Deconstructing Tradition, Demystifying Women

Re-evaluating the gendered hegemonies of South Asian women through an analysis of sex selection and transnational reproductive technologies

Aenon Kirstiana Moose

University of Virginia

Department of Middle Eastern and South Asian Languages and Cultures

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Table of Contents

Introduction

Sex Selection

Patriarchy and Son Preference
Sex Selection and Dowry
Sex Ratios and Population Control
The Feminist Conundrum
Framing Sex Selection

Reproductive Technologies

Modern Innovations
Marketable Appropriations
Transacting Technologies

The Neoliberal State

(The Market)
Colonial [Re]formations
Post-Colonial Modern Markets
Marriage Markets and Investing in Progeny
Free Markets, Disciplined Bodies
(The State)
Historical Redux
Contemporary Conflations
Legislation, Demographics, and Ad Campaigns
Biopolitics, Biopower, and Reprogenetics

Deconstructing Tradition

The Traditional Hindu Family
Haggling with Patriarchy
Family Formations: Selecting Children, Performing Gender
Manufacturing Normalcy, Punishing Deviance

Demystifying Women

A Note on Biology
Gender and Power
Power, Status, and Competition
Women's Work
The Myth of Choice
In Defense of Marriage
Women's Attitudes and Realities
Real Migrations, Real Violence

Conclusion

Works Cited

Appendix

Introduction

Sex selection in India has been highlighted over the past few decades as an urgent socio-cultural issue. Practices embodying “daughter aversion” such as sex-selective abortion of female fetuses and the neglect or maltreatment of girl children have been effecting skewed sex ratios which many fear are driving the country towards a crisis. This gender imbalance is felt most acutely in states with the lowest ratios of girl to boy children (ages 0-6 years) where it has apparently become necessary to “import” brides.¹ Patriarchy, son preference, and the low status of women in Indian society are frequently cited as the causes of these issues, a verdict that is unfortunately normalizing and neglects the complex interactions and processes therein. Implicating “patriarchy” or “Indian culture” writ large only obscures the dynamic confluence of factors, compromises, and complex hierarchies that are at work in these social realities. Indeed, issues related to sex selection “are not best understood in terms of timeless or archaic cultural traditions, religious texts or emotion,”² they are not reducible to cultural eccentricities, but rather reflect an interplay of historical change, state policy, economics, transnational circuits of technology, and the construction (both literal and social) of the family.

The discourses related to India’s dropping proportions of girls have taken on a vocabulary which has effectively naturalized these issues in the popular, global imagination—son preference and sex selection have become standard terms used in relation to “Indian culture.” Upon closer analysis, however, we are confronted with a complex network of historical, social, political, and economic interactions. A challenge to these discourses is noted in how best to approach the issue

¹ Soutik Biswas, “India’s ‘imported’ brides,” last modified May 23, 2011, <http://www.bbc.com/news/world-south-asia-13331808>.

² Patricia Jeffery, “Supply-and-demand demographics: dowry, daughter aversion and marriage markets in contemporary north India,” *Contemporary South Asia* 22 (2014): 182.

of sex selection, whether it constitutes a cultural phenomenon in and of itself, or is a part of a larger constellation of intersecting behaviors, imaginaries, transnational economics, and disciplinary technologies. It is insufficient to implicate “patriarchy” or the “low status of women” generally as the proximate causes of sex-selective practices that discriminate against female children and women, or even to restrict acknowledgement of such practices to “other” countries or the global south.

Ascriptions of victimhood and agency also become problematic upon examination of the conditioned choices that women make in conjunction with their internalizations and understandings of the desires and pressures related to sex selection and the use of reproductive technologies. Once considered thoroughly, reductive criticisms of the mal-appropriation of technology that facilitates sex selection as a modern manifestation of an idiosyncratic “cultural evil” unravel. In order to deconstruct these “just-so stories” of traditionalized gender discrimination in South Asia it is crucial to synthesize the historical and theoretical with the personal.³ Understanding sex selection in the South Asian context requires imbedding women’s own experiences, fears, and compromises within locally diverse social, political, and economic processes while simultaneously and continuously re-contextualizing these in relation to transnational forces and dynamics.

In this paper I synthesize historical, feminist, and socio-political critiques in order to critically analyze the factors and processes impacting the conditional use of sex-selective

³ I borrow the terms “just-so stories” from Veena Oldenburg. In her book *Dowry Murder*, Veena Oldenburg refers to colonial discourse on female infanticide as “just-so-stories,” in which the causes and connections of female infanticide were egregiously misrepresented to simultaneously justify empire while obscuring its negative consequences. No doubt Oldenburg is making reference to Rudyard Kipling’s children’s book “Just So Stories” which presents fantastical/fanciful explanations as to how different animals acquired their distinctive features. These stories, not unlike the colonial portrayals, present overly simplified explanations of complex processes (in Kipling’s case, represented by a form of pseudo-evolutionary theory) laced with traces of lighthearted racism towards other cultures.

technology, as well as the deeper motivations for sex selection embedded within South Asian imaginaries. I engage with domestic and international discourses on sex selection in India in order to examine the many, often conflictual, perspectives concerning how to assess the issue. Within these analytical frameworks I locate how regimes of power, colonial legislation, economic reforms, transnational processes, and gendered social inequalities and imaginaries interface with modern reproductive technologies in non-obvious ways to effect India's unbalanced sex ratios.

Sex Selection

The fact that skewed sex ratios have been spreading to many Indian states (as well as impacting the entire nation's demographic composition), despite generally improved educational opportunity and economic prosperity, belies the view that sex selection is a backward cultural practice. The data related to rural-urban divides also contradicts this logic as sex selection appears to be growing most stubbornly in urban middle-class families. Higher levels of education and access to technology appear to only exacerbate the problem. State policy also remains unclear and inadequately enforced. Upon examining the complexities of the issue, it becomes increasingly difficult to pin down a concise causal explanation or definitive solution, legal or otherwise. A great deal of conscious decision making and emotional investment are involved for the women who make conditioned choices to pursue sex-selective technologies. It would appear, then, that there is more to this issue than the imposition of patriarchal values on passive female minds and bodies.

Patriarchy and Son Preference

In order to discuss sex selection, it is crucial to examine and qualify the related terms and concepts of patriarchy and son preference (and its correlative, daughter aversion)—these concepts are among the more frequently cited “causes” of sex selection in South Asia. In her

examination of dowry murder, Veena Oldenburg provides a practical definition for patriarchy which refers to “families in which a preference for sons is marked, marriage is invariably virilocal, and property is inherited by sons or agnates.”⁴ In the context of examining what is meant by patriarchy in South Asia, this is a useful starting point. For present purposes, however, it is necessary to expand this concept to incorporate systems of hierarchical power and structural inequalities. The modified definition of patriarchy that I employ in the context of my analysis is as follows: locally conditioned (intersecting) attitudes and state policies in which there is an institutionalization of patterns of socialization and family formation characterized by son preference, virilocal marriage, and patrimonial property inheritance. As Oldenburg illustrates, this constellation of patriarchal practices was at the time immediately preceding colonial rule mostly restricted to the agrarian northwestern regions of the subcontinent with the rest of India exhibiting other diverse systems of marriage and inheritance.⁵

India’s cultural legacy of son preference is frequently cited as a driving force behind sex selection as realized through female selective abortion and female neglect (a constellation of social attitudes and practices that fall under the heading of daughter aversion).⁶ Son preference and daughter aversion, as features of this conceptualization of patriarchy, can be understood as urges flowing from the necessity of establishing and preserving these institutionalized attitudes and practices as cultural convention. In this context, inheritance, economic stability, and familial cohesion are dependent upon male heirs; whereas, daughters are perceived as temporary family

⁴ Veena Oldenburg, *Dowry Murder: The Imperial Origins of a Cultural Crime* (New York: Oxford University Press, 2002), 8.

⁵ Oldenburg, 8.

⁶ Son preference, however, is not neutral in relation to conditioned perceptions of daughters, but rather constitutes an attitude that negatively impacts the value placed on girls in terms of their economic and social contributions to the family.

members who embody/signify the combined threats of dishonor, economic hardship, and the potential breakup of familial property. Oldenburg attributes these preferences, marriage arrangements, and inheritance patterns to the premodern pastoralist contexts of the region—categorized by the need for multiple male family members due to constant rivalry and conflict among competing clans. Additionally, this male favoritism is not limited to abstract desires for male heirs but also directly impacts the allocation, or rather, withholding of nurturing and resources from daughters.⁷ As we will see, the transformations, adaptations, and spread of this patriarchal arrangement through the colonial encounter and more recently in the context of India's entrance into the globalized free market economy have reorganized and hardened certain aspects of these patterns and social imaginaries.

Sex Selection and Dowry

Since the colonial period, connections have been drawn between the practice of dowry and sex selection usually in reference to female infanticide during the colonial period. Colonial reports (as well as contemporary understandings) represent dowry as having a causal effect on sex selection practices. Dowry was presented as an exploitative extravagance undertaken by certain castes from which gender inequality and violence against women consequently followed. This evaluation is illogical considering the facts that colonial and contemporary legislation restricting and criminalizing dowry practices and sex selection have only resulted in the spread and intensification of the practices and associated violence. There is a conflation of correlation with causation which misses the fact that both practices have and continue to be exacerbated by economic and socio-political pressures.

⁷ Sunita Puri et al., “‘There is such a thing as too many daughters, but not too many sons’: A qualitative study of son preference and fetal sex selection among Indian immigrants in the United States.” *Social Science & Medicine* 72 (2011): 1169.

Prior to colonial criticism and subsequent legislative reforms of dowry, the practice was viewed indigenously as a bride's natal family and community's means of contributing to her economic security upon her departure for her new matrimonial home.⁸ The introduction of cash, consumer goods, and the commodification of property during the colonial period reconfigured the meanings, practice, and composition of dowry. As a consequence of these changes, dowry came to be increasingly associated with domestic violence, daughter aversion, and even murder. As Veena Oldenburg has illustrated, the combination of reformed property rights and codification of customary laws placed heavy economic hardship upon certain agricultural classes which in turn "became central in altering the texture of women's lives, their implicit rights and entitlements in their families as daughters, wives, and widows, by making men sole proprietors."⁹

Dowry and compulsory marriage then can be viewed as responses to tightening economic constraints which placed unmarried sisters at odds with their brothers over rights to the inheritance of familial property—indeed, it became brothers' "material interest to see their sisters married off as early and quickly as possible."¹⁰ Economic and social anxieties related to daughters were only fortified by these new property policies and worsened the practices embodying daughter aversion (such as female infanticide) despite legislative measures taken by the colonial government to eradicate them.¹¹ Oldenburg explains that dowry, construed in its contemporary, exploitative form can best be understood as "a responsive and dynamic institution that adapt[s] to changes in the new economic climate."¹² Dowry and sex selection are not

⁸ Oldenburg, 9.

⁹ Oldenburg, 12.

¹⁰ Oldenburg, 20.

¹¹ Oldenburg, 17.

¹² Oldenburg, 16.

anachronistic cultural imprints, but rather malleable interfaces where social formations, economics, and politics convene and reformulate one another. Furthermore, Veena Oldenburg has shown that dowry- and sex selection-related forms of violence are not unique to South Asia, and according to Niveditha Menon, should be viewed as regionally coded forms of domestic and “gendered violence that is present in different ways in different parts of the globe.”¹³

Sex Ratios and Population Control

Concern over population growth in India has carried over from the colonial period through the post-independence years to the present, and as early as 1952 India instituted state-directed family planning initiatives.¹⁴ Fears of unrestrained population growth and the potentially devastating impacts this can have on development and the environment have fed into direct (legislative) and indirect (advertisement and awareness campaigns) government family planning strategies and interventions. India’s “population problem” was not only conceived as a domestic issue but also influenced by international actors. As a result of international pressures to address population concerns during the mid-1970s Prime Minister Indira Gandhi initiated controversial methods of population management which included coercive strategies [insidiously directed at the poor], such as forced sterilization.¹⁵ Along side these measures (and beyond) the Indian government has launched various ad campaigns emphasizing a small well-planned family as the socially responsible ideal—“*hum do, hamaare do*” (we two, our two)—consisting in two parents and two children.¹⁶ However, elements of son preference, and by extension, daughter aversion in

¹³ Oldenburg, 21; Niveditha Menon, *Seeing Like a Feminist* (New Delhi: Zubaan and Penguin Books, 2012), 41.

¹⁴ Lisa Eklund and Navtej Purewal, “The bio-politics of population control and sex-selective abortion in China and India,” *Feminism & Psychology* 27 (2017): 43.

¹⁵ Eklund and Purewal, 43.

¹⁶ Eklund and Purewal, 44.

social imaginaries persisted and were reinforced alongside these pressures to reduce family size. This ideal of the small, balanced family—consisting in [at least] one boy and [possibly] one girl—has proven to be an important factor in the pressures (reinforced by state policy, economic motivations, and the commodification of social imaginaries) driving sex selection and the lowering ratios of female to male children.

The Feminist Conundrum

The issue of abortion is a controversial issue generally, however, within most feminist circles it is agreed that access to safe and legal abortion is one of the unconditional rights of all women as an essential aspect of self-determination.¹⁷ This seems straightforward enough, but when considered in conjunction with the selective abortion of female fetuses creates “a dilemma that is almost irresolvable...[and] very possibly creates a more fundamental crisis for feminism.”¹⁸ This fundamental dilemma stems from a combination of reductive approaches to reproductive rights and a categorical misunderstanding of the specific complex of motives and factors driving sex-selective abortion in India. Understanding these issues in a more nuanced approach helps to break down the normative discourses concerning sex selection and reproductive rights as well as to recognize that there is more at risk than the selective elimination of female fetuses.

The fact that abortion was legalized in India in the 1971 Medical Termination of Pregnancy (MTP) Act does not necessarily serve as an indication of a progressive concern for women’s reproductive rights. Upon closer examination of the politico-historical contexts as well as the details of the legislation, it becomes obvious that this law did not originate from a feminist

¹⁷ Menon, 204.

¹⁸ Ibid.

concern but rather was an aspect of India's population control efforts.¹⁹ The MTP Act allows abortion up to the second trimester of pregnancy, but the decision unambiguously prioritizes the authority of medical opinion over that of the woman.²⁰ The Act was essentially ineffective in terms of 1) substantially decreasing the number of abortion-related deaths (due to illegal procedures and/or unqualified personnel) and 2) generating public awareness of the option of safe, legal abortion.²¹

The 1980s saw a unique confluence of factors that led to the heightened visibility of sex selection practices increasingly facilitated by new prenatal diagnostic technologies—these issues will be treated in detail further on, but for present purposes a cursory examination will suffice in order to ground the issue of reconciling the selective abortion of female fetuses and reproductive rights. Economic reforms targeting a more pro-business approach as well as increased deregulation of the economy began to open India up to international market forces and enterprises. This timing also happened to coincide with the new development of reproductive technologies such as prenatal imaging (ultrasound) and genetic screening (amniocentesis). The economic reforms actually promoted highly asymmetrical growth and placed increased economic pressures on certain portions of the population while simultaneously introducing others to these new modern medical technologies now at their disposal. These new economic pressures, access to technology, and India's continued concern for population management all mapped onto the already problematic issues related to son preference/daughter aversion and the pressures to maintain a balanced family.

¹⁹ Menon, 204.

²⁰ Ibid.

²¹ Menon, 206.

The introduction and “abuse” of these technologies has sparked feminist campaigning for restrictive legislation and the eventual passing of the Pre-Conception and Pre-Natal Diagnostic Techniques (PCPNDT) Act in 1994. Despite these efforts, the sex ratios continue to decrease and spread, and abortion has become highly stigmatized and regarded as illegal in the popular imagination.²² This law, while remaining almost unenforceable and ineffective, thus pushes the progress of improving women’s reproductive rights and options even farther afield—the access to safe, legal abortion is perceived as blocked yet people are still using the technologies to selectively abort pregnancies with female fetuses. Women are turning to unqualified practitioners or unsafe methods of pursuing abortion and/or sex selection and putting themselves at greater risk for severe complications or death. Another frightening consequence of these pressures and restrictions is the use of “indigenous” sex-selection drugs by women to try to manipulate the sex of the child either before or after conception. These drugs have been found to contain steroids, phytoestrogens, testosterone as well as herbal mixtures that are known to cause stillbirth or malformations. See the study “Consumption of indigenous medicines by pregnant women in North India for selecting sex of foetus: what can it lead to?” by Sutapa Neogi et al. as well as the *Hindustan Times* article by Priyanka Vora “Desire for male child triggering stillbirths in country: Study.” This only further exemplifies the inadequacy of the legislative maneuver and the drastic need for a different understanding of and approach to the issue of sex-selective abortion. In short, the targeting of the use of these technologies does not get at the true crux of the matter—a woman who has decided to pursue these technologies has already reasoned and accepted the outcome if the fetus is found to be female; therefore, the issue must be addressed in terms of the

²² Menon, 206.

social attitudes and economic factors that are placing women in the position of making such decisions to begin with.²³

One final and highly overlooked point in relation to the controversy over sex-selective abortion—the tendency to distort the planes of personhood and individualism involved in the matrix of pregnancy. Niveditha Menon raises this ever-crucial point and places it into stark relief when she explains that “[t]he pregnant body, after all, is not two individuals with equal rights, it is a unique entity that cannot be addressed in the language of individualism—a life within a life, one life dependent on the other.”²⁴ When the restriction of sex-selective abortion is prioritized over the provision of safe, legal abortion the human rights of a present woman are supplanted for those of a future one.²⁵ Discussions of the imagined violence against women in the selective elimination of female fetuses naively neglects the real violence 1) that threatens women and motivates them to pursue sex-selective abortion, 2) that some women endure if they choose to keep a female child, and 3) that women experience as an assault to their bodily and psychological integrity from getting an abortion. The language of rights and potential personhood obscure the heart of the matter: that the ultimate goal is not universal, widespread use of abortion but rather new circumstances under which women gain greater control over pregnancy in order to transform the conditions that make a pregnancy unwanted in the first place.²⁶

²³ Menon, 211. As illustrated by Niveditha Menon, although the decision to have an abortion is “taken by individual women, that decision is shaped and driven by public and social arrangements and limitations—indeed, by a collective failure of social responsibility.”

²⁴ Menon, 211.

²⁵ Menon, 209.

²⁶ Menon, 211.

Framing Sex Selection

The manner in which sex selection is popularly portrayed is highly problematic, important factors and distinctions are flattened or ignored resulting in a variety of reductive and misinformed judgements ultimately about Indian culture. The global discourse is coded with these latent colonial judgements of “other” cultures where comparative references to Eastern sex selection practices provide a means of curtailing critique of Western-based practices (particularly in the United States) and the influences of globalized technologies and pressures for sex selection. Though it has served as the predominant lens, it is crucial to probe beyond the reductive “Western gaze” placed on sex selection and examine not only the global trends, influences, and implications, but also engage directly with the actual experiences of women negotiating these practices and technologies.

Though the prevalence of sex selection is implied by the spread of dropping ratios of girl to boy children in India, we cannot take it to be hegemonic—rather, is it unevenly distributed demographically and the pressure to have a male child is not experienced with a consistent intensity across all pregnancies.²⁷ There may be little or no pressure (although the hopeful expectation is ever-present) to give birth specifically to a son in a woman’s very first pregnancy—instead, the first pregnancy is more crucial in determining or “proving” a woman’s fertility.²⁸ Studies examining birth order as a factor of sex selection have shown that the pressures to have a son increase with second-order pregnancies that follow a first-born girl, though not if the first-

²⁷ Sangari Kumkum, *Solid : Liquid: A (trans)national reproductive formation* (New Delhi: Tulika Books, 2015), 5. See also Prabhat Jha et al., “Trends in selective abortions of girls in India: analysis of nationally representative birth histories from 1990 to 2005 and census data from 1991 to 2011,” *Lancet* 377 (2011).

²⁸ Puri et al., 1172

born is a boy.²⁹ The authors of a study examining birth ratios in relation to birth order across India's 1991, 2001, and 2011 census data found that there were sharp decreases in the ratio of girls to boys age 0-6 years old only in second- and higher-order births when the first child was a girl.³⁰ Ratios of all first-order births and second-order births when the first-born was a boy between 1990 and 2005 stayed very close to the "natural range of 950-975 girls per 1000 boys."³¹ Additionally, declines were found to be greatest among educated and higher income households.³² These demographic trends have also been shown as spreading "from a handful of states to most parts of the country."³³ Importantly, the authors at least briefly note that declines in sex ratios "did *not* differ between Hindu and Muslim households."³⁴ This is a consistently ignored detail that extends back to colonial discourse: the fact that son preference and daughter aversion do not exclusively correlate with Hindu culture. These observations all serve as indications that sex selection is more complex than a universal consequence of culturally-based ignorance which can be cleared up with development and increased access to education.

Sex selection also raises the issues of choice and empowerment, and there is general debate regarding whether women are making empowered choices or acting upon internalized oppressive patriarchal values. The actions taken by individual women, however, cannot be reduced to these two mutually exclusive categories. The atmosphere in which women reason, internalize, and justify their decisions reflect a rich psychological engagement with diverse factors.

²⁹ Jha et al., 192.

³⁰ Jha et al., 1923. See figure 1 in the Appendix.

³¹ Jha et al., 1924.

³² Jha et al., 1927. See figure 2 in the Appendix.

³³ Jha et al., 1927. See figure 3 in the Appendix.

³⁴ Jha et al., 1925 (emphasis mine).

The pursuit of sex-selective methods of family planning and technologies involves an interplay of economic, social, and personal considerations of security—old-age insurance, improved status within a competitive extended family, and efforts to minimize the possibility of domestic violence. The choice to pursue sex selection is therefore conditioned by social anxieties realized through the combined threats or consequences of domestic violence, neglect, or even abandonment. Yet, some women report that access to these technologies facilitates “an important mode of self empowerment” while others view them as a modern means of improving their fertility and ability to plan their families.³⁵ How are we to contextualize and reconcile these attitudes with the widely-held understanding of sex selection as a form of violence against women? A definitive answer is not readily accessible and the issue will likely remain contested; however, a better understanding of the historical, social, economic, and political pressures involved in conjunction with an examination of women’s lived experiences will enable us to draw more nuanced conclusions about sex selection and reproductive technologies in India as well as in the global context.

Reproductive Technologies

“Technological intervention is thus an investment in ones own reproductive future and in the health of the children that are produced.”³⁶

Increased access to reproductive technologies has been highlighted as a major factor compounding India’s gender-based discrimination and unbalanced sex ratios. The practical applications and consequences of prenatal technologies are equally complex and the

³⁵ Puri et al., 1174; Maya Unnithan-Kumar, “Female selective abortion — beyond ‘culture’: family making and gender inequality in a globalising India,” *Culture, Health & Sexuality* 12 (2010): 158.

³⁶ Unnithan-Kumar, 158.

establishment of clear social or legal positions regarding the terms of their use [or abuse] remain elusive. Though the use and spread of sex-selective reproductive technologies is uneven in India, the issue of sex selection has taken on the force of a hegemonic trend in contemporary discourses and popular understandings. The convergence of modern genetics research with reproductive medicine has created new economic and social circuits in both local and global contexts. These circuits mark important transpositions and fortifications of exploitation and violence across old and new power dynamics.

Modern Innovations

The most commonly cited methods of sex selection in the Indian context are the use of ultrasound for determining a fetus's sex and subsequent use of medically assisted abortion to terminate pregnancies in which a female fetus had been detected. In India, getting an ultrasound is commonly referred to as getting the "scan."³⁷ The influx of globalized technologies following India's liberalization of its economy in the late 1980s, resulted in a proliferation of the availability of these technologies in private and even unlicensed facilities. However, the sensationalization of medically assisted sex-selective abortion has rendered invisible the reality that these practices are not equally distributed across all segments of the population.

Economic constraints block many women's access to these technologies as well as to safe, legal abortion. Legislation intended to curb sex selection by criminalizing the use of such technologies and procedures for practices that denote gender discrimination has done little more than to generally stigmatize abortion and thus prevent many women from seeking safe

³⁷ See Puri et al. and Rajani Bhatia, "Constructing Gender from the Inside Out: Sex-Selection Practices in the United States," *Feminist Studies* 36 (2010).

procedures at accountable medical clinics.³⁸ In addition to these technologies there has been an observable trend in certain regions of India indicating the use of sex selection drugs.³⁹ These drugs are peddled as remedies capable of manipulating the sex of embryos in order to produce a male child. Due to the composition of these “medicines”—a combination of herbal and hormonal components—their use has been linked to increasing instances of still birth and/or congenital malformation in regions where their use also appears to be increasing.⁴⁰ Thus, the blocking of access to high-tech methods of sex selection makes hardly any impact on social attitudes or a majority of Indian families who have no access to begin with, but rather, places greater stigma on seeking safe methods for family planning and puts women and their children at greater risk for harm.

Newer innovations in reprogenetics⁴¹ have resulted in technologies that can facilitate sex selection prior to conception. In vitro fertilization (IVF), sperm-sorting, and commercial

³⁸ This is due to the fact that legislation pertaining to family planning often has vague language which allows for both loopholes and the favoring of the authority of a physician over the ultimate outcome regarding a woman’s ability to have an abortion.

³⁹ Sutapa Bandyopadhyay Neogi et al., “Consumption of indigenous medicines by pregnant women in North India for selecting sex of the foetus: what can it lead to?” *BMC Pregnancy and Childbirth* 15 (2015): 208. The authors chose to refer to these treatments as “indigenous medicines,” which in and of itself is somewhat problematic. Though these herbal drugs are dispensed by non-medical doctors and “faith healers”, they also tested positive for testosterone, steroids, and phytoestrogens. It is therefore misleading to use the term “indigenous medicines” as the compounds being dispensed to pregnant women or women trying to conceive mark a distinctly transnational co-mingling of indigenous herbalism and pharmaceutical science.

⁴⁰ Neogi et al. 1.; See also Vora, Priyanka, “Desire for male child triggering stillbirths in country: Study,” last modified March 8, 2016, <http://www.hindustantimes.com/mumbai/desire-for-male-child-triggering-stillbirths-in-country-study/story-xYdLb4jQojQFvIU3sDzo0L.html>.

⁴¹ Ladelle McWhorter, “Darwin’s invisible hand: Feminism, reprogenetics, and Foucault’s analysis of neoliberalism,” *The Southern Journal of Philosophy* 48 (2010): 49. McWhorter cites Erik Parens and Lori Knowles’s broad definition of reprogenetics as comprising “any aspect of the ‘field of research and application that involves the creation, use, manipulation, or storages of gametes or embryos’.” McWhorter further argues that “[r]eprogenetics can be viewed as a biopolitical formation, a politico-technical apparatus that disciplines individuals and families and normalizes populations.”

surrogacy have become options for [affluent] couples faced with infertility or the unfulfilled desire to have a male child.⁴² While some prospective parents were uncomfortable with “unnatural” forms of conception, such as IVF which often make women feel embarrassed and uncomfortable, women have cited these as appealing options (for those who could afford them) following multiple attempts at conceiving a boy which only resulted in ultrasounds revealing female fetuses and (in some cases, multiple) second trimester abortions.⁴³ The use of these technologies has been noted in immigrant populations, particularly in the United States, as well as more affluent households in India.

The use of commercial surrogates has sparked debate on well established critiques of exploitative inter-class/caste power dynamics which become inscribed on disadvantaged women’s bodies. Niveditha Menon has noted that these force relations, transcribed through “the biological experience of motherhood” are recasting conventional conceptualizations of motherhood through reproductive medical innovations.⁴⁴ Motherhood has been apportioned into three distinct “mother functions” which are now capable of being embodied by up to three different women (or people): supplying genetic material, gestation, and raising the child.⁴⁵ Commercial surrogacy facilitates the “outsourcing” of the labor of gestation onto women with limited economic viability, yet who are depicted as “full-blown market actors” simultaneously enacting an independent choice of labor alongside their patrons’ exercise of consumer choice, all within a

⁴² Although, in several contexts it has been noted that there is a connection drawn between only having girl children and infertility in some South Asian imaginaries.

⁴³ Puri et al., 1172.

⁴⁴ Menon, 47.

⁴⁵ Ibid.

“contractual framework.”⁴⁶ As a result of these reproductive possibilities, we can clearly observe processes of constructing and redefining conventional, but ultimately slippery, biological relationships to facilitate the re-establishment of the stability and certainty of patriarchal kinship. Menon makes note of drug companies and doctors that alternatively assure parents of their biological relatedness to children produced either with donor sperm and/or egg via IVF or in surrogates by assuring that “‘making the baby’ happens in the womb” for the former and that “if the genetic material is theirs...then baby is ‘biologically’ theirs” in the latter.⁴⁷ As a result of the appeal and promotion of these techniques and technologies, regardless of how biological relatedness is being defined, there still exists the obstinate insistence on relatedness which serves to “marginalize the option of adoption” and continue to block the acceptance of female offspring as valuable family members.⁴⁸

Marketable Appropriations

The use and promotion of reprogenetic technologies has been charged by some feminists, like Gena Corea, as reinforcing “reproduction as women’s destiny and perpetuat[ing] the assumption that women’s bodies are...in need of masculine surveillance and management.”⁴⁹ The use of technologies developed to detect genetic diseases and disorders in order to customize and optimize offspring by predetermining their genetic characteristics requires the monitoring and management of both mother and child in ways that many feminists feel violate and distort certain rights that vital feminist struggles have fought to achieve for women. The defense of these technologies by some genetic ethicists, doctors, and multinational companies contentiously

⁴⁶ Sangari, 7.

⁴⁷ Menon, 48-9.

⁴⁸ Menon, 48.

⁴⁹ Quoted by McWhorter, 48.

appropriate feminist language to argue that “the choice to use assisted reproductive technologies is a private matter just like the choice to obtain an abortion.”⁵⁰ Such rights-talk, as a neoliberal appropriation of feminist discourse, de-contextualizes the notion of individual choice and necessarily obviates recognition of the complexities and interconnectivity of the public and private spheres.

It is enlightening to draw a comparative analysis of discourses regarding sex selection in South Asia as compared to sex selection in the United States. Rajani Bhatia has observed important transparencies and incongruences in the portrayal of “sex selection in the United States [as dependent] on the alterity of sex-selection practices in other nations and cultures, primarily India and China.”⁵¹ The denial of son preference in the United States combined with the sanitization and normalization of U.S.-based sex-selection practices equally contribute to the “reinforcement of sex and gender binaries, the undermining of the very meaning of reproductive rights, and construction of ‘Third World women’ as the site of irrational practices of sex selection.”⁵² This process of normalization is a result of the efforts of the media and bioethicists, as well as the targeted marketing of companies which supply these reproductive services.

Rajani Bhatia illustrates how online support communities and positive media coverage have facilitated the perception of sex selection in the U.S. as rational in its purpose of balancing families, and humanitarian in its providing parents the opportunity to fulfill the aspiration of raising their dream child. Media coverage minimizes son preference in the United States by highlighting stories of mothers who wanted to be more than just “boy moms” and raise “strong

⁵⁰ McWhorter, 48.

⁵¹ Bhatia, 279.

⁵² Bhatia, 263.

young women.”⁵³ Despite these desires, such aspirations and conceptualizations perpetuate the appeal to biological/chromosomal sex as “a foundational category of gender,” parents (in the U.S., India, or elsewhere) are hedging their bets on babies with guaranteed gender identities solidified by the certainty of their chromosomal makeup—parental expectations and desires thus become firmly affixed to “the site of the sexed infant body.”⁵⁴ Thus the conceptualized potential of either empowered little girls or socially valuable boys becomes commodified and strictly defined according to the assumed disambiguation of the sexed body, thus establishing sex selection as a practice of biopolitics “in which girlhood [and boyhood become] geneticized, and sex and gender binaries are reinforced.”⁵⁵

The incongruences between the treatment of sex selection in the United States as opposed to sex selection in other countries, such as India, reveal a double standard based upon discriminatory emphasis on cultural difference.⁵⁶ While simultaneously scripting U.S.-based use of reproductive technologies and sex selection as balancing, rational, and ethically neutral, these discourses condemn women of other cultures for gender-based discrimination which unbalances populations’ sex ratios.⁵⁷ By obscuring important aspects of sex selection such as stratified use and the fact that Indian women are not aggressively seeking sex selection across all pregnancies, these discourses serve to misrepresent and condemn other cultures while “immuniz[ing] U.S. sex selection from interrogation” and accountability based on flimsy cultural grounds.⁵⁸ Similarly, the

⁵³ Bhatia, 278; 271.

⁵⁴ Bhatia, 272.

⁵⁵ Bhatia, 270.

⁵⁶ Bhatia, 280.

⁵⁷ Bhatia, 279-280

⁵⁸ Bhatia, 263.

manipulation of terminologies—*sex* selection in India, *gender* selection in the U.S.; and “preselection” rather than “de-selection” to emphasize positive choice—serves to elevate sex selection in the U.S. as empowered choice while condemning practices in India.⁵⁹

Transacting Technologies

The interactions between sex selection and historical, social, economic, and political factors are not limited to the subcontinent alone. Clearly, many of the factors themselves have arisen from a background of transnational influences and motives. However, in addition to this, the manifestation of sex selection—its motivations, actors, and consequences—are increasingly spanning greater distances. As Kumkum Sangari has illustrated, the constellation of attitudes, practices, and technologies that facilitate sex selection directly taps into specifically neoliberal consumerist projects that map themselves, are dependent upon, and perpetuate “a high level of tolerance for deprivation and violence.”⁶⁰ U.S.-based discourse concerning sex selection has taken the moral high ground by de-contextualizing and avoiding critique of its own engagement with sex-selective reprogenetic technologies, as well as by neglecting the United States’ role in the transnational commodification of reproduction.

While mapping “bad” sex selection onto the bodies and cultures of other women (specifically in India and China), U.S.-based discourse categorically neglects the exploitative commercialization of reproductive technologies, the strategic outsourcing of techniques and selling of machinery to the global south, and the targeted marketing of technologies and services to reproductive tourists and “immigrant communities with known son preference.”⁶¹ The

⁵⁹ Bhatia, 279; 262.

⁶⁰ Sangari, 105.

⁶¹ Bhatia, 283.

targeted marketing of South Asian and Chinese immigrant populations by American reprogenetic companies, such as GIVF (Genetics and IVF Institute) capitalizes on known “cultural” propensities towards son selection that seek U.S.-based practices to evade population policies or “regulatory restrictions on these technologies in their own countries.”⁶² Furthermore, and perhaps more insidiously, the American company, General Electric, in a display of neoliberal vigor, captured “the largest market share for ultrasound scanners in India” and sold “a disproportionate number of these machines in northwest India,” the region most acutely associated with sex-selective practices and the lowest child sex ratios in the nation.⁶³

Additionally, companies offering technologies such as Microsort (a sperm sorting technology) which have not been formally approved by the FDA, bypass the issue by renewing the experimental status of the technology as well as outsourcing to clinics and laboratories in Mexico or elsewhere.⁶⁴ These clinics not only avoid FDA restrictions by moving “off shores,” but also benefit by increasing the pool of potential international clientele and boosting appeal to American clients with the prospect of exotic getaways while seeking treatment.⁶⁵ These practices come into direct confrontation with the popular rhetoric of condemnation directed at “culturally determined” commodification and exploitation of reproductive technologies by ignorant or victimized “Third World women.”⁶⁶

⁶² Bhatia, 283; See figures 4-7 in the Appendix for marketing imagery found on GIVF’s website that clearly targets certain immigrant populations.

⁶³ Bhatia, 283.

⁶⁴ Bhatia, 270.

⁶⁵ See figures 8 and 9 in the Appendix for Microsort’s webpage advertising international clinics, complete with information to help clients plan their stay and enjoy local tourism.

⁶⁶ Bhatia, 281; 283.

Beyond the denigrating criticisms of sex selection in India, the United States also has a historically proven vested interest in India's population control efforts. Not only have organizations such as the U.S. Agency for International Development (USAID) promoted population management strategies which endorse two-child norms in certain Indian states, but the international community as represented, again, by USAID as well as the World Bank and the Asian Development Bank has even made population management a condition for receiving international aid.⁶⁷ The prioritization of foreign aid-driven targets and quotas has resulted not only in a tightening of social pressures to decrease family size, but also the extreme or coercive measures undertaken by the Indian state to control family size from the 1970s onwards.⁶⁸

The implications of U.S. involvement in India's population control policies, the proliferation of technologies that capitalize on and complicate sex-selection practices, and promotion of medical tourism to outsourced clinics in the global south problematizes the popular discourses issuing forth from American media, bioethicists, and even some feminists concerning the cultural-basis of "bad" forms of sex selection. These discriminatory assessments of the cultural coding of reproductive techniques serves to promote them as essentially neutral biomedical technologies which only subsequently take on culturally specific meanings. Despite her otherwise insightful evaluation of sex-selection practices in the U.S., Maya Unnithan-Kumar falls into this trap by claiming that "technologies in themselves do not bring about social transformation" but rather are rendered powerful by the ascription of social meanings.⁶⁹ The technologies are of course socially coded in different ways depending upon local contexts;

⁶⁷ Bhatia, 284; Eklund and Purewal, 43.

⁶⁸ Eklund and Purewal, 43.

⁶⁹ Unnithan-Kumar, 163.

however, they are not objectively neutral, but rather, are developed within and deeply tied to economic, state, and transnational regimes of biopower.

The Neoliberal State

“At once helpless and effective, evasive and purposeful, the Indian state marches recklessly towards neoliberal deregulation, shedding several social, labour and environmental protections along the way.”⁷⁰

(The Market)

India’s economic growth, though it has accelerated over the past few decades, is highly uneven. The distribution of growth has remained skewed in a manner that excludes certain sectors and economic groups. This uneven economic growth has resulted in what has been termed “jobless growth.”⁷¹ Broad reaching structural change, however, requires more than growth especially if that growth is uneven. The confluence of social activism and more deliberate and well defined legal intervention and social provision seem at least the minimum requirements to instantiate positive social and institutional changes. Stuart Corbridge et al. have illustrated how India’s uneven economic growth has actually contributed to the aggravation of certain social issues and inequalities. If sex selection specifically, and gendered inequalities more broadly, are linked to the markets and state economy, then we would expect that, despite the optimistic stance that many take, economic growth and development in general may not a priori improve these inequalities and behaviors, but rather are more likely to exacerbate them.⁷²

Colonial [Re]formations

⁷⁰ Sangari, 4.

⁷¹ See Jeffery; Stuart Corbridge, John Harriss, and Craig Jeffrey, *India Today: Economy, Politics & Society* (Malden: Polity Press, 2013).

⁷² See Sangari, 4.

In order to make sense of the more recent economic developments in India, it is crucial to consider the dramatic changes that Indian social and economic formations underwent during the colonial era. The transformation of property rights for peasants in north western colonial India had wide ranging ramifications, from the reorganization of land and indebtedness to the disinheritance of daughters from ancestral property.⁷³ Where there was a preexisting preference for male heirs, colonial legislation, incentives, and economic reform exacerbated it by providing further inducement to have more male offspring. Furthermore, this bias was spread to other areas by recognizing customary laws of constructed religion-based communities. Through the collusion of British authority and native informants, to the service of their own respective interests, a consensus was developed in order to implicate cultural “improvidence” in the widespread indebtedness and poverty which were more directly linked to exploitative colonial property policies.⁷⁴ Furthermore, the reorganization of landholding arrangements effectively left women as “tenuous legal dependents of men, with their access to economic resources subordinated more and more...to the will of their husbands,” where previously they had shared more inheritance and production rights with their brothers and spouses.⁷⁵

The colonial state’s economic policy decisions were based most exclusively on the efficient extraction of resources and profit from its colonies. Colonial encouragement of free market relations in the agricultural sector could potentially conflict with the priority of preserving imperial authority. As a part of the measures to circumvent this conflict of interests, the

⁷³ Oldenburg, 12.

⁷⁴ Oldenburg, 6.

⁷⁵ Oldenburg, 101. Veena Oldenburg further elaborates that the Victorian biases of British society clearly precluded granting private property rights to women in a colony when its own female citizens were denied the same. Beyond the hegemonic upper-caste north Indian Hindu norms that were integrated into colonial law, there were many communities throughout India that granted more “progressive” property arrangements for women that were squarely dismantled through this colonial “reform” legislation.

systematic codification of religious laws in British legislation aided in stiffening constructions of ascribed status and hierarchical relations among social classes and the genders.⁷⁶ Imperial land reform and rigid revenue collection systems effected a dramatic increase in the indebtedness and pauperization of many agricultural classes without an honest acknowledgement of the roles played by colonial reform. Instead of acknowledging that the inflexibility of the revenue collection systems facilitated indebtedness which easily lead to the seizure of land by the state, colonial discourse laid blame squarely on the “improvidence” of certain groups’ cultural conventions such as lavish wedding and dowry expenses.⁷⁷

Economic development under imperial rule was highly selective and distorted in that almost no modern industrialization was pursued or encouraged—it was in the best interests of empire that India remain economically dependent and not be provided with the means to become an industrial competitor.⁷⁸ It is clear that early modern capitalist formations unevenly impacted the subcontinent under colonial rule—applied according to the whims of imperial priorities—and laid an unstable foundation on which India’s modern economy precariously rests.⁷⁹

Post-Colonial Modern Markets

India’s somewhat sudden engagement with the free market economic paradigm (especially since the early 1990s) has thrust its formerly highly regulated economy into a post-industrial capitalist arena. In the decades prior, however, Prime Minister Indira Gandhi had initially aligned herself with the Nehruvian inspired Congress tradition of social capitalist

⁷⁶ Oldenburg, 100.

⁷⁷ Oldenburg, 15.

⁷⁸ Oldenburg, 100.

⁷⁹ Oldenburg, 100.

rhetoric. However, following her imposition of “the Emergency” (1975-1977) and her subsequent removal from power, the Janata Party briefly won the majority vote and attempted massive social reform through the commission of the Mandal Report. The report proposed, among other reforms, an expansion of reservation to include the OBCs (Other Backwards Castes). This ultimately lead to a vicious upper-caste conservative Hindu backlash which remains very much alive in India’s contemporary politics. This socio-religious conservatism has in turn further contributed to a tightening of disciplinary recourse to family formations and proprietary gender roles—[especially now that the right-wing Hindu BJP leader Narendra Modi has seized the prime ministership]. After the Janata Party lost popular favor, Indira Gandhi returned to power as Prime Minister in 1980 at which time she initiated a drastic transition in state economic policy.

Though her approach was not specifically pro-market, Indira Gandhi made certain to realign herself and her reinstated Congress Party government with the economic needs of her incumbents by adopting a pro-business approach which favored the private sector.⁸⁰ These selective economic reforms served to slacken restrictions on expansion, reduce corporate taxes and remove price controls that were impeding the private sector.⁸¹ Almost no reforms or improvements were made to the agricultural sector, despite the fact that it remains one of India’s largest and most crucial. These changes can be best understood in congruence with observations that these “elite reforms” which directly serve affluent members of the dominant classes have needed to be navigated within a multi-party and increasingly coalitional democratic system.⁸² Consequently, appeals must be made broadly to dominant groups who hold the power to sway

⁸⁰ Corbridge, Harriss, and Jeffrey, 35.

⁸¹ Ibid.

⁸² Corbridge, Harriss, and Jeffrey, 38.

opinion to a certain party's favor—this has taken the form of systematic neglect of the disunited lower class/caste constituencies in favor of big business owners and private sector entrepreneurs (who, more often than not, are upper-caste/class and more closely aligned with politics).

India continues to lack both the infrastructure and intermediary developmental phase of industrialization that many other capitalist economies went through. Subsequent prime ministers have also adopted this pro-business approach and as a result a burgeoning middle class geared specifically towards globalized IT and commerce has taken off, leaving many (especially in the agricultural and informal sectors) in its wake. The historical dependence of the agricultural sector on intensive state intervention coupled with an increasingly less intrusive state hand in economic policies and increased exposure to international markets has left the sector underdeveloped compared to others and exposed “some cultivators to much greater price volatility.”⁸³ Furthermore, these economic inequalities have exacerbated social inequalities that continue to prevent many from entering the formal sectors of the economy, and has resulted in a trend of “jobless growth” that excludes a large portion of India's population.⁸⁴ There has been a marked feminization and “Dalitization” of the informal sectors of the economy as many women and lower castes have found their employment options highly restricted to informal domestic labor and/or transitory seasonal jobs barely at the subsistence level.⁸⁵ This unsustainable dispossession of India's low classes/castes and women by the formal economy perpetuates the devaluation of women's work even when they are able to find formal employment. Additionally, agriculture in general is becoming marginalized by other economic priorities as the state increasingly facilitates

⁸³ Corbridge, Harriss, and Jeffrey, 90.

⁸⁴ Corbridge, Harriss, and Jeffrey, 89; 98.

⁸⁵ Corbridge, Harriss, and Jeffrey, 89.

the seizure of agricultural lands [as well as tribal lands] to accommodate protected economic zones for multinational commerce and IT entrepreneurship.⁸⁶ Such patterns of exclusion and exploitation are tied directly to the nation's adoption of transnational neoliberal economic formations.

Marriage Markets and Investing in Progeny

Commercialization and commodification have tapped into many social imaginaries and anxieties creating or reinforcing unequal distributions of power, agency, and wealth while simultaneously re-scripting these imaginaries under the guise of traditions, norms, and values. However, the attainment of such imagined desires and coveted modern commodities remains elusive for India's ballooning youth population, key among them many young men who are finding themselves unable to attain secure employment.⁸⁷ The juxtaposition of idealized matrimonial and familial aspirations (as reinforced through state policy, ad campaigns, and the media) with these economic realities generates deep frustrations as well as directly impacts the pressures informing women's options for marriage and reproduction. Springing forth from this re-scripting of economic priorities and pressures is the notion of children as "investments."⁸⁸ The confluence of factors such as daughter aversion and marriage migration as realized through traditionalized social consequences of colonial and neoliberal economic influences has resulted in a utilitarian approach to managing one's offspring. In fact, advertisements for fertility clinics have tapped into this notion of investment in ads that encouraged parents to "Spend 500 rupees now,

⁸⁶ See Menon, 216.

⁸⁷ Jeffery, 181; Corbridge, Harriss, and Jeffrey, 286.

⁸⁸ Corbridge, Harriss, and Jeffrey, 293-4.

Save 50,000 rupees later” by investing in ultrasound and sex-selective abortion to avoid the birth of a daughter and the associated costs of her wedding and dowry.⁸⁹

Patricia Jeffery analyzes the implications of the perpetuation of “marriage migration... the lack of social provision for the care of the elderly...and status competition and consumerism” as leaving little hope for the abandoning of daughter aversion and dowry.⁹⁰ The anxieties concerning future security and status competition are repetitively re-inscribed by economic trends that continue to exclude women and the lower castes/classes from formally entering the economy. Within these formations “women are commodities themselves but also the conduits through which commodities are obtained in a largely patrilineal and patrilocal society” meaning that not only are women subject to pressures to attain “well-settled men” but also to provide symbolically modern consumer goods (through her dowry) as well as produce the appropriate family members (sons) to insure her status within her conjugal home and security in old age.⁹¹

The perceived urgency of marrying off daughters as close to the onset of puberty as possible compounded by the specter of economic loss through marriage and dowry expenses made (and continues to make) a daughter’s wedding highly exploitable and subject to contextualizing this into an “obvious” reason for the neglect and mistreatment of girl children or alternatively de-selecting them by means of newer reproductive technologies.⁹² By contrast, the

⁸⁹ Puri et al., 1171.

⁹⁰ Jeffery, 182.

⁹¹ Jeffery, 181; 178.

⁹² Oldenburg, 169-170. Oldenburg makes reference to the issue of virginity within a system that highlights the purity and virginity of young brides in the service of “guaranteeing” paternity certainty. Fears of female sexuality continue to contribute greatly to anxieties reflective of daughter aversion. This is not a South Asian peculiarity but part of a greater spectrum of transcultural patriarchal concerns and anxieties related to patrimony and propriety. See also Puri et al. for further reference to mothers’ concerns over consensual pre-marital sex in the immigrant context.

wedding of a son has increasingly become highlighted as an opportunity to extract either cash or consumer goods from the bride's family, as somewhat increased prosperity and access to these commodities has both expanded and generally reshaped what constitutes the contents of a woman's dowry.⁹³

These commodified formations and power asymmetries are evident in India's marriage markets. The confluence of exclusionary economics and socially reinforced ideal of hypergamous marriage migration (in virilocal marriage patterns) perpetually presents women with a limited choice of "eligible" bachelors. Not only are women's choices for marriage partners limited but this type of marketized marriage formation leaves a bride's family vulnerable to exploitation through marriage demands, under the guise of dowry, in order to extract consumer goods and cash (the symbolic markers of modernity) from the bride's family.⁹⁴ Patricia Jeffery critiques a demographic model which proposes that the decreasing ratio of women in India will ultimately lead to a "marriage squeeze" in which men (and society generally) will be faced with a potentially catastrophic shortage of women. This supply-and-demand demographic analysis suggests that this "marriage squeeze" will ultimately effect higher demand for women and a reversal in practices that reflect the devaluation of women in Indian society. She illustrates how this application of demographically informed economic theory to the complexities of gender politics has rendered an overly simplistic and optimistic evaluation of a highly complex network of factors and hierarchies.

First and foremost, Jeffery points out that "dowry and daughter aversion are not simply outcomes of demographics alone" but rather framed "within the wider context of contemporary

⁹³ Oldenburg, 173.

⁹⁴ Sangari, 25.

India's rapidly changing political economy."⁹⁵ Secondly, this demographic interpretation flattens the complex reality of multiple marriage markets in which women and low class/caste men are situated in disadvantaged positions. Finally, age alone does not decide the pool of potential partners, but also employment and social status.⁹⁶ When these are taken into account it becomes clear that women, who are placed in a position to seek the ideal of hypergamy, are actually competing for a spouse in a much smaller pool of eligible men. As a result, it is for lower class/caste men that this "marriage squeeze" is felt most acutely as they constitute a much larger group compared to the prospective brides who are ultimately not interested in men without stable employment. Jeffery proposes two "marriage squeezes": the first is a shortage of well-settled men, the second is a shortage of brides for men who lack adequate resources and face unemployment or underemployment.⁹⁷ Finally, when taking into account the historical responses to "shortages" of women—polyandry, abduction, bride purchase, etc.—it becomes clear that highly imbalanced sex ratios will not lead to an elimination of compulsory virilocal marriage and dowry demands.⁹⁸

This has even been evidenced in sensationalized reports of brides being "imported" to the states of India facing the lowest sex ratios. The article describes how men in Haryana (a state in northern India which has one of the lowest sex ratios in India), faced with shortages of women have had "to pay up to 100,000 rupees (\$2,222) to marry an 'imported' girl from states like West Bengal, Jharkhand or Madhya Pradesh."⁹⁹ The article cites the difficulty in these women's ability

⁹⁵ Jeffery, 172.

⁹⁶ Jeffery, 177.

⁹⁷ Jeffery, 178.

⁹⁸ Jeffery, 176.

⁹⁹ Biswas, "India's 'imported' brides."

to adapt to “life in a society steeped in patriarchy.”¹⁰⁰ The article interviews a woman originally from Kerala, who expresses sublimated frustration with the constraints and threats to safety that she faces in Haryana:

*“Men here don’t allow their women to go out and work...That’s not all... Women are not safe here - they are harassed and sometimes attacked. Where I come from, women can walk around safely...We live in two worlds in our minds, but we manage. But when I go home to my parents, I don’t feel like coming back.”*¹⁰¹

This illustrates an extreme form of the normalized virilocal marriage arrangements in which women are expected to adapt to living cut off from their ties to their natal family in a competitive and repressive extended family. It is not only because these women come from different cultural milieus, but also that the entire framework of compulsory virilocal marriage operates on the alienation of women from their natal communities and the restriction of female mobility and autonomy within the conjugal family. In reality, the women from areas (such as Haryana) are no more equipped than those from distant states to cope with the difficulty to adapting to such arrangements.

The persistence of these formations imbedded within social realities show that increased demand will not lead to higher valuation of women, but rather to “greater restrictions, control and violence.”¹⁰² The evaluation and critique of these issues reveals that they are tightly bound to women’s economic dependence. Prescribed heterosexual virilocal marriage not only reinforces gender inequalities but also insures that a woman’s well-being is dependent upon marriage by

¹⁰⁰ Ibid.

¹⁰¹ Biswas, “India’s ‘imported’ brides.”

¹⁰² Jeffery, 177.

obscuring her unemployment within her domestic restrictions.¹⁰³ As a lifelong dependent of her husband, the only security and status a woman can derive for herself is through her reproductive capability to bear sons.

Free Markets, Disciplined Bodies

The liberal, individualistic ideals of the Enlightenment have merged with Western political discourse and capitalist entrepreneurialism to produce a complex hegemonic system known as neoliberalism.¹⁰⁴ Shenila Khoja-Moolji describes neoliberalism as being “primarily understood as an economic theory...[with origins in]...Adam Smith’s *Wealth of Nations* (1776)” which ties ideas of being a “free” individual with economic self-interest.¹⁰⁵ The goal of the economic theory is to optimize “economic performance with respect to efficiency, economic growth, technical progress, and distributional justice.”¹⁰⁶ She goes on to explain that neoliberalism’s impact on politics results in a model of highly minimized state control resulting in an array of consequences such as the privatization (and even dissolution) of public institutions and services, the prioritization of freely competitive markets, and the displacement of state authority by the sovereignty of multinational corporations.¹⁰⁷

David Harvey has outlined how neoliberalism has proven to have inadequate potential as “an engine for economic growth” but alternatively has “succeeded in channeling wealth from

¹⁰³ Jeffery, 179.

¹⁰⁴ David Harvey, “Neoliberalism as Creative Destruction,” *The Annals of the American Academy* (2007): 22.

¹⁰⁵ Shenila Khoja-Moolji, “Producing neoliberal citizens: critical reflections on human rights education in Pakistan,” *Gender and Education*, (2014): 106.

¹⁰⁶ Khoja-Moolji, 106 (quoting David Kotz).

¹⁰⁷ Khoja-Moolji, 106.

subordinate classes to dominant ones and from poorer to richer countries.”¹⁰⁸ Deregulation and privatization have resulted in the dismantling of important state infrastructures, these social infrastructures are then replaced with private entities operating under the assumption of the market’s proficiency for self-regulation. Contrary to the promised outcomes of more economic equality and opportunity, neoliberalism removes the social institutions that provide stability. Harvey has described neoliberalism as operating “under a rubric of *accumulation by dispossession*.”¹⁰⁹ Harvey outlines this process according to several important characteristics (which are observable in India’s last few decades of uneven growth) including: “(1) the commodification and privatization of land and the forceful expulsion of peasant populations...(2) conversion of various forms of property rights...into exclusively private property rights; (3) suppression of rights to commons; (4) commodification of labor power and the suppression of alternative (indigenous) forms of production and consumption...” and so on.¹¹⁰ Within this economic model, the failure of the classes, businesses, and individuals most directly affected by this destabilization to succeed is conveniently passed off as a result of non-competitiveness and sub-maximum market efficiency.

Despite the rhetoric of individual freedom, the project of neoliberalism is to ultimately free markets by restricting people—by modifying and controlling people’s behaviors, neoliberal economics protect the undeterred circulation of market goods in the service of capitalist accumulation, but of course this circulation is not equally distributed. In regards to neoliberal discourse on freedom of choice, this effort to control people’s predilections seems at first counter-intuitive; however, by managing the population’s behaviors (by means of its norms, desires, and

¹⁰⁸ Harvey, 22.

¹⁰⁹ Harvey, 34 (emphasis in the original).

¹¹⁰ Harvey, 34-35.

consumption patterns) neoliberal strategies can provide for a market that is more free, i.e. less subject to “interference or disruption” by the state.¹¹¹ Neoliberalism re-inscribes “all meaningful human activity in terms of competition in markets” in such a manner that for the sake of survival, comfort, and security people are compelled to engage in competitive behaviors to maximize their own utility.¹¹² In this framework, people are not regarded as autonomous agents but manageable factors that, when properly induced, can and will perpetuate and even defend the freedom of markets in the service of maximizing their own utility. In relation to family planning, McWhorter elaborates that “[n]eoliberalism has always treated reproduction as an economic activity in which children are commodities who contribute to their parents’ utility,” in other words, neoliberal economics interpret reproduction as an exploitable biopolitical mechanism through which populations may be regulated and conditioned to maximize market freedom.¹¹³ If people are conditioned to think that their freedom of choice is linked to the market’s freedom, then they will demand that the state maintain its appropriate distance to allow the deregulation and privatization of competitive markets.

Disengagement by the state is not ultimately in the best interests of the general population since this systematically blocks and dismantles the provision of social goods and services. Privatization as embedded within the socio-historical contexts of nations such as India initiates a process of unbalanced redistribution leading ultimately “not to a capitalist industrialization but to the accumulation of riches at one pole of the social structure, with rising unemployment, pauperization, the proliferation of small-scale services and increased absolute power at the other

¹¹¹ McWhorter, 47-8.

¹¹² McWhorter, 57.

¹¹³ McWhorter, 57.

pole.”¹¹⁴ This redistributive economic scheme as realized through increased privatization does little more than exacerbate structural inequalities—unregulated goods and services have prohibitory costs and the state is compelled to be non-responsive to actual needs in favor of defending lucrative markets.

In light of these clear priorities, the ideal means by which neoliberal economics can encourage and thus make predictable a population’s “statistical tendencies” within a freely competitive market is to manipulate a society’s desire (and demands) to maximize its offspring’s advantage.¹¹⁵ Reprogenetics provides the products and services for such desires, and many reprogeneticists are found defensively insisting that they are only responding to demand for services that facilitate parents’ *reproductive right* to provide the best advantage for their children.¹¹⁶ Darwinian-inspired economic theories sit quietly as the rational backdrop to these entrepreneurial understandings and approaches to reproduction and the formation of human societies. All of these factors are observable in the rising consumption of reproductive technologies in India characterized by a market-driven “diffusion of...medical authority” into ever-multiplying and shifting networks of private clinics.¹¹⁷ Private practitioners and clinics are providing the services to meet increasing demand for technologies and services related to sex determination, abortion, and infertility treatments that have become highly regulated in public facilities.¹¹⁸ Major ethical concerns regarding the commodification and manipulation of the features of one’s offspring, as well as capitalizing on lucrative procedures largely viewed as

¹¹⁴ Sangari, 6 (quoting Utsa Patnaik).

¹¹⁵ McWhorter, 60.

¹¹⁶ McWhorter, 60.

¹¹⁷ Unnithan-Kumar, 159

¹¹⁸ Unnithan-Kumar, 161.

discriminatory and illegal, have thus been directed towards the private healthcare industry in India.

(The State)

The state's role in addressing social issues remains dubious, particularly as state authority becomes increasingly enmeshed with transnational economic forces. Despite any attempts in Indian legislation to remain separate, state policy directly impacts the private spheres of family and individual where conformity and power interplay on both state and personal levels. As we have observed previously, state policies are not formed in a neutral space with the best interests of all citizens equally prioritized. Much of the state interventions in the colonial period had more to do with protecting imperial economic priorities and authority rather than actual social reform. It is crucial to address the state's role in complicating or alleviating the pressures and issues related to reproductive rights in conjunction with new lucrative technologies within an increasingly liberalized economy. It is questionable whether legislation is even capable of positively affecting change, and we may be misplacing focus (and faith) on the legal rather than simultaneously and directly confronting the social and economic. The issue is further complicated by the fact that the state and its policies have become deeply ensnared by neoliberal market forces.

Historical Redux

As Veena Oldenburg has pointed out, state interventions related to personal or customary law have been imprinting themselves on South Asian family formations and imaginaries since the colonial period. The British East India Company's economic exploitations in the subcontinent were rendered justifiable by means of establishing the moral decrepitude of Indian culture and the need for a British "civilizing mission."¹¹⁹ The codification and imposition of property rights

¹¹⁹ Oldenburg, 11.

by British imperial authority dramatically altered the nature of landownership as well as excluded women from inheritance rights in their natal and conjugal homes.¹²⁰ The new property laws established land as an alienable commodity [seizable by the government to recover revenue] while simultaneously restricting property ownership to the Indian man, newly construed as “the dominant legal subject.”¹²¹

British efforts to accommodate personal/customary laws for different religious communities facilitated several dramatic shifts in the subcontinent. They were presented as a means of recognizing communal cultural difference under the facade of minimizing state intervention in private/family affairs “in the name of tradition and religious freedom.”¹²² At the same time, however, they also effected a homogenization of the vastly diverse cultural groups living in India. The collusion between imperial authority and “self-styled community leaders” from the “male nationalist elite” sought to delegitimize any familial and property formations that did not neatly align with Victorian and upper-caste Hindu conventions.¹²³ Likewise, as Niveditha Menon has illustrated, the Hindu Bill Codes of 1955 and 1956 further reinforced a codification and homogenization of practices in order to reflect upper-caste Hindu norms to the explicit exclusion of other nonconforming practices.¹²⁴ The inclusion of diverse groups under the heading of “Hindu” now under the purview of these laws “worked to the detriment of communities that had better inheritance practices for women than Brahmins.”¹²⁵

¹²⁰ Oldenburg, 12.

¹²¹ Oldenburg, 14-5.

¹²² Menon, 24.

¹²³ Ibid.

¹²⁴ Menon, 25-6.

¹²⁵ Menon, 27.

Alongside these legal reforms were colonial inquiries into the various practices of the subcontinent, specifically dowry and female infanticide. As a result of these colonial interventions and investigations tradition and culture became unevenly implicated by British authorities as responsible for abhorrent “cultural crimes” while concurrently obscuring the fact that these were the results of “social and economic causes exacerbated by [colonial] policies.”¹²⁶ Colonial reporting of instances of excessive dowry and female infanticide were far from impartial—favorably portraying the trusted classes and castes that filled imperial military ranks and facilitated agricultural production and commerce for the British, while simultaneously criminalizing others to justify empire. Thus, the British systematically minimized the practice of dowry and female infanticide in favored classes/castes while highlighting it in others. As an example, such imperial reports continuously cited female infanticide as directly deriving from issues and practices related to “caste pride,” hypergamous matrimonial ideals, and dowry yet prevented the economic aspects of the reports regarding revenues or famine from being presented alongside these “cultural issues” to which the economics were clearly linked.¹²⁷ This compartmentalization of information obscured important linkages and reduced understandings of these complex issues to deficient and inaccurate generalizations about Indian society and social conventions.¹²⁸

The methodology of colonial reports emphasizing dowry’s connection to both violence against women and daughter aversion continue to form the basis of contemporary discourses on sex selection. The discourses on dowry and female infanticide were influenced by imperial

¹²⁶ Oldenburg, 10.

¹²⁷ Oldenburg, 49

¹²⁸ Ibid.

economic and political imperatives and we can trace these consistently economically and politically informed understandings directly into the contemporary discourses on sex selection in India. The causes of sex selection are frequently relegated to generalized cultural categories, but must necessarily be examined in relation to state policies—both directly pertaining to sex selection and those that appear tangential or even unrelated.

Contemporary Conflations

Since Independence and in response to population pressures and (to some extent) public outcry, the state's influence has continued to impinge more and more into familial ideals and the means of achieving them. More recently, the denigration of the use of technologies that facilitate sex selection through prohibitory legislation, yet simultaneous endorsement of a small family norm through media, state policy, and advertisements not only sends contradictory messages but also pressurizes familial ideals and notions of future security which put women increasingly at risk for violence. With little to no old age security for an increasing portion of the Indian population, a majority of Indian families fall back onto the hope that their male children will provide care for them in their later years.¹²⁹ The continued encroachment of north Indian patriarchal conventions into an imagined pan-Indian idealized family form has further entrenched the desire for the financial and care-related security provided by sons into modern Indian anxieties and aspirations.¹³⁰

¹²⁹ Jeffery, 180.

¹³⁰ This is in spite of more contemporary realities of women becoming heads of households—through conflict, economic migration, or escaping domestic violence—or alternatively, women choosing to postpone marriage in order to pursue a career and economic independence. Daughters who have out of necessity or choice decided to become economically independent, especially in immigrant contexts, are just as capable as (if not more so than) sons for providing for themselves and their parents' old-age security. However, this often is dismissed in favor of somewhat irrational clinging to self-reported “culturally” informed insecurities regarding the precarious nature of female sexuality in a predominately masculine world. (See Puri et al.)

In order to contextualize state interventions regarding sex selection in India it is crucial to first examine perceptions of the Indian state and its effectiveness. Bureaucratic inefficiency and corruption ranging from the national to local levels of governance have effected a widespread perception of the Indian government as non-responsive and unaccountable to a majority of its citizenry. As a result, the more centralized model of governance has been gradually replaced by an increasingly privatized institutional structure.¹³¹ A marked perception of government facilities (schools, hospitals, etc.) as lower quality is increasingly turning India's rich and growing middle classes to the private sector—and thus providing a model for emulation by other classes—which has effectively attenuated “[t]he normal pressures for improving the provision of public goods.”¹³² This has been noted most acutely in educational and healthcare institutions—as evidenced in the latter by the increasing number of private clinics responding to growing demand for diagnostic sex determination tests and abortion in the face of increased state regulation of these services. This trend can be understood in relation to the demand for both “higher quality” private medical facilities as well as an avenue to circumvent state restrictions on the use of reproductive technologies.

Legislation, Demographics, and Ad Campaigns

The laws pertaining to restricting access to reproductive technologies that facilitate sex selection are notoriously difficult to enforce and rarely result in the prosecution of violators. The difficulties in enforcing such laws flow out of population control efforts as manifested in the promotion of small family norms without addressing the social imaginaries that generate social and economic anxieties related to female children. Without operating actively on the various

¹³¹ Corbridge, Harriss, and Jeffrey, 43.

¹³² Ibid.

forces driving the desire to seek sex-selective technologies, the state is only placing women at increased risk from pressures to maintain a family that is small and “balanced.” The creation of legislation that makes sex-selective abortion illegal has effected a general stigma and fear of abortion as generally illegal.¹³³ As a result women are more likely to pursue unsafe abortions by unqualified individuals or at unregulated facilities.

Though some are optimistic that the laws—specifically the Pre-Natal Diagnostic Techniques Regulation and Prevention of Misuse (PNDT) Act first introduced in the mid-1990s—have positively impacted the skewed sex ratios, it remains doubtful as to whether or not the legislation can ultimately change social attitudes.¹³⁴ According to Nandi and Deolalikar’s demographic interpretation: though these legislative measures haven’t reversed declining sex ratios, they have effectively slowed them and prevented the elimination of at least 106,000 girls.¹³⁵ Despite these speculative calculations, this view remains irresolute in relation to the wider realities of the practices that persist and spread in spite of and against regulatory legislation. This is a clear instance of what Patricia Jeffery observes as a questionable application of demography to complex socio-political issues in which demographers draw overtly optimistic conclusions from re-contextualized demographic data.¹³⁶ These acts have essentially criminalized the use of certain reproductive technologies while simultaneously conflating this use with all forms of abortion,

¹³³ Jill Filipovic, “The unintended consequences of India’s war on sex selection,” *World Policy Institute* (2016): 78.

¹³⁴ See Arindam Nandi and Anil B. Deolalikar, “Does a legal ban on sex-selective abortions improve child sex ratios? Evidence from a policy change in India,” *Journal of Development Economics* 103 (2013).

¹³⁵ Nandi and Deolalikar, 222.

¹³⁶ Jeffery, 172.

female infanticide, and female feticide, which results ultimately in problematic engagements with women's rights to safe abortion.¹³⁷

Ad campaigns such as the “*hum do, hamaare do*” campaign seek to sensitize the public's awareness to these issues, incentivize certain [state-directed] family formations, and deter deviant formations and unaccepted means of achieving them.¹³⁸ More recent slogans promoted by the present right-wing ruling party in India—like *Beti Bachao*, “Save the Daughther”—perpetuate sensitization to the issue while obfuscating and marginalizing the various structural socio-economic influences and implications.¹³⁹ In fact this “sensitization” is actually functioning as a normalization of misrepresented understandings of sex selection and its accompanying complex of issues. Furthermore, the state has also taken steps to incentivize a re-valuation of girls through schemes that either finance the marriage expenses of girls from low income families¹⁴⁰ or make financial contributions at “milestone points in a girl's (sic) life until she reaches the age of 18, when she can access the lump sum.”¹⁴¹ These campaigns, in conjunction with incentivized state-sponsored programs, merely recapitulate the narrowly defined, idealized heterosexual family norm—which is in part responsible for the pressures and inequalities leveled against women and girls. The off-setting of perceived economic loss related to having daughters by these programs only further entrenches and legitimizes the social imaginaries informing these biases—displacing perceived loss with economic commodification, and reinforcing the notion of matrimony as the only legitimate feminine fate.

¹³⁷ Eklund and Purewal, 44.

¹³⁸ Eklund and Purewal, 45-6.

¹³⁹ Eklund and Purewal, 46.

¹⁴⁰ Menon, 37.

¹⁴¹ Eklund and Purewal, 46

Upon close analysis, the boundaries between state and family dissolve to reveal a dynamic connectivity—where the idealized family is a socio-economic unit through which individuals are disciplined as proper consumer-citizens. Cohesion and state legitimacy are facilitated by the reproduction of conventional forms and proprietary behaviors as embedded within and through the family.¹⁴² In other words, in order to facilitate coherence and legitimacy a state resorts to the homogenization of its citizenry's behaviors and conventions. For the sake of simplicity, order, and authoritative and efficient governance the state must establish norms of social behavior and conduct. The naturalization and traditionalization of the social protocols and interests of the dominant classes/castes (as the case may be in South Asia and/or elsewhere) creates a powerful consensus that can be spread through various avenues to other groups within a nation. These are reinforced more directly through state law, kinship, and domestic propriety within families, as well as on a subtler level by means of advertisement and the media. Imagery in advertisements, the normalization of certain discourses by the media, and the authoritative advice/orders of medical professionals all serve to lend credence to the fabricated traditions and conventions of any given society.

Biopolitics, Biopower, and Reprogenetics

Ladelle McWhorter offers an astute synthesis of Michel Foucault's theoretic musings on biopower and neoliberalism with feminist critique of the emergent field of reprogenetics.¹⁴³ McWhorter explains that within Foucault's analyses power can be reimagined as arising through "mundane interactions" which repeat, create patterns, and form the foundations for "durable

¹⁴² Geeta Patel, "Advertisements, Proprietary Heterosexuality, and Hundis," *Rethinking Marxism* 24 (2012): 518-9.

¹⁴³ McWhorter, 49.

networks of force relations.”¹⁴⁴ In other words, and analogous with feminist critique, power is not merely an abstracted hierarchical force from above, but rather a series of repetitive and reinforcing interactions, events, and relationships. Instead of taking institutions such as the family as natural formations we must acknowledge the “internal political conflicts” and intrusion of economic processes therein.¹⁴⁵ Biopower as a mechanism of political intrusion and/or manipulation of the perceived naturalness of the family [literally] capitalizes on the ability to manage deviance through “disciplinary normalization” particularly in the context of population control.¹⁴⁶

McWhorter conceptualizes this idea of reprogenetics as both a neoliberal and biopolitical formation by retracing eugenics discourses in the United States. While remaining present in contemporary reproductive and genetic innovations, the actual execution of eugenics projects has become more sublimated within the discourse, yet specifically denied by some genetic ethicists. Despite this, elements of the earlier projects in the United States have become embedded in much of the reasoning and defense of genetic technologies in contemporary debates concerning genetic screening and selection technologies. As McWhorter illustrates, early twentieth century eugenics projects often took the form of coercive state interventions; however, following World War II there was a transition towards the more subtle techniques of genetic and marriage counseling.¹⁴⁷ Regardless of this disposal of overtly coercive strategies, it is clear that “the

¹⁴⁴ McWhorter, 45.

¹⁴⁵ Ibid.

¹⁴⁶ McWhorter, 47.

¹⁴⁷ McWhorter, 54.

mechanisms the movement created to normalize and constrain female sexual and reproductive behavior persisted well into the middle of the century [and beyond].”¹⁴⁸

State eugenics projects clearly represent apt examples of Foucault’s biopolitics in which state interventions into the means of reproduction seek control over a population’s norms, propensities, and docility.¹⁴⁹ Biopower in this context refers to the methods by which control over a population is achieved. Through the manipulation of what is deemed desirable and socially acceptable the state can manage the reproductive outcomes of its population. Furthermore, by interjecting the concepts of individual freedom of rational choice within these idealized reproductive narratives, proponents of modern reprogenetics seek to impose the same disciplinary guidance as the eugenics movement. The argument appealing to rationality follows that, if provided with the right information, individuals will always choose to avoid the birth of children who “would be a ‘calamity’ for their family as well as ‘a serious drain on the resources of the community.’”¹⁵⁰ Within this frame, the freedom of choice is not linked to an individual’s right to choose any outcome, but rather to choose among the socially accepted outcomes, compliant with economic rationality, and made available by specific reproductive technologies. This appeal to choice is a misleading appropriation of feminist advocacy of the right to reproductive self-determination, wherein a woman should be able to freely choose whether or not to have a child—note that this has nothing to do with choosing the characteristics of a child. Likewise, this discourse of choice obscures the fact that these technologies and services are not equally accessible across all castes and social classes. However, when applied to reprogenetics as

¹⁴⁸ McWhorter, 54.

¹⁴⁹ McWhorter, 47.

¹⁵⁰ McWhorter, 56.

commodified innovation this language of individual freedom of choice serves as a strategy to protect reproductic entrepreneurs' profits. This rights-talk has little to do with the integrity of reproductive justice since, "[f]or neoliberals the freedom that matters is the freedom to compete in the marketplace."¹⁵¹ The integration of neoliberal ideals of commodification, competition and maximization of utility within state-endorsed familial constructions renders individuals within the population as citizen-consumers and children as commodities as implicated in the pursuit of maximization of utility as a lifelong enterprise.

Deconstructing Tradition

"[I]f 'normal' behavior were so natural, it would not require such a vast network of controls to keep in place..."¹⁵²

Culturally defined classifications construed as natural and fixed become destabilized upon any sort of thorough application of historical, social, and economic contextualization. Certain cultural categories—especially those tagged as "traditional" or "normal"—are immobilized abstractions which are actually derived from inherently dynamic processes. The complex associations and factors related to sex selection in India have contributed to solidifying the perception of sex selection as an indicator of gender inequality, patriarchal oppression, and culturally inscribed violence—without recognition that these exist in other societies as well. These structural affiliations stem from historically situated socio-economic changes and interventions by state and international actors as well as from common (though not neutral) assumptions of the family, gender relations, and divisions of labor as natural categories informed by both biology and cultural convention.

¹⁵¹ McWhorter, 57.

¹⁵² Menon, 93.

The aspects of society that are considered customary and immutable are often the most slippery and contentious when called into question or outwardly contradicted. The institution of the family—undergirded by heterosexual matrimony and strictly defined gender roles—is one such social formation that is widely accepted as natural, upheld as traditional, and yet when challenged, found to be highly volatile. Institutions construed as conventional become precarious when confronted with the understanding that all such categorizations are indeed fluid and subject not only to change but contestation. Important global social and economic changes over the last few centuries have reorganized conceptualizations of gender, the family, and the individual. None of these categories are defensible against scrutiny—gender, the family, and an individual’s expectations or roles therein are not formed in predetermined ways, nor may we assume that any particular formation is in fact a, or *the* “natural” one. Specifically with regards to sex selection, to essentialize son preference or patriarchy in South Asia as traditional or conventionally determined, obscures the changing nature of son preference and patriarchy over time and across social groups.

The Traditional Hindu Family

The family, far from being a fixed, natural category, serves as the basic social unit, not only for the reproduction of individuals, but also for that of the institutionalized conventions, social hierarchies, and economic and political organizations that constrain and restrict certain behaviors while promoting others. The family is the most fundamental unit of control within a society because it reproduces and conditions individuals to what is deemed desirable, valuable, and normal, while at the same time disciplines what is deemed undesirable and deviant. The normalized heterosexual family serves as the authoritative defender of acceptable gender-specific behaviors—sexuality becomes subject to surveillance and policing in order to preserve “crucial

identities, such as caste, race and religion.”¹⁵³ In other words, these categories and identities are not pristine and eternal, but because they are so fragile, require strict moral policing at the boundaries to ensure the maintenance of any given social order.¹⁵⁴

The family is ascribed a specific identity within any society’s legal institutions which only recognize a particular group of people related in a specific configuration, it defines what constitutes a family unit.¹⁵⁵ In regards to the dominant family form as upheld by the Indian State, as well as others (though this is beginning to change), a “traditional” [patriarchal] family constitutes a man, his wife, and his children.¹⁵⁶ This family is based upon north Indian upper-caste Hindu conventions, tightened up by Victorian influences, and spread throughout the subcontinent by means of standardizing colonial policies and reforms. The heterosexual, patrilineal, virilocal family was never the natural or hegemonic institution in India, it represents one type of marriage and familial arrangement, among many, which happened to be most compatible with British sentiment and geopolitics, and thus was institutionalized as acceptable and natural.¹⁵⁷

The construction of fixed, homogenous identities, such as “Hindu” and even “Muslim,” set important, but imagined, boundaries between supposedly incompatible systems of family formation. Colonial ascription of these identities to groups who did not associate as specifically Hindu found themselves under the purview of new laws which imposed systems of matrimony, inheritance, and other practices that were otherwise foreign to them—and proved to disempower

¹⁵³ Menon, 4.

¹⁵⁴ Menon, 5.

¹⁵⁵ Ibid.

¹⁵⁶ Ibid.

¹⁵⁷ Menon 23.

women and others.¹⁵⁸ The formalization and codification of conventional attitudes and behaviors helps to solidify prioritized family norms in the service of maintaining social order and economic stability. Once adopted by the state and enshrined by legislation, the groundwork is laid in place for the naturalization of these conventions.

The logic of the family as an efficient means of transmitting and regulating moral and social order becomes irrelevant if every family member is “treated as a free and equal citizen;” this is why the Fundamental Rights of Indian citizens are not applicable within the the private sphere of the family, which instead becomes the realm of each family’s relevant set of customary laws.¹⁵⁹ This mitigates against state as well as non-traditional cultural intrusion into conventional gender roles and hierarchies which are insulated and highly regulated within the family. There is a delicate balance that must be struck between the regulation of citizens and the upholding of conventions as transmitted through the traditionalized and naturalized family—especially when the state apparatus and its authority are derived from the institutionalized patriarchal family.

*Haggling with Patriarchy*¹⁶⁰

In her article “Bargaining with Patriarchy,” Deniz Kandiyoti re-conceptualizes the nature of how women respond to and negotiate patriarchal social and economic constraints. She rightly

¹⁵⁸ Menon 30. Menon points out that laws such as the Guardians and Wards Act of 1890 were informed by the “Hindu Shastras,” which were not universally hegemonic or authoritative. Laws such as these served to supplant the diversity of practices inherent to the subcontinent—such as matrilineal and alternative forms of patrilineal arrangements for inheritance—in order to efficiently structure, organize, and administer Indian society.

¹⁵⁹ Menon 5-6.

¹⁶⁰ Deniz Kandiyoti, “Bargaining with Patriarchy,” *Gender and Society* 2 (1988): 286. Kandiyoti acknowledges in a footnote the inherent difficulty of coining terms that embody highly complex social dynamics, as well as the limitations of “the term bargain [which] commonly denotes a deal between more or less equal participants” and ultimately conflicts with her “usage which clearly indicates an asymmetrical exchange.” I playfully substitute “haggling” for “bargaining” as a means of conveying a more unsympathetic form of exchange which denotes strategic maneuvering between economic rivals.

evokes patriarchy as “probably the most overused and, in some respects...undertheorized” feminist concepts.¹⁶¹ Different theoretical frameworks conceptualize and employ diverse applications of the term, and as a result patriarchy has taken on a “monolithic” presence which operates “at a level of abstraction that obfuscates rather than reveals the intimate inner workings of culturally and historically distinct arrangements between the genders.”¹⁶² Though Kandiyoti raises important points concerning crucial junctures between constraint and agency, her understandings of patriarchy, too, fall prey to the abstracted potency of the term.

Kandiyoti’s categorization of “classic patriarchy” presents a problematic framework that, according to the introductory remarks, she is trying to ameliorate.¹⁶³ She categorizes “classic patriarchy” as a system characterized by patrilocality and female subordination in which women perform resistance passively.¹⁶⁴ Her application of such a broadly defined conceptual model presents a flattening and generalization of the history and diversity of the Middle East, South Asia, and East Asia—it presumes a reductively hegemonic and uniform patriarchal structure across an enormous swath of territories, ethnicities, and kinship systems (some of which were not patrilineal or patrilocal at all). Though the patriarchal system she describes does exist in these areas, her characterization and application collapses and excludes important variations as well as

¹⁶¹ Kandiyoti, 274.

¹⁶² Kandiyoti, 274-5.

¹⁶³ Kandiyoti, 275-6. Kandiyoti draws a distinction, albeit recognized as limited, but still problematic between “[t]he two types [of patriarchy] based on examples from sub-Saharan Africa, on the one hand, and the Middle East, South Asia, and East Asia on the other.” She claims that her “aim is to highlight a continuum ranging from less corporate forms of householding, involving the relative autonomy of mother-child units evidenced in sub-Saharan polygyny, to the more corporate male-headed entities prevalent in the regions identified by Caldwell (1978) as the ‘patriarchal belt.’”

¹⁶⁴ Kandiyoti, 278.

the historical contexts and impacts of colonial incursion on re-configuring, solidifying, and spreading a very specific, hybridized form of patriarchy within these regions.

Kandiyoti defines her term “patriarchal bargain” as a “set of concrete constraints that reveal and define the blueprint...of any given society...[and] exerts a powerful influence on the shaping of women’s gendered subjectivity and determines the nature of gender ideology in different contexts.”¹⁶⁵ Though she does acknowledge the variations that must occur due to differences in class, caste, and ethnicity as well as the necessary susceptibility to “historical transformations,” her conceptualization is presented as predetermined.¹⁶⁶ The issue appears irresolute because a “blueprint” cannot be applied equally to women facing divergent social and economic constraints—imposing such a framework precludes flexibility to social variation. The acceptance of historically north Indian upper-caste Hindu practices as wide-spread and conventional throughout South Asia despite obvious temporal and territorial variation is a major contributing factor to the misapprehension and flaccid analyses of sex selection as a culturally-derived issue specific to South Asia.

The stereotyped family formation of South Asia associated with what Kandiyoti takes as “classical patriarchy” reproduces female submissiveness through “[t]he cyclical nature of women’s power in the household and their anticipation of inheriting the authority of senior women,” in other words, “subordination to men is offset by the control older women attain over younger women.”¹⁶⁷ This exchange of submissiveness to men for an un-guaranteed future authority over other women trades in notions of economic rationality and mirrors the discourses

¹⁶⁵ Kandiyoti, 275.

¹⁶⁶ Ibid.

¹⁶⁷ Kandiyoti, 279.

which categorize complex decisions such as these within what Kumkum Sangari describes as “a simplistic and shrivelled conception of economic behavior.”¹⁶⁸ It is insufficient to suggest that the complex motivations and incentives informing women’s decisions can be reduced to a simplified, abstract exchange of power. The gendered spheres of this imagined hegemonic household hierarchy do not occupy the same spaces—a woman is not necessarily subordinate to *all* male members of a household (the social exchanges with younger men are more complex and less subject to the same injunctions that dictate exchanges with older men)—and, as noted above, women are in direct competition with other women, not men, for domestic status and authority.

A final aspect of Kandiyoti’s argument that lends itself to illuminating critique of both hegemonic patriarchy, and women’s decisions therein, is her observation regarding the different ways in which women respond to patriarchal crises—when the status quo of patriarchal authority comes variously under threat or scrutiny. Kandiyoti suggests that women hold a stake in the upholding of “the system that oppresse[s] them” as “participants with vested interests.”¹⁶⁹ She proposes further that women’s passive resistance to male authority, internalizations, and resistance to change is due to the “slipping away” of an old order, in which they have invested, “without any empowering alternatives.”¹⁷⁰ The problem with her analysis is that it presages a top-down oppression of women by men, which is ultimately an inadequate presentation of complex gender relations and interactions superimposed by economic and state formations. The patriarchal family is not a discrete category but rather is inextricably linked to state politics, social

¹⁶⁸ Sangari, 5.

¹⁶⁹ Kandiyoti, 280.

¹⁷⁰ Kandiyoti, 282.

pressures, and economic inducements—there are more players involved in this power game than the men and women of a given household.

The primary flaw with this perspective is that it takes “classic patriarchy” as a static ordering of society, an established state of equilibrium which sporadically enters crisis. There is a mistaken attribution of a synchronic quality to the reality of patriarchal social orderings which are in fact diachronic processes. Kandiyoti’s patriarchal crisis implies not only a static complicity of women to male oppression, but denies the dynamic negotiations that women make within and against patriarchal, economic, and social constraints on a daily basis. When she claims, “[i]t is only at the point of breakdown that every order reveals its systematic contradictions,” she is by default—perhaps unintentionally—establishing the functioning system as a natural order that effectively conceals inconsistencies.¹⁷¹ By contrast, Niveditha Menon observes that “the structure built by [social] protocols, which appears to be so ‘natural’, unquestionable and immutable, is shakier than it seems...It is precisely because the structure is so fragile that such enormous force [is] mobilized against” even the most minute of social infractions.¹⁷² The contradictions embedded within systems of power are ever-present—in fact, so much so that they become naturalized and so rendered invisible—it is only at the point of the most extreme instances of these behaviors and “extraordinary circumstances [that] the violence implicit in the institution of the family become visible; under ‘normal’ circumstances, it is, precisely, normalized.”¹⁷³

¹⁷¹ Kandiyoti, 286.

¹⁷² Menon, 5.

¹⁷³ Menon, 38. See also Sangari, 1.

Family Formations: Selecting Children, Performing Gender

The normalization of convention-based systems of power are rooted firmly in certain biological assumptions concerning reproduction and the different sets of roles attributed to men and women. Firstly, the assumption that bodies must be unambiguously divisible into two categories is not only flawed but presently taken to be a “common sense” notion that was actually “absent in Europe prior to the late sixteenth century, and in South Asia and Africa until the early nineteenth century, when European modernity was universalized through colonialism.”¹⁷⁴ Niveditha Menon points out that within this framework, the process of pregnancy as a biological reality is expanded to encompass and inform not only domestic divisions of labor, but also the distribution of formal economic opportunity among the sexes.¹⁷⁵ The fact that domestic labor is no more suited to women than it is to men bears little on the “logic” of gendered roles—which consequently sustains the exclusion of women from formally and equally participating in public economic domains.

With the unquestioned potency of “natural” gender roles comes a distinct set of social expectations and proscriptions that serve to maintain this order among the sexes. These roles must be continuously reinforced and reproduced in order to maintain the stability of the entire system—it then becomes imperative to set in place performative injunctions related to proprietary behaviors and expectations. These, in turn, come to bear on the performance of gender, specifically coded through the reproduction of the right kind of offspring, in order to not only properly reconstruct the “normal” family, but also one’s identity therein. Rajani Bhatia observes that the options for managing reproduction have resulted in more control over the

¹⁷⁴ Menon, 53.

¹⁷⁵ Menon, 11.

production of specific kinds of children, but also that making an ideal child is tied crucially to making certain kinds of parents.¹⁷⁶

Women, under the pressures and anxieties associated with patriarchal domestic gender roles and social injunctions, who produce male children are also constructing their identities as the “right” kind of women. It is not just about becoming a mother which helps to define a woman’s social and gender identity, rather, a woman is expected to uphold her biological and social obligations by becoming, specifically, the mother of a son. The compulsion to make use of all available resources that can more easily and effectively fulfill these “natural” family obligations forms a framework in which sex selection comes to be situated in the common social imaginary as a useful, if not necessary engagement with modern technology. The expectation to have certain kinds of children bears heavily upon the construction of identity within the family and society, not to mention the internal psyche of individual parents.

Manufacturing Normalcy, Punishing Deviance

The construction of normalcy in any given society is highly contingent upon socio-economic contexts and processes.¹⁷⁷ The development and transmission of reproductive technologies (as part of a larger complex of processes and developments known as reprogenetics) “tends to enforce a certain conception of health, normalcy, and femininity, as well as purity and rationality.”¹⁷⁸ These technologies, as products of objective and authoritative medical science, actually contribute to the restriction and regulation of the reproductive agency of women by helping to define what is considered “normal” and desirable. This construction of normalcy must

¹⁷⁶ Bhatia, 278.

¹⁷⁷ I am not implying any sort of avoidant form of cultural relativism here, but rather, that what comes to be coded as normal can and does vary regionally and over time depending upon many different factors.

¹⁷⁸ McWhorter, 49.

necessarily be defined in contrast with what is deviant and abnormal—in the process of which, characteristics that fall outside of the range of normal become re-scripted as not only abnormal, but undesirable and to be avoided. Instead of expanding a woman's options and control over reproduction (as they are often extolled to do), reproductive technologies, and socio-economic pressures to utilize them, actually further constrain and subordinate women's agency to narrowly defined gender ideologies.¹⁷⁹

With ideal normalcy, as socially coded in the context of son preference, female fetuses become deviant and abnormal. Reproductive technologies such as ultrasound help to “confer peace of mind” by identifying “abnormal” pregnancies with female fetuses, while abortion helps women avoid carrying a child of the “wrong” sex to full term.¹⁸⁰ The aim of such technologies is to ostensibly eliminate “disability” through the genetic perfection of offspring, and ultimately “cohere[s] with historically prevalent strategies for normalization and population management.”¹⁸¹ What is most problematic about these efforts at enhancement by elimination of undesirable traits is that abnormality can be variously defined and contorted to include different categories, even biological sex. Social imaginaries coded by gender inequalities and preferences dictate the development of medical technologies that claim neutrality but conform to and facilitate discrimination against “deviance.”

In these contexts, population control comes to signify more than mere management of numbers, it is about controlling the quality and texture of a nation's social fabric. The use of reprogenetic technologies facilitates a level of control over the engineering of the family and the

¹⁷⁹ Unnithan-Kumar, 162.

¹⁸⁰ Unnithan-Kumar, 160. See also Puri et al., 1175 for a discussion of how female is perceived as the “wrong” sex.

¹⁸¹ McWhorter, 52.

construction of citizenship. The advancement of a socially constructed family ideal deemed as “natural” not only defines an individual’s identity but also their notion of morality. A woman who has fulfilled her wifely duties, through the birth of a son, is considered to also be fulfilling her moral obligations. To question the logic of these normalized roles is to also call into question social codes of morality, and as Niveditha Menon has observed, to define and equate the “‘unnatural’ with [the] ‘immoral’ is simply a way of suffocating debate.”¹⁸² The basic logic of the social structure depends upon the disciplining and reproduction of individuals that fit neatly in place within both the family and population—reproductive technologies are just as much about insuring outcomes for normal, predictable citizens as they are about producing desirable, normal offspring.

Demystifying Women

“What, indeed, have we been talking about for nearly forty years? We have been talking about how girls’ and women’s identities and desires have been shaped and circumscribed in efforts to cultivate femininity to enhance masculine strength and pleasure, to prevent female friendship and political alliance... We have been talking about how women’s bodies have been construed as natural vessels, as reproductive equipment, as raw material for masculine creativity...”¹⁸³

Women, particularly in South Asia, cannot be viewed as belonging to a homogenous and unified category. In order to address the issue of sex selection, it is crucial to reorient our thinking concerning power relations not only between women and men but also among women. We must deconstruct our conditioned understandings of women’s behaviors in certain social scenarios, and question our own tacit assumptions. The expectation that women are by their very nature maternal, cooperative, and altruistic must come under thorough scrutiny. These associations are

¹⁸² Menon, 94.

¹⁸³ McWhorter, 53.

drawn from reductive biological essentializations concerning women, reproduction, and the gendered division of labor. We must also call into question the conclusion that Western feminist theory has arrived at the ultimate understanding of gender relations and hierarchies. The ideas informing these concerns are also linked to the sense from women of the global south that this monolithic Western feminist framework is being imposed upon them despite the incredible diversity of perspectives, understandings, and experiences offered by marginalized feminisms and womanisms.

The proposition and imposition of a universal feminist framework has caused a great deal of resistance and debate internationally. The interventions of organizations which are informed by a specifically Western feminist perspective categorically neglect local feminisms, contexts, and even concepts of gender. This forced perspective has become the framework for international aid, intervention, and law and has been termed “governance feminism.”¹⁸⁴ These hegemonic formations impose a form of feminism that is exclusionary and silences the diversity of feminisms at the margins. Governance feminism foists a narrow understanding of womanhood and gender relations from a specifically Western context onto the assumed needs and concerns of other women in other historical and socio-economic settings. It is through these hegemonic force relations—absorbed by transnational economic circuits—that we can most clearly observe how sex and gender are so incorrectly construed as static, universal, and natural categories.

Due to the hegemonic overbearing Western feminist discourse on gender, it becomes necessary to reorient understandings of gender as embedded within local contexts. As mentioned above, gender in South Asia is not a static category, it is not as stubbornly linked to biological sex so much as it is conditioned by one’s life stage. In light of these important differences, Subhadra

¹⁸⁴ Menon, 146.

Channa's extensive examination of South Asian gender formations arrives at a clear conclusion that "[f]eminism in India is...meaningless in the sense of the Western notion of a collective feminine struggle against a collective masculine world. In India, the women's struggle is not for liberation from men, but from the combined oppression of social, economic and now ecological burdens."¹⁸⁵

The feminist struggle as scripted in the Western context is completely useless to South Asian women as it fails to even approach the primary force relations that women must negotiate, therefore, it is indeed "facile to think that women qua women...can unite and eliminate the struggle for power and property."¹⁸⁶ The major power struggle encountered by a married woman is not with her husband or other male members of the conjugal family, but most acutely with her mother-in-law and to a lesser extent, sisters-in-law.¹⁸⁷ The liberation of women in this context then is not reducible to the mediation of male-female tensions and power struggles but rather through socio-economic inequalities and restrictions imposed by state-induced domestic formations and expectations.

A Note on Biology

Anne Fausto-Sterling has famously called into question the acceptance of gender as a necessarily bifurcated categorization linked exclusively to biological sex.¹⁸⁸ Modern medical science has contributed to the fixed notions of gender and sex as discrete binary categorizations

¹⁸⁵ Subhadra Mitra Channa, *Gender in South Asia: Social Imagination and Constructed Realities* (New York: Cambridge University Press, 2013), 207.

¹⁸⁶ Oldenburg, 9

¹⁸⁷ Menon, 44.

¹⁸⁸ See Anne Fausto-Sterling, "The Five Sexes: Why Male and Female Are Not Enough," *The Sciences* (1993); and Anne Fausto-Sterling, "The Five Sexes, Revisted," *The Sciences* (2000).

with only two possible, normal options: male and female.¹⁸⁹ The appeals made to biology as the basis of the naturalness of the gender binary and gendered division of labor are in actuality ungrounded when taking into account the diversity of genetic, physical, and behavioral combinations of feminine and masculine attributes realized across a wide and variant spectrum. This fabricated gender binary is reflected in our language, our laws, and our division of labor and these limited understandings of actually diverse bodies, desires, and conduct have resulted in tightly constructed and strictly enforced codes of behavior.¹⁹⁰ The normalization and propagation of a strictly defined system of male and female heterosexuality by the state and backed by disciplinary medical science has resulted in the construction of the heterosexual patriarchal family as the basic social unit and women as the natural site for the reproduction of citizens.

In her two articles and elsewhere Anne Fausto-Sterling has shown how our “normal” conceptions of sex and gender are based upon a faulty framework of assumptions that have come to be backed by the medical sciences and ultimately enforced by the state. She illustrates in rigorous scientific detail that despite chromosomal organization all embryonic development begins in an “indifferent stage” in which the external genitalia is indiscernible as either male or

¹⁸⁹ Historically, South Asian society has at least socially recognized a third gender more popularly exemplified through the hijra. More recently, however, India has legally recognized the third gender. Though this appears highly progressive, there still remains a strict social and legal recognition of heterosexuality as the exclusively acceptable form of intercourse. The recent reversal of a ruling that decriminalized homosexuality signals this resistance to anything that falls outside of the heterosexual norm. The reestablished Indian Penal Code Section 377 criminalizes anything but ‘natural’ heterosexual intercourse, a move which indicates that despite the recognition of alternative gender identities, there is a marked refusal to acknowledge alternative forms of love and family.

¹⁹⁰ Fausto-Sterling, “The Five Sexes (1993),” 20.

female.¹⁹¹ There are numerous biological factors that lead to various chromosomal-hormonal-anatomical combinations, some combinations are rarer than others, but only two are considered natural, unambiguous, and non-deviant: the “female” combination of XX chromosomes, estrogen, and female reproductive organs and the “male” combination of XY chromosomes, testosterone, and male genitalia.¹⁹² In addition to this refusal to recognize the full spectrum of combinations, there is also a refusal to realize that these characteristics are somewhat malleable and can change at the onslaught of puberty.¹⁹³ The entire complex of chromosomal, hormonal, and anatomical sex is much more fluid than is readily imagined or accepted and can interface with social factors to shape and reshape gender across a lifetime. Gender, then, cannot be responsibly promoted or accepted as fixed nor can it be tied irreducibly to any kind of binary based on the imagined certainty of biological sex.

By illustrating the distinct roles that testosterone and estrogen play in the formation of male and female reproductive systems, Fausto-Sterling is able to highlight an important inconsistency and bias in our scientific “facts” about reproduction. She shows that even scientific understandings of female hormones and development have been either largely neglected by scientific inquiry and interest, or alternatively, clearly conditioned by intrusive “rock-bottom cultural ideas” which stubbornly hold onto opinions saturated with gender-biases.¹⁹⁴ However,

¹⁹¹ Anne Fausto-Sterling, *Myths of Gender*, 83. See also p. 81: “Until the eighth week of fetal life the external genitalia of the human embryo remain identical in both sexes.” This is important to note because fetal imaging lends a kind of certainty to the attributes, anxieties, and desires parents attach to the sex of a child. The visualization of anatomical attributes is taken as a guarantee for behavioral conformity to constructions of gender which are tagged to physiological characteristics that begin in an undifferentiated state.

¹⁹² Anne Fausto-Sterling, “The Five Sexes, Revisited (2000),” 20

¹⁹³ See Anne Fausto-Sterling, *Myths of Gender*, (New York: Basic Books, Inc., 1985), 84 and Fausto-Sterling, “The Five Sexes, Revisited (2000),” 20 for examples.

¹⁹⁴ Fausto-Sterling, *Myths of Gender*, 81.

because the medical sciences are touted as rational and objective they are socially imbued with an authoritativeness that remains largely unquestioned. The pattern of a strictly binary ascription of sex and gender identity (which emerged in Europe towards the end of the Middle Ages) has been reinforced by the sciences, spread globally by colonial hegemony, and remained relevant to modern states “for questions of inheritance, legitimacy, paternity, succession...and eligibility for certain professions.”¹⁹⁵ This conception of sex and gender identity is nocuous and pervasive—it dictates our understandings of ourselves and our desires, it forms the basis of how we construct our families, how we are valued in society, and what roles we are permitted to play—it is called upon by disciplinary authorities to maintain a volatile status quo.

The destabilization of these apparently fixed categories has wide ranging consequences for the underlying structure of economic and domestic labor. The naturalness of the family and its accompanying gendered division of domestic labor rests precariously on a hard and fast dichotomization of gender categories (usually based on biological sex). This domestic arrangement in turn informs the basic structure of the formal economy to which state policy is increasingly beholden. In the sections that follow it will become apparent that once these assumptions are destabilized, the logic of entire systems of power relations and authority—which has been taken as a socio-economic given—begins to unravel.

Gender and Power

The basis of gender in South Asia, as explained by Subhadra Channa, has a social rather than a strictly biological foundation. For women, gender is devised as cyclical rather than fixed—

¹⁹⁵ Fausto-Sterling, “The Fives Sexes (1993),” 23.

mostly neutral at birth, strictly defined according to sexuality, and revised as fertility declines.¹⁹⁶ A woman's gender is not based exclusively on her biological sex, but rather on her capacity for reproduction. Thus, young children are socially genderless until they begin to approach puberty, at which time the strictures of gender divisions begin to be strongly enforced. Pre-menstrual and post-menopausal women are not socially regarded as women in the sense that they are not subject to the same norms and taboos that aim at restricting the sexuality and fertility of other women.¹⁹⁷ Older women who have reached menopause are capable of taking on more attributes of stereotypically male behaviors and roles: the ability to function as the head of a household and to appear and interact in public more freely.¹⁹⁸

This serves of course as a basic conceptualization of gender in the South Asian context, but care must be taken not to exclude the effects and consequences of colonial interventions and transformations of gender that have resulted from transnational circuits of family construction and propriety tied to the state and economics. Victorian notions of proper sexuality and family formation were transposed onto South Asian representations of gender during the colonial period and effected a precarious tension between the fluidity of gender based on sexuality and the process of "gendering citizenship" through the reformulated "heterosexual patriarchal family" that would be devised as the state-sponsored norm.¹⁹⁹ Interactions between colonial authority and north Indian Hindu upper-castes resulted in a dysmorphic combination of

¹⁹⁶ Channa, 12. Obviously, how one's gender is socially *valued* is not neutral at birth, but rather the point here is to illustrate that gender differences at this stage in life are much more minimized in terms of issues related to sexuality and the strict adherence to and performance of gendered roles and expectations.

¹⁹⁷ Channa, 11.

¹⁹⁸ Channa, 12.

¹⁹⁹ Menon, 35.

proprietary behaviors and familial and gender norms borrowed from each context but imposed ruthlessly on all other groups.

This reconfigured family form has come to be understood as natural and consequently serve as the site of the re-articulation of various forms of violence waged against women. It is undeniable that this hegemonic ideal family and the “spread of the practice of non-voluntary dowry and related violence” share a direct correlation with contemporary economic factors and pressures, yet these connections are categorically obscured by discourse that naturalizes the traditionalized heterosexual family while simultaneously implicating [South Asian] culture as the ultimate site of gendered violence.²⁰⁰ What is constituted as “traditional” and “natural” is actually derived from fairly new formations resulting from the superimposition of colonial hegemony onto select South Asian regional hierarchies, and further reinforced and redefined by economic and political factors.

Power, Status, and Competition

Inscribed within the sexual division of labor is a ‘hidden’ domestic hierarchical structure which takes as its primary factors both gender and age. It seems that many misunderstandings of how familial authority is constructed in the South Asian context derives from the assumption that the primary site of familial conflict is between the genders.²⁰¹ As a result, the main sites of competition and conflict for women are in their relationships with other women in the conjugal family—i.e. the mother-in-law and to a lesser extent, sisters-in-law (the wives of her husband’s

²⁰⁰ Menon, 42.

²⁰¹ This is a distinct factor in the misapplication of Western feminist ideology to South Asian gender relations (and lack of its appeal in South Asia and elsewhere)—family dynamics are more complex than the assumption of the exclusively male hegemony which Western feminism posits. The age (and relative fertility) of a woman also plays an important role in her relative status and authority within the family.

brothers).²⁰² This is not to suggest that there is no male authority within families, but for the most part, these gendered spheres are kept separate, with women having to negotiate status- and authority-related conflicts with other women in the family.

The entire matrimonial structure—compulsory heterosexual, virilocal, hypergamous marriage as the reconfigured conventional norm—arranges distributions of authority and power in such a way that “power struggles between women are inbuilt...and are inevitable. This is not because they are ‘women’, but because they are put into positions [in which they] are pitted against one another.”²⁰³ Restricted to domestic and reproductive labor, women are completely dependent upon men (husband and male sons) for economic support, status within the family, and provisional insurance for old age care. A woman’s power and authority is contingent upon these factors within a large extended family, and as Niveditha Menon has indicated, “increased power for one [woman] means reduced power for the other.”²⁰⁴

The seclusion of women and their relegation to the domestic sphere—in either subtle or extreme forms—not only keeps them formally out of public spaces and activities, but also keeps them isolated from one another and perpetually in competition. The transition of women to the formal economy does not significantly reconfigure this competitive arrangement. Embroiled in competition in their domestic contexts, once they have navigated space to enter the public sphere, women are forced to operate in a highly competitive framework amongst men and other women within a predominantly masculinized economy.

²⁰² Oldenburg, 9.

²⁰³ Menon, 44.

²⁰⁴ Menon, 44.

Women's Work

The proper functioning of the market rests precariously upon the *unpaid* domestic labor performed by women in their own homes.²⁰⁵ This sexual division of labor is not based simply on exclusion by patriarchal conservatism so much as exclusion for the sake of the entire economic system's survival. Appeals to the "inherent weakness of women" are thus meaningless in this regard since women bear the brunt of grueling domestic manual labor while men monopolize lighter and better paid professionalized and mechanized work. Almost universally, the labor performed by women receives lower wages and is undervalued, and women are systematically faced with scenarios in which they "end up having to prioritize unpaid domestic work over paid work."²⁰⁶

Even the selective incorporation of women into formalized economic schemes—women joining the workforce, legislation to accommodate maternity leave, etc.—serves to obscure the realities of the damaging effects neoliberalism has on existent imbalances, marginalization, restriction, and violence.²⁰⁷ Despite the increasing numbers of women entering the work force, their financial contributions continue to be ideologically undervalued.²⁰⁸ These devaluations are re-inscribed through neoliberal socializations onto the perceived value of girls and women, generating discourses in which gender hierarchies become underwritten and bolstered more firmly by "market-determined economic value."²⁰⁹ By understanding these processes we can more readily distinguish between merely responding to a market demand on one hand, and

²⁰⁵ Menon, 15.

²⁰⁶ Menon, 11-2.

²⁰⁷ Sangari 4.

²⁰⁸ Unnithan-Kumar, 157.

²⁰⁹ Ibid.

capitalizing on existing inequalities and anxieties in order to render the economic landscape more predictable by reinforcing conventional gender roles on the other hand.

The Myth of Choice

Embroiled in the debates over sex selection is the concept of choice; however, the manner in which choice is imagined in popular discourse remains vague as the distinctions between economic, individual, and reproductive choice become flattened.²¹⁰ The complexities and multiple ways of understanding choice can be expanded or collapsed, depending upon one's motivations, to support ulterior conclusions and incentives. When addressing the confluence of feminist discourse with social issues and processes, then inconsistencies and conflation among different understandings of choice become apparent. Regarding the matter of reproductive rights, on the surface it appears that feminist discourse presents a contradictory message in terms of upholding reproductive choice while simultaneously seeking to restrict sex-selective practices. However, on closer examination, we can observe a spurious appropriation and contortion of feminist language by state and economic actors in defense of a marketized form of agency that is congruent with liberalized choice-driven consumerism and citizenship.²¹¹

Western feminist theory has become inextricably linked to market discourse. An interesting debate regarding choice has developed out of the appropriation of feminist language of reproductive rights by marketized economic defense of individual choice. This cooptation has major implications for the issue of reproductive rights—particularly related to access to safe abortion. In 1994, the International Conference on Population and Development met in Cairo, Egypt, and facilitated an international dialogue on the right of couples and individuals to freely

²¹⁰ Puri et al., 1174.

²¹¹ Sangari, 7.

determine “the number, spacing and timing of their children and to have the information and means to do so,” this was codified in Article 7.3.²¹² What was not emphasized or even countenanced by the participants in the conference was an individual’s right to select or determine the characteristics of one’s own offspring.²¹³

The concept of rights as put forth by liberal feminist discourse has become associated with more economic concerns of privacy rights and personal autonomy in such a way that denying people the ability to pursue reproductive technologies is construed as a violation of the individual’s right to free choice.²¹⁴ However, this choice among reproductive technologies is not a liberating access to unlimited options, but rather further constrains parents’ options according to reproductive technologies which have been “operationalized in service of existing social conventions that confine and restrain the abnormal.”²¹⁵ Indeed, as emphasized by Rebecca Tuhus-Dubrow, “pro-choice activists have struggled for women’s freedom to control their own lives and bodies, not to control the lives and bodies of their children.”²¹⁶ These feminist struggles and discourses have come to be absorbed by a marketized version of reproductive self-determination in an undeniably biopolitical framework. Touted as reproductive choice and freedom, when in fact these technologies seek to contain and restrain the possibility of offspring with characteristics that are socially coded as abnormal, deviant, and undesirable.

In light of these appropriations, it has become critical to reorient and reformulate a new discourse which doesn’t “rely on libertarian concepts and claims that might also sanction

²¹² Cited by Bhatia, 273-4.

²¹³ Bhatia, 274.; see also McWhorter 52.

²¹⁴ McWhorter, 52.

²¹⁵ McWhorter, 52.; quote from Rajani Bhatia, 275.

²¹⁶ Quoted by McWhorter, 52.

reprogenetic and eugenic license.”²¹⁷ Despite efforts at reframing the discussion, the issue remains concerning the best approach to a reorientation of “reproductive justice” in light of the widespread popular association between feminist discourse on reproductive self-determination, and economically-driven ideologies of individual choice.²¹⁸ Niveditha Menon has put forth the observation that “choice” as such is much more limited across the board than talk of liberalized economies and technological options otherwise suggests. The notion of uninhibited free choice within the labor market is not the reality for a majority of the world’s population.²¹⁹ In discussing the notion of “choice” as it relates to labor, Menon cites the examples of commercial surrogacy, which has also become linked to sex selection practices as part of the larger complex of reproductive options available to couples and individuals, and sex work as “labor choices” that inhabit a problematic space in the local and global social conscious. Both are perceived as exploitative forms of labor in which social and economic power dynamics converge on the bodies of disadvantaged women. Menon stresses that despite the specific power relations inherent to commercial surrogacy and sex work there are indeed power relations at every level of labor, and that “the operation of choice [is] limited but still, exercised within possible limits. The ‘choice’ to do sex work is no more or less constrained than the choice of any other work is under capitalism.”²²⁰

This understanding of the universality of limited or conditioned choice within capitalist economics, though an important observation that necessarily reorients prejudiced and limited perspectives of sex work, presents a questionable conviction that levels all economic decisions as

²¹⁷ McWhorter, 53.

²¹⁸ McWhorter, 53.

²¹⁹ Menon, 182.

²²⁰ Menon, 183.

equally weighted and enacted. At the root of this perspective is the resistance to accept women as devoid of agency; however, neither is conditioned choice equivalent to powerlessness nor are all limited choices rendered at different socio-economic levels equal. The limited nature of choice—despite the illusion that all individuals operate at the same level of agency in a free market—is important to recognize as a socio-economic reality; nonetheless, it is debatable as to whether or not these limitations and inequalities should be taken as a given, as if beyond rebuke or reform.

The problem is that the inequalities embedded in pressures to make limited choices in a hierarchal market—in order to survive—not only sustain the current global economic structure, but appear as natural products of capitalist development (which are assumed to eventually work themselves out, though they almost certainly will not). The prioritization of choice and agency within the complexities of the present globalized socio-economic system distracts from the constantly narrowing of options within hegemonic ideological systems and economies, and as Maya Unnithan-Kumar points out, “by focusing on the freedom of choice alone, we are foreclosing the ability to understand the more complex aspects of how women’s agency works.”²²¹ Kumkum Sangari makes the clearest analysis of the predicament: that the “aggrandizement of choice” shifts public accountability on to that of the individual and depicts the conditioned choices made by women in “survival contexts” as redemptive and empowering adaptations within a competitive economic field while simultaneously suppressing the acknowledgement of “the deepening of structural violence” inherent to the system.²²² It is imperative, then, to approach discourses of agency and choice cautiously—we must simultaneously hold to a framework that acknowledges the actual decisions women make in

²²¹ Unnithan-Kumar, 162.

²²² Sangari, 7-8.

complex contexts while also recognizing the hegemonic structures that are both responsible for institutionalizing limitations and professing the emancipatory effects of individual choice amongst competition.

In Defense of Marriage

From the family to the media and the state, the idealization of heterosexual matrimony is reiterated, reproduced, and tightly enforced. Niveditha Menon has criticized the notion of the sexual division of labor as a “natural order” to which appeals are made to justify the seclusion and exclusion of women from alternative economic and domestic roles. Menon observes that due to this conventional gendered division of labor women’s roles as citizens become highly restricted by the notion that domesticity, matrimony, and maternity are women’s “‘primary’ responsibility.”²²³ These ideas are reproduced in state policy as well as through advertisement and the media. The state reinforces “[t]he assumption that women’s primary profession is motherhood,” even in supposedly progressive legislation—improving maternity and/or paternity leave either for the sake of boosting the birthrate (in the case of some European countries) or to extend the appeal and competitiveness of government employment in relation to an increasingly privatized economy (in the case of India).²²⁴

The media also plays a large part in buttressing the appeal of women’s pursuit of an idyllic domestic lifestyle. To take a simple example, a recent article from the *Hindustan Times*, written just in time for Valentine’s Day, elucidates the connections among many of the issues

²²³ Menon, 14.

²²⁴ Ibid. Menon explains that in “2008, the Indian government increased maternity leave for its employees to six months, besides instituting paid leave to its female employees for a further two years...to take care of minor children. This measure, reported a newspaper, would ‘turn women in India Inc. green with envy.’ That is, women employees in the private sector would kill to have the same privilege which women in government employment have—the privilege of compromising their career advancement.”

brought forth by analyzing the conjunctions of historical processes and socio-economic forces with matrimonial formations. This very brief article stakes the claim that “married people face less psychological stress than unmarried individuals” by citing the authority of a study from an American university.²²⁵ The implications of this article reveal globalized consumerism’s influence in conflating romantic love and matrimonial conformity while simultaneously neglecting the stark realities experienced by many women, as well as the selective appropriation of the language and authority of medical research to further promote the naturalness of specific matrimonial and familial forms.

The crux of the study as laid out in the article is that married individuals produce lower levels of stress (as measured by the production of the hormone cortisol) than never married or divorced individuals. The title sets up the reader for an interesting expectation that marriage makes you happier; however, not a single statement in the article explicitly draws this conclusion. The study measured stress hormone levels, and connections are drawn between decreased risk of certain diseases, decreased inflammation, and notes a general interconnection between relationships and “health and disease.”²²⁶ The not-so-subtle title sets up the reader to draw implicit connections between marriage, health, and happiness wherein remaining unmarried or getting divorced not only puts one at greater risk for stress and certain diseases, but ultimately compromises one’s attainment of happiness. The authority of [Western] medical science is called

²²⁵ *Hindustan Times*, “More reasons to tie the knot: Study shows marriage makes you happier,” last modified February 14, 2017, <http://www.hindustantimes.com/sex-and-relationships/more-reasons-to-tie-the-knot-study-shows-marriage-makes-you-happier/story-iz9NqQCVj5T6VtZ9RPYCM.html>.

²²⁶ *Hindustan Times*, “More reasons to tie the knot.” The study only measured participants “over three non-consecutive days,” how this, in the long run, can vouch for lasting and substantial marital happiness remains unseen. The article clearly cherry-picks facts in order to appeal to medical authority and it is likely to trick anyone who doesn’t give pause to the conclusions that it draws for these mostly unrelated findings.

upon to both strengthen and instill the idea that marriage is the ultimate goal in life, especially if one wants to be healthier and happier.

The unstated assumptions are that this marriage must be singular (i.e. not serial) and heterosexual (as reinforced by the imagery used in the article).²²⁷ These assumptions neglect the fact that the reasons for, and the process and consequences of divorce are inherently stressful, and in so doing, present the instances of higher stress hormone levels as the result of simply being unmarried. The fact that close, loving relationships *in general* may be capable of reducing stress levels is never considered in favor of prioritizing the ideal of heterosexual matrimonial formations as coded in the Indian context. The primary point that articles such as this are attempting to establish is that heterosexual marriage is natural and desirable because it promotes good health and by default happiness—“facts” that have been observed, recorded, and reported by the authority of medical science. Despite and against these state-promoted, marketized idealizations, however, the lived realities of many women reveal that this matrimonial arrangement and its inherent expectations and exclusions are far from idyllic and in fact begs the question that if marriage is the goal of a woman’s life, then why is it so often experienced as the end of life?²²⁸

Women’s Attitudes and Realities

Up until this point, we have been examining the historical contexts and theoretical approaches to the discourse on sex selection; however, such an analysis is incomplete until rendered meaningful by the actual experiences, internalizations, and understandings of women who use these technologies. In her study of Rajasthani women’s attitudes towards sex selection,

²²⁷ See figure 10 in the Appendix.

²²⁸ Menon, 43. Menon quotes a young woman who asks: “[i]f marriage is the end of life, how can it be the goal of life?”

Maya Unnithan-Kumar observes two important social processes that contribute to the formation of mothers' conceptualizations of female children and female selective abortion: 1) the role of marriage and reproduction in maintaining the institution of the family viewed as women's social and moral obligation to fulfill, and 2) women's acknowledgement of the economic and gendered inequalities and pressures that inform women's positions in this moral and social framework.²²⁹

Marriage is seen as instrumental in formulating perceptions of the value of women and the "quality of life for mother and children."²³⁰ The institution of marriage in its current form—shaped by many factors as a social imaginary to which people are compelled to adhere and uphold—informs the construction of the family which encapsulates, insulates, and perpetuates gender and social hierarchies. Unnithan-Kumar also observes justifications of the biological basis for South Asian gender hierarchies and marriage formation, supposedly flowing out of religious and Ayurvedic texts—but more importantly as a socially coded understanding of the transmission of lineage, or "blood," and imperative to maintaining patrilineal conventions.²³¹ Women in these contexts are subject to derision when they only bear daughters and face the social stigma of "infertility" if they are unable to deliver the expected "quota" of male heirs in a family.²³²

In the specific lower and middle-class Rajasthani contexts in which Unnithan-Kumar conducts her study, she makes note of specific attitudes concerning family planning and contraception. It has been shown that certain modes of contraception—condoms, hormonal

²²⁹ Unnithan-Kumar, 153-4.

²³⁰ Unnithan-Kumar, 156.

²³¹ Unnithan-Kumar, 156-7.

²³² Unnithan-Kumar, 163. See also Puri et al., 1171 regarding the association of infertility with not producing sons.

treatments, and IUDs (intrauterine devices)—are met with unpopularity and general resistance in India.²³³ Unnithan-Kumar attributes this resistance, in Rajasthan at least, to the “shame associated [with] talking about sex, men’s (and often women’s) taken-for-granted attitude about women’s lack of sexual rights or...needs and women’s ‘naturalized’ connection to constant childbearing.”²³⁴ In negotiating contraceptives such as condoms or hormone pills, women are placed in direct confrontation with their husbands about issues that generally provoke embarrassment and hold the potential to generate conflict within a family. Alternatively, pregnancy termination, as a socially coded method of acceptable family planning, avoids confrontational resistance to a man’s assumed position of authority over his wife’s fertility and sexuality, while at the same time allowing women some scope to plan and space their pregnancies.²³⁵ Furthermore, abortion has also taken on a specific meaning as a manner of cleansing and purifying a woman’s womb (referred to as *safai*, “cleaning”) as well as improving her reproductive health, increasing her fertility (i.e. ability to bear sons), and ensuring a higher quality of offspring.²³⁶

Reproductive technologies, such as ultrasound and abortion, are thus coded differently in different local contexts. Instead of facilitating maternal bonding through the visualization of the fetus (as it is usually assumed to do in the United States and other Western contexts), ultrasound imaging links up to the complex factors that inform a woman’s emotions for her child based upon

²³³ Unnithan-Kumar, 158. Another possible reason for this resistance can be tied to the coercive family planning measures undertaken during the 1970s in India. These forms of contraception, though reversible are most likely viewed as compromising one’s fertility, or worse, capable of making a woman sterile before she has fulfilled her reproductive obligations.

²³⁴ Ibid.

²³⁵ Ibid.

²³⁶ Ibid.

the aspirations and anxieties tied to the child's sex.²³⁷ Instead of generating a “moral dilemma” related to abortion, ultrasound “scans” are undertaken by women with the predetermined outcome of abortion if the fetus is found to be female—the process of discussing and consenting to getting an ultrasound to begin with is thus rendered the more difficult and controversial decision taken by women under familial and social pressures.²³⁸ Unnithan-Kumar further observes that the “psychological, social, and emotional trauma following the birth of female children to women who have no sons” appears to be mitigated by the management of definitive outcomes facilitated by these technologies.²³⁹

Another interesting aspect of the matrix of influences and factors involved in the controversial nature of sex selection and reproductive technologies is the role that medical doctors play in facilitating these practices. Unnithan-Kumar makes note of the understandings and justifications of doctors who provide services that contribute to the selective abortion of female fetuses as making provision for the rights of their patients even against legislation that bans such use of the technologies.²⁴⁰ The issues related to sex-selective technologies take on more complex dimensions as these conflicting perspectives come to bear on the options and decisions made available to and exercised by women. The justifications provided by individual doctors reflect a marketized understanding of individual reproductive rights and it becomes problematic to suggest that these “rights-oriented” medical decisions are carried out without being at least partially profit-driven.²⁴¹

²³⁷ Unnithan-Kumar, 160.

²³⁸ Puri et al., 1173.

²³⁹ Unnithan-Kumar, 160.

²⁴⁰ Unnithan-Kumar, 154.

²⁴¹ See interview of a doctor by Unnithan-Kumar, 161.

In an interview, a doctor tells Maya Unnithan-Kumar that it is an obligation to help a woman who only “has four daughters” and is “oppressed by her in-laws,” that it is each individual woman’s right to manage her pregnancies according to her own needs.²⁴² The doctor reports that, “I believe boys and girls are equally good. But very few people are satisfied if they don’t have a boy”—this line of thinking and justification does little to call into question not only the normalized modes of thought driving this dissatisfaction with girl children, but also categorically neglects the roles that medical technologies and individual physicians play in perpetuating them, all while turning a profit. Despite this “underlying ethic of social service” that characterizes how doctors reconcile their furnishing of sex-selection technologies, it is clear that their complacency is perpetuating and tightening the institutionalized violence that threatens women and pushes them to seek these technologies in the first place.

Real Migrations, Real Violence

Another illuminating aspect of women’s lived realities can be found in immigrant contexts. By observing the transformations and challenges faced by immigrant women who have to navigate the transposition of social expectations from one environment to another, we can better analyze the actual factors, risks, and emotions experienced by women who pursue medically assisted sex-selective techniques. In their ethnographic study on immigrant South Asian women in the United States, Puri et al. address the attitudes and factors that both pressurize and inform women’s decisions to pursue sex selective technologies.²⁴³ The authors

²⁴² Unnithan-Kumar, 161

²⁴³ Puri et al. comment that even when women were not living in an extended family context, they still experienced consistent pressures to have a son. This is important to note in regard to the increasing number of nuclear families in India’s cities (as well as immigrant contexts)—though women may have more physical distance from their extended family, the pressures and conflicts related to having male children are not necessarily diminished.

show that social attitudes are not simply transplanted from one context to another but undergo important transformations in relation to the United States' specific socio-economic configuration as well as the availability of technologies and procedures that are either illegal or stigmatized in India.

One important transformation in attitudes toward female children of the women interviewed emphasized concern over raising girls in a more sexually permissive society. The consumption of popular media representations of American culture has further reinforced and solidified extant fears of promiscuity and its inherent risks to family honor and by implication, the security for parents of a daughter's marriageability in a highly limited marriage market. Puri et al. explain that the women "spoke less about wanting to protect unborn girls from their own suffering and more about a combination of concern over a girl's premarital sexual practices and a desire to limit family size...in an expensive Western setting."²⁴⁴ The women's attitudes drew from both anecdotal understandings (usually from female relatives or friends) of how having a son positively effects women's status, value, and security within the family, and the "cultural" valuation of sons that signifies their economic and social roles.²⁴⁵

The need to have a small family, re-scripted in the immigrant context as a financial necessity in an expensive foreign environment, helps to reconfigure the justifications, but reinforce the "logic" and motivations behind ascribed gender roles and the institutional framework of the conventional heterosexual family. Despite referencing concrete examples of daughters who provided care for elderly parents, women still insisted that "the roles of care-taking, wage-

²⁴⁴ Puri et al. 1174. A common discourse often cited in interviews and reported in ethnographic studies concerning Indian women's aversion to having girls is that they don't want their daughters to suffer the same social and economic hardships and struggles that they have had to endure.

²⁴⁵ Puri et al., 1170-1171

earning, and cross-cultural negotiation were the duties of sons, not daughters.”²⁴⁶ In a further contradiction of experiential logic, women insisted on conferring these duties exclusively to sons, while simultaneously expressing concern over post-9/11 America and the stereotyped discrimination and violence South Asian (particularly Sikh) men face.²⁴⁷ An important contributing factor to this hesitance to recognize daughters as equally valuable members of a family stems from the anxieties related to female sexuality. Paradoxically, the “greatest fear” reported among the women was the threat of *consensual* sex and a daughter’s promiscuity.²⁴⁸ This perception of increased risk to familial conventions associated with having daughters in immigrant families places women under tighter constraints to adhere to scripted proprietary social behaviors “in the absence of resource sharing” and emotional support within extended kinship and social networks.²⁴⁹

Among the factors motivating women’s pursuit of sex-selective technologies are the combined pressures from in-laws and the threat of or actualized verbal abuse, shaming, neglect and/or abandonment, physical abuse, and outright violence.²⁵⁰ The range of abusive responses to women not producing male children, though not the only influential factor, plays a very important role in shaping women’s decisions—especially in immigrant contexts in which supportive friends and natal family members are even more likely to be geographically estranged. A majority of the pressure is felt specifically from the mother-in-law; in fact many women who

²⁴⁶ Puri et al., 1171.

²⁴⁷ Puri et al., 1171.

²⁴⁸ Ibid.

²⁴⁹ Ibid.

²⁵⁰ Puri et al., 1173.

had given birth to “too many girls” reported verbal threats and abuse from their mothers-in-law accompanied by silent complicity from their husbands.²⁵¹

With each pregnancy women reported increased pressures to have a male child, realized through an escalation of verbal abuse and/or violence:

“My mother in law always tells me I am useless because I do not have a son. If I do not have a son, she says, they will send me back to India.”

“My husband pushed me into a wall after the test showed another girl. He said he hoped the baby died.”²⁵²

These seem as if extreme, atypical cases; however, Puri et al. present multiple instances from the women they interviewed that reiterate the content and qualities of these threats of violence or abandonment, and instances of verbal abuse and violent assault just because they were carrying a female fetus or had only daughters. Puri et al. reported that most of the women acknowledged that their decisions were “mediated by others in their extended family” and “many did not feel empowered to engage in shared decision making” regarding issues of family planning, the spacing, timing, or termination of pregnancies.²⁵³ The women expressed experiences of decreased control over decision making, lack of support from husbands or other family members, as well as being subject to surveillance by their mothers-in-law.

Within these contexts women experienced “conflicting feelings about terminating” healthy pregnancies just because the fetus was female.²⁵⁴ Of the women who sought ultrasound for sex determination and found that they were carrying girls, only three of the 27 women chose

²⁵¹ Puri et al., 1172-3.

²⁵² Puri et al., 1173.

²⁵³ Ibid.

²⁵⁴ Ibid.

not to abort, citing their “inability to ‘save’ their other daughter(s)” and incapability of coping with “the guilt, shame, and sadness that they felt for terminating a healthy female fetus simply because of its sex.”²⁵⁵ The fact that women are taking the decision not to terminate such a pregnancy in the face of threats of violence, abuse, or abandonment reveals that women are not so tightly constrained as to not risk taking charge of their reproductive capacities and outcomes. Though it is not mentioned in the statistical break down of their study, it would be informative to know the families’ responses to these women’s decisions, and whether or not these women were or had the potential to be financially independent. Most of the women in the study were either checking with ultrasound and “correcting” with abortion or directly pursuing technologically-assisted methods of conception that could insure the outcome of a male child.

One final observation revealed through Puri et al.’s study is how women construed their understandings of their decision making and independence. In certain ways, immigrant women are “more vulnerable to reproductive coercion and family violence,” whereas, in other regards, they are supposedly presented with a wider range of possibilities to assert independence.²⁵⁶ Regardless of their admittedly conditioned choices regarding their reproductive options, women also asserted that pursuing these technologies facilitated an expression of their “independence and, perhaps, self-preservation” especially in the context of an environment in America that “afford[s] the legal means and the technology to increase their power and security” within their domestic environments.²⁵⁷ Despite the conventional discourse emphasizing the redemptive and liberating aspects (and even neutrality) of reproductive technologies, these technologies effectively

²⁵⁵ Puri et al., 1173.

²⁵⁶ Puri et al., 1175.

²⁵⁷ Ibid.

restrict reproductive choice by operating within and reiterating socially-constrained ideas of normalcy and deviance; and, simply by their availability, increase compulsion to make use of them.²⁵⁸

Conclusion

The issue of sex selection is not reducible to a singular disciplinary perspective—it cannot be understood fully from either a purely economic or socio-cultural methodology alone—it requires an intersectional approach that scrutinizes from all directions. Conventional discourse concerning sex selection in India obfuscates the complex matrix of power relations, influences, and agents involved in women’s engagement with family planning strategies and reproductive technologies. Instead of expanding women’s freedom of choice, reprogenetic technologies further restrict reproductive outcomes socially coded as acceptable, and aggravate “conditions that make it difficult for women to put up resistance to becoming pregnant,” or control the trajectory of their pregnancies.²⁵⁹ It is insufficient to cite cultural determinism in any analysis of these dynamic and complex processes and interactions. Women’s experiences of agency are variously constricted or expanded by the availability of reproductive technologies in ways that are not entirely obvious.

Over the last few centuries specific heterosexual, patrilineal, virilocal family forms have been re-scripted, solidified, and spread through the collusion of colonial and upper-caste hegemonies in India. The strengthening of this familial “norm” by colonial and post-Independence state policies and economics has resulted in an intensification of son preference, and by default, daughter aversion. These preferences and aversions are further reinforced by the tightening of pressures to manage family size while maintaining conventional ideals of

²⁵⁸ Puri et al., 1175.

²⁵⁹ Unnithan-Kumar, 158.

inheritance and old age security. The specialization and exclusionary growth of formalized economic labor is related to the artificial gendered division of labor within the domestic context, which is in turn translated into contemporary socio-economic inequalities. Though there are exceptions, the general resistance of men to take part in domestic duties reflects conceptual gender binaries which have enormous consequences for the ordering of social roles within families as well as society at large.

Women, as socio-economic dependents, are placed in a position where they must either perform the unwaged domestic labor of their own household while depending upon husbands or sons as breadwinners; or otherwise, support themselves by entering into unskilled, informal labor markets. Of course, women are increasingly filling professional roles; however, as Niveditha Menon and Maya Unnithan-Kumar have pointed out, they are still expected to fulfill maternalistic social obligations in addition to their careers (which are seen as secondary), as well as face the reality that their formal economic contributions remain ideologically undervalued.²⁶⁰ This reflects sustained and transposed binary gender roles in neoliberal economics. The liberalized market does not liberate—despite its misleading language of freedom, choice, and self-determination—but rather further reinforces and solidifies (albeit discretely) conventional gendered structural inequalities along with subordination to state and familial hegemony. The opportunity of certain groups of women to “step out” of the domestic sphere does not result in an equalization or redistribution of gender roles, but rather, either transfers feminized domestic labor onto lower class/caste women or doubles women’s work loads—while simultaneously fortifying the assumption that women’s ultimate, natural role is reproduction.

²⁶⁰ Menon, 11-2; Unnithan-Kumar, 157.

Women have uneven access to new reproductive technologies that can help fulfill social imaginaries which favor and value sons over daughters. The use of these technologies is stratified and conditioned by expectations to uphold socially scripted obligations within the patriarchal family, as well as by the threat of real violence. Instead of expanding choice, these reprogenetic technologies further contribute to the socio-economic scripting of gender roles as well as what constitutes normalcy. Geopolitics and transnational economic formations are equally accountable in the spread and unbalanced use of reproductive technologies in India; however, this fact is often concealed by denigrating criticism of the mal-appropriation of impartial medical technologies by “other” cultures in gender-based discriminatory practices. Rajani Bhatia suggests that comprehending sex selection, as realized through the use of globalized reproductive technologies, as a “transcultural issue” will aid in reorienting the discourse away from such limited, binary modes of understanding.²⁶¹

The analysis of the complex socio-economic issue of sex selection in India, which on the surface appears culturally relative, can actually be shown as a locally transcribed expression of a globally dispersed pattern of gendered violence and exclusion. Neither is India the only location where such violence occurs, nor is its complex cultural makeup solely accountable for its instantiation—global economic and political shifts and circuits also impact and inform the trajectories of women’s conditional use of reproductive technologies to select the sex of their children. As Kumkum Sangari insists, we cannot be complacent with inequality as a socio-economic given²⁶², but rather must trace, and re-trace, these unequal distributions of power in

²⁶¹ Bhatia, 288.

²⁶² Sangari, 1.

order to lay bare the underlying causes and messy implications of gender-based discrimination and violence which are absorbed, insulated, and obscured by normative discourse.

Works Cited

- Bhatia, Rajani. "Constructing Gender from the Inside Out: Sex-Selection Practices in the United States." *Feminist Studies* 36 (2010): 260-291.
- Biswas, Soutik. "India's 'imported' brides." Last modified May 23, 2011. <http://www.bbc.com/news/world-south-asia-13331808>.
- Channa, Subhadra Mitra. *Gender in South Asia: Social Imagination and Constructed Realities*. New York: Cambridge University Press, 2013.
- Corbridge, Stuart, John Harriss, and Craig Jeffrey. *India Today: Economy, Politics & Society*. Malden: Polity Press, 2013.
- Eklund, Lisa, and Navtej Purewal. "The bio-politics of population control and sex-selective abortion in China and India." *Feminism & Psychology* 27 (2017): 34-55.
- Fausto-Sterling, Anne. "The Five Sexes: Why Male and Female Are Not Enough." *The Sciences* (1993): 20-25; Peer review: 3-4.
- Fausto-Sterling, Anne. "The Five Sexes, Revisited." *The Sciences* (2000): 18-23.
- Fausto-Sterling, Anne. *Myths of Gender*. New York: Basic Books, Inc., 1985.
- Filipovic, Jill. "The unintended consequences of India's war on sex selection." *World Policy Institute* (2016): 71-79, doi: 10.1215/07402775-3545954.
- Harvey, David. "Neoliberalism as Creative Destruction." *The Annals of the American Academy* 610 (2007): 22-44.
- Hindustan Times*. "More reasons to tie the knot: Study shows marriage makes you happier." Last modified February 14, 2017. <http://www.hindustantimes.com/sex-and-relationships/more-reasons-to-tie-the-knot-study-shows-marriage-makes-you-happier/story-iz9NqQCVj5T6VtZ9RPYCMP.html>.
- Jeffery, Patricia. "Supply-and-demand demographics: dowry, daughter aversion and marriage markets in contemporary north India." *Contemporary South Asia* 22 (2014): 171-188.
- Jha, Prabhat, Maya A. Kesler, Rajesh Kumar, Faujdar Ram, Usha Ram, Lukasz Aleksandrowicz, Diego G. Bassani, Shailaja Chandra, and Jayant K. Banthia. "Trends in selective

- abortions of girls in India: analysis of nationally representative birth histories from 1990 to 2005 and census data from 1991 to 2011.” *Lancet* 377 (2011): 1921-1928.
- Kandiyoti, Deniz. “Bargaining with Patriarchy.” *Gender and Society* 2 (1988): 274-290.
- McWhorter, Ladelle. “Darwin’s invisible hand: Feminism, reprogenetics, and Foucault’s analysis of neoliberalism.” *The Southern Journal of Philosophy* 48 (2010): 43-63.
- Menon, Niveditha. *Seeing Like a Feminist*. New Delhi: Zubaan and Penguin Books, 2012.
- Nandi, Arindam, and Anil B. Deolalikar. “Does a legal ban on sex-selective abortions improve child sex ratios? Evidence from a policy change in India.” *Journal of Development Economics* 103 (2013): 216-228.
- Neogi, Sutapa Bandyopadhyay, Preeti H. Negandhi, Abhijit Ganguli, Sapna Chopra, Navraj Sandhu, Ravi Kant Gupta, Sanjay Zodpey, Amarjeet Singh, Arun Singh, and Rakesh Gupta. “Consumption of indigenous medicines by pregnant women in North India for selecting sex of the foetus: what can it lead to?” *BMC Pregnancy and Childbirth* 15 (2015): 208.
- Oldenburg, Veena. *Dowry Murder: The Imperial Origins of a Cultural Crime*. New York: Oxford University Press, 2002.
- Patel, Geeta. “Advertisements, Proprietary Heterosexuality, and Hundis: Postcolonial Finance, Nation-State Formations, and the New Idealized Family.” *Rethinking Marxism* 24 (2012): 516-535.
- Puri, Sunita, Vincanne Adams, Susan Ivey, and Robert D. Nachtigall. “‘There is such a thing as too many daughters, but not too many sons’: A qualitative study of son preference and fetal sex selection among Indian immigrants in the United States.” *Social Science & Medicine* 72 (2011): 1169-1176.
- Sangari, Kumkum. *Solid : Liquid: A (trans)national reproductive formation*. New Delhi: Tulika Books, 2015.
- Unnithan-Kumar, Maya. “Female selective abortion — beyond ‘culture’: family making and gender inequality in a globalising India.” *Culture, Health & Sexuality* 12 (2010): 153-166.
- Vora, Priyanka. “Desire for male child triggering stillbirths in country: Study.” Last modified March 8, 2016. <http://www.hindustantimes.com/mumbai/desire-for-male-child-triggering-stillbirths-in-country-study/story-xYdLb4jQojQFvIU3sDzo0L.html>.

Appendix

Figure 1: Sex ratio (girls per 1000 boys) of first-order and second-order births, conditional on sex of firstborn, from 1990–2005

Red brackets show the natural sex ratio range of 950–975 girls per 1000 boys. Tests for trend: any firstborn, $p=0.152$; second birth, firstborn was girl, $p=0.002$; second birth, firstborn was boy, $p=0.023$. The numbers of births for each figure are provided in the webappendix (p 3). We used 3-year rolling averages, with the midpoint shown (eg, 1991, 2004).

Figure 1: Prahbhat Jha et al., “Trends in selective abortions of girls in India: analysis of nationally representative birth histories from 1990 to 2005 and census data from 1991 to 2011,” *Lancet* 377 (2011): 1923.

Figure 2: Sex ratio (girls per 1000 boys) of second-order births, if firstborn was a girl, by mother's level of education and household wealth index, from 1990–2005
 Red brackets show the natural sex ratio range of 950–975 girls per 1000 boys. Test for trend: illiterate, $p=0.347$; grade 10 or higher, $p=0.014$; poorest 20%, $p=0.026$; richest 20%, $p=0.002$.

Figure 2: Prahbhat Jha et al., “Trends in selective abortions of girls in India: analysis of nationally representative birth histories from 1990 to 2005 and census data from 1991 to 2011,” *Lancet* 377 (2011): 1924.

Figure 3: 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).

Figure 3: Prahbhat Jha et al., “Trends in selective abortions of girls in India: analysis of nationally representative birth histories from 1990 to 2005 and census data from 1991 to 2011,” *Lancet* 377 (2011): 1925.

Figure 4: Genetics & IVF Institute. Image from “Main Page.” Accessed March 1, 2017. <http://www.givf.com>.

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Figure 5: Genetics & IVF Institute. Image from “Main Page.” Accessed March 1, 2017. <http://www.givf.com>.

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Figure 6: Genetics & IVF Institute. Image from “Main Page.” Accessed March 1, 2017. <http://www.givf.com>.

Figure 7: Genetics & IVF Intitute. Screenshot from “Main Page (Translated in Mandarin Chinese).” Accessed April 12, 2017. <http://www.givf.com/cn/index.shtml>.

Figure 8: Microsort International. Screenshot from “Locations.” Accessed April 12, 2017. http://www.microsort.com/?page_id=311.

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MicroSort México

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Colonia Santa Fe delegación
Cuajimalpa, C.P. 05109 Distrito Federal México

Phone: **+52 (55) 5292 1525**

Getting There

Airport:

Name: Benito Juárez International Airport
IATA Code: MEX / **ICAO Code:** MMMX
Distance from laboratory: 26km

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Figure 9: Microsort International. Screenshot from “Visiting Microsort Mexico City.” Accessed April 12, 2017. http://www.microsort.com/?page_id=631.

The results showed that married participants had lower cortisol levels than the never-married or previously-married people across the three-day period. (Shutterstock)

Figure 10: Hindustan Times. Image from “More reasons to tie the knot: Study shows marriage makes you happier.” Last modified February 14, 2017. <http://www.hindustantimes.com/sex-and-relationships/more-reasons-to-tie-the-knot-study-shows-marriage-makes-you-happier/story-iz9NqQCVj5T6VtZ9RPYCMP.html>.