Abortion is/but even forced pregnancy is and even of course a forced abortion is a violation of choice. So people keep thinking its about abortion, but its not. Because according of the preamble of the pro-choice movement, even a forced abortion is anti choice.

#00:04:49-8# I: So with what did you come up in your discussions?

#00:04:49-1# R1: I "My god, in India we don't even know this" (laughing). All women are forced into marriages; they have to have children if they want to or not, even educated women. I have a friend with an PhD who is part of this movement, and she was telling me her brother just got married and the sister in-law got pregnant. She said it was unplanned, she is not ready for a child, and she works with the media and is traveling a lot. She doesn't feel ready and doesn't want to have a child yet, but the family in-law would come in a group- suits down and pressures her. They would say "this is our child". So she is going to have the child. This is an educated woman. I said, do you not see that as Anti- choice? I mean she is a feminist and everything, very educated, a part of the feminist movement in Delhi, but she won't see that as Anti-choice. I can't understand why women who call themselves feminist won't see that. See the feminist movement in India, all of them think like that. When I was in the

USA, within the movement, there were many Indian women who were raised and born there. So one of them has a NGO group in New York, there are many Indian in New York and Jersey. So another women calls this NGO and is telling them that her in-law family will force her to get an abortion since it's a girl. She is already in the operation room and her in-laws are standing outside the door. So the doctor must be Indian himself. This women called the NGO with her whole desperation and the NGO women told her to just not let it be done then. And I told the women from the NGO, "what do you think she calls you for, to have a chat? Can't you see she needed your help? You don't see that as a call for help? And you tell her to walk out while the in-laws are waiting outside of her? And I mean this woman opposed; she is one of the Indian- American women's groups that opposed the law for sex selective abortion in the USA. Because she said it unfairly targets Indian, because it's mostly Indian. American do not have sex selective abortions...

## Part 8

#00:00:04-1# ...It's mostly the Indians. Not even the Pakistanis, even though we have the same culture, they don't do that. In the UK and Norway, they did the same. The gender ration is abnormally skewed in Norway, and now Norway has a law and the UK too just as in India. In the USA they don't have it because they get so much trouble with the Indian women's groups there, since they say its unfairly targets them. I'm telling them you are witnessing women being forced through abortions like this, you don't even negotiate- I understand the Anti abortion lobby is strong there- but if you acknowledged this as an Anti choice issue, it would have strengthen them. The choice movement. You would have recognize being for choice and this has being used only in the Indian community as a strength/ But see the Indian feminist end up protection the culture before protecting women themselves. See so what happens if the Government won't act. 2 years ago there was the honor killing and when the media discovered it there was a haze of honor killings in Delhi. And in educated homes as well. There was one family, which got the media really angry. She was media journalist who used to report in gender issues. She was in love with this boy from another community and they were both shoot and killed in her car. Its barbaric. The thinking is barbaric. This women, Mary J./

#00:04:17-4# I: Yeah I meet her briefly/

#00:04:19-1# R1: She got really upset with me. She said you can't call it barbaric you

have to see it in the cultural context. The culture is always coming in (clapping on the table). She said you can't label it barbaric; you have to engage with the group and negotiate with them. "Please don't kill. Even if you think you should" (unintelligible) That is to an option. You may not like it. If you don't want to associate with the couple, don't. Excommunicate as far as I'm concerned, be happy go... (laughing).

#00:04:50-5# I: Do you think the Indian society sees the consequences of the sex selection? Are they aware of it or only thinking about their own individualistic life, knowing the consequences, but in their personal case they are better of doing how they want to do it.

#00:05:34-4# R1: See people keep saying that, with the women in the middle and upper classes. But it is shame. Because they are seeing it in their own homes in different ways.

#00:05:52-8# I: So they see it but ignore it?

#00:05:53-9# R1: they see it but they don't want others to know. It's just like this women, Indian- American women, who get a call from an Indian women saying "I'm in the operation room and they are forcing me to get an abortion" And she tells her "leave the place". You know, what is her brain thinking? Its more like/ its so strange for a women to protect a patriarchal system that is killing other women, is a bigger priority than even the individual abuses an violence on women they live with. I can tell you/ the minute you have a Indian women/ its anonymous. There is a domestic violence group called Swayam. The biggest. At the time we got Rupa- she is the dowry harassment victim who got forced to eat acid- I had gone to Swayam I had gone to every NGO in India, local and international. No one wanted to help in first place. But if we would have not intervened she would have died. So we all put out money together, so she could get an operation. I mean she was about to die.

Part 9

#00:00:00-4# R1...so for three days we weren't sure. She was in a coma after the operation. See but that is why I trust the grassroots more. I trust the public more. I don't trust women groups. I absolutely don't trust them. See in the end it has become a massive racket, money making racket. It's has even less accountability than the Government (laughing). You know at least with the Government there is a system where I can ask for an account. With NGOs, International NGOs, Women groups- there is no accountability. And they want to have a story. I mean, Rupa dies- that won't be a happy story.

#00:00:46-8# I: What happen to her?

#00:00:47-5# R1: Well she came out. We went back to Sawyam and ask for legal support. They said we don't have such things, but we can file the case. Anyways, we finally got a layer who would do it pro-bono and paid some basics from the fund we had collected for her, but it was a good layer. I interviewed them before. Same with the doctor. I interviewed them because I wanted to make sure it's somebody who seriously cares. It was such a delicate surgery. The told us very specifically what they did. So, finally again I came back to Swayam since I wanted her to be in counseling. So they told me, yes they have group counseling and things like that, there are more women she can meet. I found out they open only 10am-5pm, they have a three-story building, which is in a very expensive neighborhood. So I really don't know where all their money is going. Every time when Rupa went there, she told me "Well there was one women, sometimes two, just sitting around.."- But once they have a newspaper coming or other media, they would call all the women, they would provide snacks and coffee and so on. So they would organize talks for the media/

#00:02:41-8# I: So what happened?

#00:02:42-7# R1: She went for counseling. She went back. We couldn't figure out what was happening. Then I was going to Swayam to sit with her at the counseling session. I mean, we were looking for a job for her she liked (...) something what makes her happy. She wanted to work in a office, so we taught her some things and she learned a lot. So we made all of these arrangements. Ah there is much anger. So suddenly one day she disappears. SO her mother told us she went to Swayam to go to one of these group sessions and she didn't come back. What was happening was in Swayam- they don't have a proper counselor. All the psychologist think like the rest of the culture, that's why Interviewer: thought well Swayam is a place where they work with women who had experienced violence. So they know about these things. But in the end, Rupa would just sit there and listen to them (...) What will very often happen to dowry harassment cases is that the wives will be kicked out by the in-laws, if there is no more dowry coming in. I think that is better, throw them out- don't kill them!!! The killing happens usually more in middle and upper-class families, because the women have the resources to fight a case and get the money back. In poorer homes, very often it's not even a legal marriage because they cannot afford it. But in a dowry case you have to proof being married. So it's easy to throw them out. That's why I'm against this pink sari gang. You know what this is about?

#00:07:01-1# I: Not really.

#00:07:01-6# R1: The girls gets kicked out from the husband or in-laws. Then the Pin Sari Gang goes to the house of the husband and complains. They create noise and embarrassment so they take the girl back. So they tell the husband, either you give her some money and a bit of land or you have to take her back. And I mean what do you think what they did. Violence increases. They are pushing women back into violent situations instead of helping them.

## Part 10

#00:00:00-0# I: How is your work funded?

#00:00:39-3# R1: Our campaign is just based on volunteers. there is no money. Everybody volunteers. Once the campaign gets to a size.../ you know its own size drives it. The main important thing for us is, to counter with correct information. See all women's groups are strutted around their fund collection. Anywhere in the world, you have middle class women with educational degrees making a career. There is certain amount of money they want in their salary. It does not matter if the project ill do is lip service. People looking at a photograph with a girl on the floor with a ..(unintelligible). Have you seen the movie "Born in the Brothel?" It won an Oscar that movie. The woman was an American director, came here, took one girl out of the brothel and did a movie with her. You know what happened to that girl afterwards?

#00:02:09-4# I: No.

#00:02:09-4# R1: She went back to the brothel. And not only that. See what happens if you don't have a proper education, if you don't even have the fundamental of a education / this is a country where the jobs are created by the Government, non-Government, state and multinational -all together its only 8-9% of all jobs. So the rest has to create their own employment. Somehow. That's why you find in India a shop every ten steps. And do you see any customers? There are no lines here. In India you are standing in front of a shop, sitting like this (acting like a shop owner who sits very relaxed), maybe one customers comes every 3-4 hours.

#00:03:34-0# I: so how does he make a living with this few income?

#00:03:36-0# R1: That's why we have 50% of the poorest people of the whole world are in India. So that's why I keep saying/ there is an NGO here started by this British man Hope International. He said he wanted to create a place for homeless children, since he was so shock by the circumstances here. So while I was looking for a



school for Karishma back in the days, I also wanted to check Hope International. I always check out schools and so on before, because I need to be sure it is a good school for the child/ ah but I didn't finish the Rupa case. Let me finish this first. The women told Rupa "Your stupid"/ because see the case was one day away. We moved the case from the district court to the high court here. Because, we needed an atmosphere where the father-in-law had no influence. So it was one day away from the court appointment.

#00:06:05-7# I: And she disappeared.

#00:06:12-9# R1: Yes. She went back. And what was happening, was/ See she said "You can arrest everybody but don't arrest my husband". I told her, look when a crime is committed against you it does only matter who commits the crime. An attempt to murder is the same regardless of who commits it. And that's what most women in India are not able to accept. In the group counseling, the women were telling her she was bad because she was taking her husband to court.

#00:07:08-7# I: In Swayam?

#00:07:11-5# R1: Yes. They told her. See our husbands threw us out, now we don't have a husband. and there is even a wording for married women which are called the luck ones (Suhagan) and unmarried women which are called the unlucky (Ashub) ones or. So they said we are unlucky women, you are an unlucky, evil woman and she will make everybody unlucky...

Part 11

#00:00:05-6# R1 ...so even in educated upper and middle class families a woman who is divorced or widowed, at the wedding ceremony she is not allowed to come. Because her presence brings no luck. Ill tell you, a Professor here, she had taught in France and is divorced. One of her student gave her a reception card for the students wedding but not the wedding itself. Can you imagine? It's the elite Management University here. So, that's why we say when we say mindset, these people are actually embarrassed that why they act like that, they know the mindset will not change. But the thing is with Karishma, when I saw this school of the British guy, I checked it out without announcing myself. Ill never do that. If ill do that, they will have a nice set-up for me. So I just go. They don't know who am I and I just go around and check it out. So I talked to the kids. They had foreign volunteers, which are there for 3 -6 months. So they had a nice building, with classrooms, desks, and library. I was happy. But what are the kids learning? So the kids in 7th grade they did not know

about Photosynthesis, you know this basic science questions. Basic math questions and so on. There was hardly any education, although they looked happy which was nice and good, but I still said I wouldn't put this child in this school. She won't learn anything. And I want her to have a proper education. So I complained to them. They actually accused me of spying. Then they told me, no our teachers are very good they don't have any class issues. I told her that if you have middle/upper-class teacher from western countries working here, they certainly do have a class issue. They will look down on them, feel sorry. So I told them, this might look good for you and you will get many funds. But it's harmful for the children because they won't learn anything. Then one of the kids coming from that school was searching for a job here in the neighborhood as a driver. So, children who don't go to school work as the driver and now this child went to school and still wants to work as the driver. So what's the use of that school and their education? So they told me no we try to put them into the hotel business, and I asked "ah in management?", and they replied, "No in the service sector since in the management sector they will steal!" (Laughing). So basically, whatever they are doing, living in the slums, playing in the streets or going to school they are still end up doing the same? So apparently they don't have a proper education. So and then there was this British lady and I asked her why she wouldn't put her child into this school... Well she was not responding to that.

## Part 12

#00:00:00-9# Not thesis relevant.

#00:02:12-2# So basically our experience with the cases we had, showed me there is not a big difference between women who are highly educated or not educated. They are doing the same thing. Most of them won't leave the family because it's a shame of the family. That's aha the story of Yuktha Mookhey is very important. She is very articulate and tells her story. Also that she said the whole dowry harassment can have very different forms. It's about power and control. They don't need money. The family she married into they own businesses in England and everything, they are wealthy. It's the power they have. It's like I can use you I can abuse you. If you look at some of the article about her, you should go and see the comments people write about her. They are insulting her, trashing her. And no women NGOs are supporting her. See women's NGOs / they bring attention to the fact, that this whole thing is also happening in middle and upper classes too. Extortion for dowry, violence for dowry, sexual abuse, torture is happening in the upper classes. You know, they have this

nice formula, educate the women- most of them are quite educated- and they say, they will have money. So this will break their formula. See if you show support to women who came out, it will open a can...other women will come out too. It's always an act of shame. This upper class women they won't talk about it. They are too ashamed.

#00:06:16-4# I: reputation would automatically decrease.

#00:06:17-5# R1: Yes, and not only that. The women's NGOs won't also support her so much, because that spoils the whole formula. You know their argument is, this happens because of a lack of education and a lack of money. So when they are campaigning, they are raising money for that. You give us money and we are educating the women and create jobs and the genocide will go away.

#00:06:48-5# I: But that's not how it works.

#00:06:56-5# R1: No! They don't only look at different sections of education they also monitor between two Census. So for example, they are looking at villages and check what happens if money comes in. So they are building schools, jobs, hospitals- so an overall development arena. Within religions, they look between regions and between states. So its a statistical cross- comparative analysis. So this is done by the Indian Government. And there is also done some by the Lanchet Journal and a couple of different Journals. So they put the data together and did a statistical analysis. But that information, the UN will not put out, Women NGOs will not out, because this information would be immediately against what they are saying. You see, there is a campaign mantra. Our plan is, this year we are going to go out more. We want to put the correct information out and the public to engage with it. You know no like the NGO who get a biscuits thrown by it's funders and runs for it.

#00:07:30-5# I: Where do you take all this effort from? Like why do you put so much energy in it? Why are you doing this?

#00:07:37-5# R1: For me, this was something which came up when I meet Amarta Sen. You know he brought up the issue of he missing girls when I was in college in the USA and he was teaching in Harvard. My College was very close to Harvard, I was 19 years old and I remember nothing. Because that TR Professor she said, well we should go and by then he had already calculated 37 million girls, which had been exterminated. By then I don't think I even understood what that meant. You know he calculated in 1987 and I went to hear a speech of him in Harvard in 1990. So the information had been out already since three years, and I was not listening to that.

You know for us it was exciting, we went to Boston and we went to this Chinese place. I can remember what I ate for Chinese food but I cannot remember what he said. Can you imagine? You know I was 19 years old by the, and when I came back it was very strange. By then I was almost 30 years old, by the time I came back to India.....

### Part 13

#00:00:14-7# ...but you know one of the things what was normal for me when your grow up, all the time we heard dowry murder cases, murdered baby girls- through the 1970s- 1980s you always hear about, you grew up with that. It's normal to hear it. But when I lived in the USA it was a different environment. So when I came back it was like almost hitting me. In the hospital here a women had two babies. And she didn't wanted to have tow, so she threw one out of the window. So the police came and they took the baby, which was fine and gave it back to their mother. You know newborns can be quite flexible, so nothing happened to it. As if like a purse had fallen or something, you know. And I'm thinking in the USA if this would happen, the place would be all over with media. The child services would step in, not only that, they would take the child away too. That parent would not have this child anymore. Then there was a nurse who was raped in a hospital (...) and the men- who worked at the hospital as well- pulled one eye out and tried to strangle her; so she would not recognize him anymore. So when this went to court, the defense offered for the offender to marry her. And for me, this was crazy.

#00:02:40-4# I: to marry the victim?

#00:02:42-7# R1: Yes and her friends said. "Take the opportunity, he means it well." And for emits like a culture shock. The fact that the judge allowed it. It's a routine practice.

#00:03:04-6# I: So basically the whole system needs to be changed?

#00:03:04-8# R1: the whole system, basically (laughing). So three years ago, the chief justice of India said "I can hear that there are some women's groups, like mine- not all of them, that this is sick, barbaric." I mean how can you give that even give legal presence.

This is an abuse of a system and also a rape victim, you know to be even saying that. But it is a routine practice and many poorer families they will marry the girl off. To the man who raped. Like the main man of the Gang rape in Delhi, Rham Sighned,

he raped the women he married. See in his village he raped this women. So her family said ok, marry her. He was the main man in the Gang are, the one who got killed in prison. He was sexually stalking her, than he raped her, than he married her, then he killed her within a year.

#00:04:52-5# I: I'm just asking were is all this violence coming from? I low it happens everywhere and is transferred from generation to generation through social behavior..../

#00:05:15-2# R1: Its power play. See a lot of porn video now are getting a lot more violent. I don't connect it with pornography, I know there are people who have said that but I'm not one of them. I do not think so because people watch porn everywhere. I'm giving you an explanation. The man who rape, they also inflict violence, there is a power in that. Men who watch it, they vicariously experience that power. I mean, why are they doing it anyway? In Bosnia they had rape camps, they would do the same thing. They would gang- rape. In every genocide that happens.

#00:06:07-8# I: Its an instrument.

#00:06:07-5# R1: In Auschwitz it happened. Women would be sexually tortured before being raped.

#00:06:21-5# I: But those were mostly war situation were this has been used as an instrument to kill/break society/

#00:06:24-6# R1: Its not just war. There is no war. War is if two fractions fighting each other.

#00:06:37-3# I: I know. But I'm saying it happened in the surrounding of war

#00:06:40-0# R1: What war?

#00:06:41-5# I: Well WWII, Bosnia war...

#00:06:41-8# R1: This happened before. The Jewish genocide happened before, this actually lead to WWII. In Rwanda there has not been a war. India is a concentration camp, that's what I'm trying to say.

Each of these were concentration camps, where there is a group that's powerful that gets off. It is just power play. I do it because I can.

#00:07:23-5# I: But you would still call it a systematical killing, right?

#00:07:26-1# R1: When there is only one group getting targeted and there is violence on a minute to minute basis. I mean if you take the data down, in one minute if you add up/ you know we would say there is one women murdered for dowry every two minutes, but then there is a baby girl getting killed every three minutes and there are/

what was the estimate 1000-2000 fetuses being killed every/ That's what I said if you are keeping the news blog its not possible to keep up. We just couldn't keep up.

#00:07:35-1# I: If you talking about 50 million girls missing you are calculating how many decades here? ...

#### Part 14

#00:08:00-0# R1: Ah three generations. So that would be until 70-80 years.

#00:00:07-8# I: So we could say since independence?

#00:00:10-3# R1: No I think just before Independency. See the British had already determined that. When they did the first Census in 1880, they around, the late 19th hundreds. They already figured out that there was a systematic way of killing females. So that's why they had the law against Sati/

#00:00:35-7# I: Ah I see...

#00:00:35-9# R1: And they had a laws against Infanticide and what/ they have tried/ see everything that's saying now give monetary incentive, nothing worked. The only thing that worked was implementing the law. They began to treat is as murder and threw the people in jail.

#00:00:58-1# I: Ok I see.

#00:00:57-4# R1: And there is still same cases of sati. Most of the widows in Varanasi. Most of them have run away. They don't have anything. Most things are taken away and live very poor and have been sexually exploited by the family in-laws. Most of them are burned as "witches". It is for the same thing, to take away the property from them. Same as sati. It's to take away the property from them. Female infanticide is the same thing. To make sure the property stay in the male name. In the end it all boils down to make sure/like people say "give money". I say "No". Giving money, its not about the fact that the women don't have money. The family will take the money from her away anyway, and even if not, in the end its all about property. Its about the fact that the male patriarchal system doesn't want her to have property, so whatever she has they will make sure to take it away. That's why Kerala. Kerala is an important example. This is actually one area where I disagree with Amarta Sen. Because he said, Kerala was the only state with a normal sex ratio and he said this is because Kerala has the highest literacy rate. It is high, that's true. But over the last two decades their gender ratio is below normal. And it is going down. with each census its going down. Infanticide is increasing, dowry murders are increasing, very

rapidly. Feticide is increasing. Why? The education is increasing as well, so why is this happening in Kerala with a literacy rate of 99%? And the only difference/ I tell you why in Kerala it didn't happen and why in the north east the gender ratio also is going down. It happens in urban and rural areas. In fact we have a dowry case from the USA, of a woman originally from Kerala. And see it always plot in, they attempted/ So see she was writing to her parents that her in-laws want more money. See if you marry your daughter to a man with a foreign citizenship the dowry amount is more. If he has a doctor's, engineer's, lawyer's degree it's more...see the dowry is calculated by how much he earns. So they would torture her for dowry. They would starve her for days in the US. Then they tried to kill her. They took her for a ride on the highway in the car and they threw her out of the car. She was in the hospital / and this is one of the things that angered me in the USA with other things too. When they started to realize in the hospital that there is a cultural dimension to violence against women behind, they ignored it. Most cases of domestic violence are husbands/partners against their wives/Partners. But in India it's gang violence. Always. All violence of domestic violence, even the killing of infants and fetuses it's all gang violence. If the mother doesn't want to give her child to let it be killed, it will be taken from her to be killed. It's all gang violence. Even if she wanted, there is nothing she could do against it.

#00:05:27-5# I: This is what you called the gang factor?

#00:05:28-1# R1: Yes. I called it the gang factor.

#00:05:32-5# I: It makes much more sense now.

#00:05:41-8# R1: It's a collective thing. See again the genocide factor comes in. It's a group targeting another group. But this is isolating them with other groups and targeting. And see what they did, this woman in the USA was paralyzed. She was in the hospital and the husband and the in-laws didn't come to see her when she gained consciousness again. She told the police that this was done for dowry, she explained them how it happened. So the police questioned the husband and the husband said he got some injuries as well, it was an accident. The police never questioned how this woman was lying in the hospital, without anyone ever visiting her, they did not even inform her parents. She almost became the ward of the state. See when a person is abandoned in a hospital the state takes over, even then the police did not investigate. It is so suspicious. And there was a Pakistani doctor in the hospital he is hearing the story, see he knows the same things happen in Pakistan, so he made the

effort, found her parents and told them. The father went to the USA and the hospital and brought her out. Otherwise she would have just been out in some place for homeless people. So I'm angry on both angles, you know.

## Part 15

#00:00:05-0# ... this is what the Government has to do and also what other Governments in other countries have to do. I mean dowry violence has become massive in Norway, as I know from a Journalist. It's massive in the UK, USA and also Canada. And what they are doing sometimes, in Canada of instance, they bring the wife to India for a summer holiday and kill her here. Because here they know that the Government and the police won't act. That is known in Canada, since Canada acts more than the USA. The USA takes a cultural approach, and Ill tell you they do this with all things. When I was in college, my best friend was Hmong, from Laos. So when I visited her in the mid west, in 1997, they would have a practice called kidnap marriage. Where an adult man fancies a 13-14 year old girl, he kidnaps her, he takes her to his house and captivates her. And then the community recognizes it as marriage. The parents don't bring her home. She just stays there. And from the school/ my best friends younger sister by the time was 13 years and she was very upset, because her best friend had been kidnapped. So we were talking, and basically everybody knew. The teachers, the education ministries knew. They know that these girls disappear from school and its a kidnapped marriage. But they won't say anything. They don't want to infer in the community cultural dynamic. So I said, see this kind/ and my friend gotten really angry, because I had written an paper about this in my anthropology class. So she felt that I had betrayed her. Because as a community they invite me in and then I wrote about it. But I was so angry. Interviewer: told her we are going to an elite women's college, feminist college how can you accept that? It has to be dealt with legally, by the state. She didn't talk to me anymore. And my Professor resend it to a conference I said, please do so. I told her, look for me, if you don't talk to me for the rest of my life it will be painful but I can live wit it. But if I don't speak out, I can't live with that. This happens all the time. It's not addressed at all. In terms of me, you know people always tell me I'm stepping on India's toes and then I keep tell people, Ill do it because others are afraid of offending people who are either committing the crime or who are allying the crime to happen. Because if you are a silent by stander, you are allowing the crime to happen. I don't



want you to offend the culture, but look into the victims eyes and don't help them?!  
Not possible

#00:04:58-2# I: Do you get a lot of harassments?

#00:05:00-6# R1: Most of them are from women groups.

#00:05:01-4# I: You know what very ironic. I just came to my mind now. I have been in contact with Swayam as well. We actually had a meeting to be scheduled for today. Since I'm here in Calcutta I thought, why not meeting another women's organizations. Anyhow, the time they suggested was too late since I'm flying back today. SO I told them that Ill meet you at nine and I could drop by their office after. They never got back to me. Now I understand. I told them Ill meet with you and therefore they were afraid of I could accuse them for the Rupa case...I guess.

#00:05:48-7# R1: Of course because of Rupa. When acid surveyors became known internationally, people came to Calcutta and they went and meet with Swayam. And Swayam said they didn't know Rupa. They lied about everything. Even though we have photo and emails and so on. If you showed them the proof, they would say "Oh I don't remember". Its not just that, its women's group everywhere. I wrote an article for an online journal called gender forum from the university from/ its German one/ I can't remember, anyways I wrote an article on Misogyny is internalized and Indian women groups need to help. I hate so much hate mails of Indian feminists, but anonymous. See if this is something you want to discuss with me, please do so directly. Have a discussion. Don't send me secret hate messages.

#00:07:22-8# I: And who are like the biggest supporters?

#00:07:24-3# R1: The grassroots. It's people who are not directly with women's groups. But who see it as a human rights issue. That's why I'm most keen on the grass root level

## Part 16

#00:00:14-8# R1: ... With the media its very strange. It's almost like saying, when I have a human rights issue the response from man is faster. Its almost like saying, men get it faster. I have no idea why. In India there are very few men that support. But the idea that this is a human rights issue, and it is look as human group. And it could be based on anything. Religion, race anything. I don't understand. The responses are more positive. Maybe because violence is internalized in women too. Like, what's the name of this TV actress in the UK? With this cooking show?

#00:02:22-6# I: I'm sorry I have no idea

#00:02:23-7# R1: Anyways, she is a very big cooking person in the UK. I think Nigella Lawton, something like that. She is very fashionable. She is like the domestic goddess. So they had dinner two weeks ago, and the husband attacked her, grabbed her throat... I mean people took pictures of this. She never pressed charges, so nothing ever happened.

#00:03:14-6# I: In public?

#00:03:19-5# R1: In public. These pictures were all over the place. She never pressed charges. But also, this was a race attack. If the husband would have been black, grabbing her throat, pushing her face and so on, they would have acted. The husband got angry and told the media he wanted her to tell them that he was just playing with her. Of course no one believed him, I mean she was crying. Violence is internalized. We still speak of it as domestic violence. Why is the word used as domestic violence if it's murder? It should just be murder. I think at some level, violence is internalized in women everywhere as well. The fact that you don't think it's a human rights issue, but a domestic issue is a huge problem. I mean you can be angry with someone, but if that same man did that to his boss nobody would say "Well it's an office issue" (Laughing) The problem about this violence is, for example, when Charles Dickens went to the USA at the height of slavery, he said he was shocked. The genteel people of the high society in New York would have their tea and cake and discussing new slaves are on their way. And in the newspaper it would say, 13 slaves are missing and you know one leg got wiped marks on the leg or face. So he says it's like missing cat, missing dogs...totally dehumanized. At some level the slave is just not human anymore, you look at it as property. It's the same with women. The way we are discussing it, we are not looking at it as a human rights issue. But the problem is that in black slavery there was a resistance, the fight has to be recognized as a human rights issue. The women's movement is trying to/ it has been a big movement away. The older feminist, like D. Russell, they treated it as a human rights issue, but the newer feminist, which includes people like Gloria Steinem, they have made it into a Girl -Club Thing. I don't know how to explain it, but it has become more internalized. Where they start talking in about / when women are affected with violence it affects men too. At some level it does. But they are talking about the people who are inflicting the violence, now, you know all that affects the economy. So in India a lot of times they talk about the economy. I found a newspaper article, at the

time of slavery- the lynching in the 1940s -50s in the US, when slaves are starting to get free, owning their own things- the rate of killing or lynching black people increased. And there was this man writing this article, he was in favor of race equality, and he wrote an article saying ...

Part 17

#00:00:05-9# R1: ...the more black people get killed, the more it affects our economy.

#00:00:12-6# I: Yes, same thing here.

#00:00:13-8# R1: But if you are a black person, how will you read that? "Oh so you shouldn't kill me because it affects you!" In the end, we have to keep looking at/ the reason why it is so important to compare it to other things is because I think the women's movement has separated it from the human rights movement. They have made it a women's issue and it is a human rights issue. See a part of the problem with some is they crave expectance. And they try to/ They will take a women and say "Yeahhhh she is...you know- if she has been rescued from violence." I mean we wouldn't have done that during the Jewish genocide. When you save one Jew, you would hold it up and have a celebration party. There were 6 million of Jews killed, here its been 50 million women. That is not a significance of any empowerment. In fact saving one Jew is the significance of the powerlessness! That its a system. You know you won't save everyone like that. By pulling them out, one at a time. If you don't stop the machinery...I mean can you imagine, we cannot even file the news since there are so many, and this is maybe one percent of the news. Most of the cases won't ever be in the news.

#00:03:08-5# I: One thing I'm sometimes confides with is, if you are talking about genocide on women does it imply feticide?

#00:03:08-5# R1: That was the thing I was discussing with Diana. We continued to use the word feticide, or sex selection, which is used more often. There is a new technology from the USA. The old technologies created a lot of work. In the USA people were interested in downsyndrome. But the technology became a huge market in India. And doctors were adverting it openly in railway stations saying thing like "Pay 500Rupees and get rid of your daughter now and save yourself 5000000 Rupees of dowry". There are many articles of that. That's why they political friends, sharing their benefits. The doctors said its a wonderful method of population control and the Government agreed. The women's movement said nothing. No ne was saying anything you know. And the USA was saying/ they made it a big part of

foreign policy and said it was marvelous. And they even gave them more arguments, see the women is carrying the child, so it is better to eliminate the women than the men- because the women are giving birth. All this was serious foreign Government policy. And the USA was interested then for the same reason they are interested now. Its money. The makes of GenSelect, the company that is marketing GenSelect they said" India is a good market". He uses the word market. Because what GenSelect does, they filter the sperm and removes the eggs, to make sure only boys are conceived.

#00:06:17-6# I: I have seen an advert just in from to the door of genove...

#00:06:17-6# R1: They have stuff like that all over the city. Its either in- vitro, it could be gen/ they have all kinds of things now. See there is no end to this. For example now they are not just wanting a boy, but a boy who is fair. They are going that far, to buy eggs from European women, but they won't ever do the opposite. They would never buy the sperm. So that is/ do you see the patriarchal system. So that's why people keep saying "oh but if women are gone who will be there to get married to?" and they respond: "They will just hire wombs". Also you know about the bride trafficking, you know what they do? They say it's a marriage, but in the all the men will use the women sexually. And basically they don't even know who's child it is, but they say its ok, because it is a family member, its a sperm from a men in the family so its fine. It could be any men in the family, but its from one of them. And once she had some children for some time, they will re-sell her to another family that is looking for a women to use like that.

## Part 18

#00:04:13-4# I: Going back to my question. Feticide or Sex selection impart of the genocide?

#00:04:23-8# R1: We are including that because see, that is the prevention of the birth of a group. That was the fifth...ah the prevention of a group of the UN...that's why Diana Russell also insisted on genocide, and she said "your targeting a female fetus, still" and that's why she is not starting to use the word of femicide anymore. Even though when she wrote the word femicide, we are still making a distinction, since the fear with the campaign is always there that its going to be used by the anti abortion lobby.

#00:05:16-5# I: But she is still calling it femicide no?

#00:05:16-5# R1:Who? Diana?

#00:05:16-7# I: Yes

#00:05:17-6# I: Yes because she can afford to. She is an individual person. If we start calling sex selective abortion femicide, as a part of the campaign there are anti abortion groups that are going to start join. Do you see what I'm saying. And we have been very careful not to have anti abortion groups. Because we are saying the anti abortion groups want the same thing as the men. They want the control on the body of a woman. How many women voluntarily, I mean I always ask people- "Give me one example of a women who wants to abort a female fetus" and the husband and in-laws are saying "No no we want a girl" For me, that would be an issue of choice. These are forced abortion. If a Government is working with doctors, politicians, hospitals and police- and all of them are getting money. They get lots of money. It's a industry which is making millions of dollars. It's a big industry today in the country, getting rid of females with the technology. It's a collusion. They are colluding with each other.

#00:07:40-4# I sincerely thanked her for the time and availability devoted to discuss this issue wit me and said goodbye.

## 7.6. Meeting 7

Austrian Embassy, New Dehli, India

Thursday 01.08.2013, 02.00 pm IST

Meeting with Robert Wank First Secretary

The meeting with Robert Wank took place in a Thai Restaurant near the Austrian Embassy in New Delhi.

I met Mr. Wank in order to get an idea of the Austrian perspective on feticide based in New Delhi. As he is not an expert on the issue, this was considered a meeting and not an expert interview.

He was well informed on the topic and told me about the overall declining child sex ratio in India. He said one problem is mobile ultrasound screenings, which can be shifted easily from one place to another without being registered. He mentioned as well that India has progressive laws, but there seems to be a lack of implementation. He mentioned that it is important to change the patriarchic mindset, which is still present in large parts of India. On the local level, Panchayat leaders could have a multiplier effect and help the Government in changing the mindset of the society as a whole.

In the end, he advised me to have a look at certain documents, such as the Draft Report of the Working Group on the Universal Periodic Review of India, which took place in Geneva in May 2012.

The meeting ended with a sincere thank you to Mr. Wank for his time and availability devoted to discussing this issue.

## 8. Curriculum Vitae

### CURRICULUM VITAE

Nora Gerdes  
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#### EDUCATION

2010 – present	<b>University of Vienna, Austria</b> <b>Degree</b> in International Development	Vienna, Austria
2007 – 2010	<b>University of Vienna, Austria</b> <b>Bachelor of Arts (BA)</b> in Political Science	Vienna, Austria

#### PROFESSIONAL EXPERIENCE

2013- present	Collaborating with <b>the Academic Council to the United Nations (ACUNS)</b>	Vienna, Austria
2010- present	<b>Part- time Consulting with STATT- Consulting</b> Working on fragile states, good governance and transnational threats	Vienna, Austria
10/2013	<b>Panellist at the Aspire- Manufacturing Change Congress</b> Sharing expertise on Femicide in India.	Vienna, Austria
11/2011 and 03/2012	Assisting the <b>United Nations Voluntary Trust Fund for Victims of Human trafficking managed by the United Nation Office for Drugs and Crime (UNODC)</b>	Vienna, Austria
01/2010 – 06/2010	<b>Interning with the UNODC</b> Integrated Program & Oversight Branch (IPB), Divisions of Operations.	Vienna, Austria
2005-2006	<b>Participant of the Voluntary Ecological Year</b> Bund für Umwelt und Naturschutz Deutschland e.V. (Friends of the Earth).	Berlin, Germany

#### SKILLS

**Languages:** German, mother tongue; English, working written and spoken; Spanish, basic knowledge.  
**Computer:** Proficient in MS Office, Mac OS.

#### REFERENCES

**Tuesday Reitano**, Assistant Director at STATT and Senior Research Associate at the Institute of Security Studies

## 9. Lebenslauf

## CURRICULUM VITAE

Nora Gerdes  
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## AUSBILDUNG

2007 -2013	<b>Universität Wien, Österreich</b> <b>Diplomstudium</b> , Internationale Entwicklungen	Wien, Österreich
2007 – 2010	<b>Universität Wien, Österreich</b> <b>Bachelor of Arts (BA)</b> , Politikwissenschaften	Wien, Österreich

## BERUFSERFAHRUNG

2013- gegenwärtig	<b>Teilzeitbeschäftigung. STATT- Consulting</b> Fragile Staaten, Good Governance und transnationalen Bedrohungen.	Wien, Österreich
2005-2006	<b>Freiwilliges Ökologisches Jahr</b> Bund für Umwelt und Naturschutz Deutschland e.V.	Wien, Österreich

## EHRENAMTLICHE TÄTIGKEITEN / PRAKTIKA

2012- gegenwärtig	<b>Kollaborateur des Akademischen Konzil der Vereinten Nationen (ACUNS)</b> Fokus auf Femizid und Gewalt gegen Frauen	Wien, Österreich
11/2013	<b>Podiumsgast; Aspire. Manufacturing of Change. Kongress.</b> Femizid in Indien.	Wien, Österreich
11/2011 und 03/2012	<b>Ehrenamtliches Fundraising des United Nations Voluntary Trust Fund</b> for Victims of Human Trafficking	Wien, Österreich
01/2010 – 06/2010	<b>Praktikum in dem Büro der Vereinten Nationen für Drogen und Verbrechensbekämpfung (UNODC)</b> Integrated Program & Oversight Branch (IPB), Divisions of Operations	Wien, Österreich

## KENNTNISSE

**Sprachen:** Deutsch- Muttersprache; Englisch-Verhandlungssicher,  
Spanisch-Grundkenntnisse  
**EDV Kenntnisse:** MS Office, Mac OS.

## REFERENZ

**Tuesday Reitano**, stellvertretende Direktorin bei STATT und Senior  
Research Associate im Institute of Security Studies



