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Conceptualizing the problem of ‘unwanted girls’ and analyzing the Indian State’s response

Authors

Advaita Rajendra, Indian Institute of Management, Ahmedabad

advaitar@iima.ac.in

Ankur Sarin, Indian Institute of Management, Ahmedabad

asarin@iima.ac.in

Navdeep Mathur, Indian Institute of Management, Ahmedabad

navdeep@iima.ac.in

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Conceptualizing the problem of ‘unwanted girls’ and analyzing the Indian State’s response

Advaita Rajendra¹, Ankur Sarin¹, Navdeep Mathur¹

Abstract

Drawing from Rittel and Webber’s theorizing of ‘wicked problems’ we conceptualize ‘unwanted-ness’ of girls in India, as a wicked problem. We examine theoretical arguments and interventions of the state to unpack the wickedness of the problem. We argue that the Indian state in its vision and treatment is either unable or unwilling to grapple with the “wickedness” of the problem, and chooses to frame it as a ‘tame’ one. We hope to bring to light the wickedness of the problem and make a call for its nuanced understanding, so as to ameliorate the gender inequalities.

Keywords: gender inequality, wicked problem, unwanted females, child sex ratio

1. Background

From trying to get rid of her at birth, to systematic discrimination through daily practices, to finally ‘marrying her off’ and getting rid of her, a girl is a site of a series of oppressions owing to her gender. Partly manifested in acts of sex-selective abortions, female infanticide and abandonment of girl infants, the “unwanted-ness” of a girl child manifests and is reinforced by varying forms of oppression that may be understood as ‘coercions’ and unquestioned daily practices (West & Zimmerman, 1987; Young, 2011). The unwanted-ness reveals itself in subtle forms like lack of celebration at their birth (as opposed to the birth of a boy), to unequal education (Balatchandirane, 2003) to lack of nutrition (Pande, 2003), to severe forms like that of being put to death before/at birth. The value of her life can be compared to that of ‘bare life’ – “*one that can be killed, but not sacrificed.*” (This is to say that the life of an infant girl is so devalued, that although the state would not actively ‘sacrifice’ the life, she can be killed with impunity) (Agamben, 1998). The ‘unwanted-ness’ only partly manifests itself in acts of sex-selective abortion, female infanticide and abandonment of girl infants. The state has not been an absent bystander.

In early 2016, the Rajasthan state government introduced the *Ashray scheme* (cradle scheme), a program that require selected spaces (public hospitals) to have cradles placed in which parents could ‘safely’ abandon their girl child (Ali, 2016). Thought out mechanisms (of the alarm going off after 2 minutes) to ensure the anonymity of the parents were also in place. In doing so, the Ashray Scheme replicated a program

¹ Indian Institute of Management, Ahmedabad

² The program was rolled out in three districts of Tamil Nadu – Salem in 1992, in Dindigul and Madhurai in 2001 and was later extended to other districts, Cuddalore, Ariyalur, Perambalur, Vilupuram and Tiruvannamalai districts in 2011 (Priya, 2016).

³ In Tamil Nadu, till 2010-2011 (close to 20 years of the program running), 3622 babies were received at these centers (Priya, 2016). In Rajasthan, in less than 6 months of the roll out of the program in

now running for 25 years in another state in India, Tamil Nadu². Both programs boast of saving a significant number of infants³. Even so, the state supported programs to “abandon” female infants have come under scrutiny from activists, academicians, (Ghosh, 2013; Srinivasan & Bedi, 2010), and even the judiciary⁴ (‘How long will cradle baby scheme continue?’ , 2016).

What have come under less scrutiny and more praise have been conditional cash transfer schemes that promise parents cash as their girl children complete different milestones. For instance, in 2008, the central government launched a *The Dhan Laxmi Program* (female as a treasure), a conditional cash transfer program,⁵ in an attempt to arrest the declining trend of the child sex ratio. In doing so, it replicated what several states in India, including Delhi (*Ladli*) Karnataka (*Bhagya Laxmi*), Himachal Pradesh, Punjab (*Rakshak Yojna*), Bihar (*Mukhya Mantri kanya suraksha yojana*), which had been run similar conditional cash transfer programs. While the financial incentives have received less severe criticism (see Sekher, 2010) as compared to the cradle scheme, we argue that they share many of the same underlying assumptions of the problem they seek to be solutions to. Adopting the role of ‘care-taker’ of the “unwanted girl child”, these programs unfortunately also typify larger national interventions, including the more recent *Beti Bachao Beti Padhao* (BBBP) that is supposedly more comprehensive in its approach.

A key impetus to the state interventions has been frequent references in mainstream media to the falling child sex ratio. In 2011, India had 918 girls in the age of 0-6 for every 1000 boys⁶ (Census, 2011). This was a further dip from 927 in 2001 (Census 2001 and 2011), 945 in 1991 and 962 in 1981. What started as the state’s attempt to capture schooling and literary statistics in the census (leading to 0-6 years as a new category) led to the accidental discovery of depressing trends in the child sex ratio (John, 2014). The rate of fall reduced from 18 points in the 1990s to a 9-

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³ In Tamil Nadu, till 2010-2011 (close to 20 years of the program running), 3622 babies were received at these centers (Priya, 2016). In Rajasthan, in less than 6 months of the roll out of the program in February, 12 infants were received (Goswami, 2016) and 35 infants in less than a year, of which 25 were girls (Goswami, 2017).

⁴ The Madras high court in 2016 also raised questions about the time since which the program is running, and if alternate programs were being run to check the act of ‘abandonment’ of infants.

⁵ The program promises Rupees one lakh to a girl child under of conditions of being immunised, complete schooling till eighth grade, and not being married till the age of eighteen (Nayar et al., 2013).

⁶ The ratio of the number of females to males in the age group of 0-6 years is also defined as the child sex ratio (CSR). This definition is also used in the paper ahead.

point decline in the first decade of the 2000s. The lower child sex ratio predictably follows into lower sex ratio among youth. It has dropped to 939 in 2011 as compared to 961 in 1971, and is estimate to drop to to 904 in 2021 and further to 898 by 2031 (SSD, MoSPI, GOI, 2017).

The first identification of the “problem” can be traced to the first waves of feminist movements in India, in 1870s, when female infanticide was made equivalent to a ‘murder’ by the British government with the passage of the Female Infanticide Prevention Act in 1870. If number of newspaper articles on a topic can give us an idea of the public perception of the severity of the problem - the Times of India⁷ had an average of 40-45 articles in the decades of 1840s-1880s. After meager discussions⁸ for the next 100 years, the news picks up again in 1980s with 57 records, and to 166 records in the 1990s (TOI, 1838-2007). Terms like ‘sex ratio,’ ‘feticide,’ ‘patriarchy’ also seem to be catching up in the 1990s and early 2000s. Table 1 tabulates the total number of articles with the mentioned terms. To adjust for a possible increase in the total number of articles over the years, table 2 tabulates the adjusted number of articles for the mentioned terms.

Table 1: The number of articles⁹ with the word ‘female infanticide,’ ‘sex ratio,’ ‘feticide,’ ‘patriarchy’ in the Times of India. Source: Proquest Times of India Archives (1830-2009).

Year	Total	‘Female infanticide’	‘Sex ratio’	‘Feticide’	‘Patriarchy’	‘Sex selective abortion’
1830-1839	3095	6	-	0	0	0
1840-1849	21536	42	2	0	0	0
1850-1859	20449	39	5	0	0	0
1860-1869	15425	12	4	0	0	0
1870-1879	80594	40	8	0	0	0
1880-1889	123209	45	15	0	0	0
1890-1899	103325	26	8	1	2	0
1900-1909	154287	23	10	1	2	0
1910-1919	172539	28	20	1	2	0
1920-1929	225043	19	20	1	2	0
1930-1939	344664	15	38	1	2	0
1940-1949	181776	2	3	1	2	0
1950-1959	312282	16	20	1	2	0
1960-1969	262993	1	15	1	2	0
1970-1979	261412	13	42	1	9	1

⁷ The Times of India is the oldest English daily of India which is still in circulation (Bhattacharje, 2009).

⁸ The number of articles on female infanticide varied during these 100 years from 1 in the 1960s to 28 in 1910s.

⁹ The numbers are only indicative; each article may not have directly dealt with the respective key word.

1980-1989	314753	57	89	10	25	20
1990-1999	425896	166	205	20	112	25
2000-2009	444474	117	366	61	71	49

Table 2: The number of articles¹⁰ with the word ‘female infanticide’, ‘sex ratio,’ ‘feticide,’ ‘patriarchy’ in the Times of India, adjusted to¹¹ the total number of articles published in that decade. Source: Proquest Times of India Archives (1830-2009).

Year	Total	‘Female infanticide’	‘Sex ratio’	‘Feticide’	‘Patriarchy’	‘sex selective abortion’
1830-1839	3095	193.861	0.000	0.000	0.000	0.000
1840-1849	21536	195.022	9.287	0.000	0.000	0.000
1850-1859	20449	190.718	24.451	0.000	0.000	0.000
1860-1869	15425	77.796	25.932	0.000	0.000	0.000
1870-1879	80594	49.631	9.926	0.000	0.000	0.000
1880-1889	123209	36.523	12.174	0.000	0.000	0.000
1890-1899	103325	25.163	7.743	0.968	1.936	0.000
1900-1909	154287	14.907	6.481	0.648	1.296	0.000
1910-1919	172539	16.228	11.592	0.580	1.159	0.000
1920-1929	225043	8.443	8.887	0.444	0.889	0.000
1930-1939	344664	4.352	11.025	0.290	0.580	0.000
1940-1949	181776	1.100	1.650	0.550	1.100	0.000
1950-1959	312282	5.124	6.404	0.320	0.640	0.000
1960-1969	262993	0.380	5.704	0.380	0.760	0.000
1970-1979	261412	4.973	16.067	0.383	3.443	0.382
1980-1989	314753	18.109	28.276	3.177	7.943	6.354
1990-1999	425896	38.977	48.134	4.696	26.297	5.870
2000-2009	444474	26.323	82.345	13.724	15.974	11.024

The scope of the paper

The paper frames the problem of female unwanted-ness as a wicked one, by interrogating the “normative principles and values” (Fischer, 1995, p. 19) that may underlie some of the interventions of the state and the conflicts that arise in these principles and values. We analyze some state interventions to reveal the wickedness of the problem they intend to resolve. We go beyond analyzing a policy from its ‘empirical aspects’ and “access the value judgments that infuse policy decisions” (ibid: p.1) thereby unraveling the wickedness of the problem. It allows us to unravel the complexity of the issue, and reveal value conflicts, and uncertainty of state

¹⁰ The numbers are only indicative; each article may not have directly dealt with the respective key word.

¹¹ Number of articles with the mentioned keyword in the given decade, divided by the total number of articles in the given decade, multiplied by 1,00,000.

interventions that have the aim of reducing female unwanted-ness. We do not wish to “empirically predict” the consequences of such policies, but deliberate and therefore reveal the value contradictions that follow from such interventions.

A few aspects, although pertinent, remain out of the scope of the paper. One, the paper does not deal with the geographical spread of skewed sex ratios within India and its explanations (see Talhelm et al., 2014), or a localized understanding of the problem. Second, the paper’s scope is limited to that of the ratio between two sexes (male and female), although we do believe that an examination of those who get categorized as the ‘third sex’ needs attention.

Argument of the paper

The primary argument of the paper is that the neo-liberal state is treating the problem as a tame one, as opposed to a wicked one – with interventions guided by specific ‘well-defined’ aims – e.g. sex ratio, that lend themselves to a technocratic approach. With one overt indicator dominating most policy discourse, even success in the specific aim, does not preclude other manifestations of ‘unwanted-ness.’ Further, they marginalize a comprehensive framing and response to the problem. Programs like the cradle scheme, financial incentives elucidate this limited framing. Further, by treating a wicked problem as a tame one, the interventions of the state are inadequate at best and provide perverse incentives at worst.

Need of framing unwanted-ness as a wicked problem

Framing the issue of ‘unwanted-ness’ as a ‘wicked problem’ has an aim of reiterating and reminding policymakers of the complexity of the issue. Although as Rittel & Webber (1984) point out, social problems can only be “re-solved” and there may never be a complete solution, they also highlight that interventions often leave “traces” of previous efforts to solve the problem, making further attempt for social change path dependent. Even so, they point out that not all incremental changes promise an overall improved situation. This is not to sound pessimistic, but to highlight a reason to explore the kind of changes and the level of intervention.

We now discuss what we understand from a ‘wicked problem’ and then explore the facets of female ‘unwanted-ness’ that lead to its framing as a wicked problem. We conclude by briefly discussing two more recent initiatives of the Indian government, and possible means of resolution of a wicked problem.

2. Understanding the meaning of a wicked problem

A wicked problem is one that is highly complex, uncertain and divergent (Head, 2008; H. Rittel & Webber, 1973a) and is “stubbornly resistant to resolution” (Ney &

Verweij, 2014, p.1). A problem is defined as ‘wicked’¹² is opposed to one that is ‘tame.’ Unlike tame problems, in the case of wicked problems, the goal is unclear in the case and one can never know if the problem has been solved, even as incremental progress can be made (Grundmann, 2016; H. Rittel & Webber, 1973a). Further, they also do not lend themselves to circumscription - “delineating their boundaries and identifying their causes, and thus attempting to expose their problematic nature.” (Rittel & Webber, 1984, p. 144). Social or policy planning often fall under the category of wicked problems and they tend to rely on “elusive political judgment for resolution” (ibid, p. 136). A wicked problem “does not have a stopping rule” and it is difficult to transport ideas from one context to another (ibid).

Wicked problems are “dynamically complex and ill structured, with no straightforward causal connections to help us gain a clear and simple picture of the issue” (Lake, 2014, p. 78). It therefore follows that the “information needed to understand the problem depends upon one’s idea for solving it” (Rittel and Webber, 1984, p. 136). And therefore, the “understanding and problem resolution are concomitant” (ibid, p. 137).

(Head, 2008) define wicked problems under three broad criteria: (p. 103).

1. *Complexity* “of elements, sub-systems, and interdependencies”
2. *Uncertainty* “in relation to risks, consequences of action, and changing patterns.”
3. *Value divergence*, in the sense of “the fragmentation in viewpoints, values, strategic intention.”

3. Why do we think female ‘unwanted-ness’ is a wicked problem?

Following the characteristics of wicked problems as defined by Head (2008) and Rittel & Webber (1984), we try and define, how in our case, ‘unwanted-ness’ of girls, can be conceptualized as a wicked problem. With its roots in the pervasive and knotty structure of patriarchy, manifestation in varying contexts and its diverse formulations (informed by one’s assumptions), we point to the value of using the frame of a wicked problem to make sense of policy initiatives made by the Indian state towards addressing the problem of “unwanted-ness”. The nature of the problem is being made evident by the interventions of the state. Each of the characteristics of a wicked problem by Head (2008) is revealed in the following discussion.

The number: what it reveals and what it conceals

¹² Wicked problems “not morally wicked, but diabolical in that they resist all the usual attempts to resolve them” (Rakesh Goswami, 2017).

Let us start by understanding the number that has caught the attention of the Indian government – the child sex ratio (CSR). Given the differential rates of birth, mortality rates between the two sexes, interpreting the child sex ratio is not straightforward. The higher number of boys at birth, is somewhat compensated (while this trend is changing) by a high survival rate of female infants. A global norm is estimated to be 950¹³ female to every 1000 male children (in the age group of 0-6 years) (John, 2014).

Although the number has been successful in bringing the spotlight on female unwanted-ness, several questions regarding the accuracy of CSR have been raised over the years. First, the reliability of numbers has been questioned (Bhat, 2002). The numbers collected in the early 1900s are particularly targeted, pointing to issues of misreporting of age, rendering these numbers incomparable to the more recent ones¹⁴. Second, over the years, life expectancy of male children have increased, and hence there is a possible overestimation of the gap in the sex ratio between the two sexes (Bhat, 2002). Further, contrary to common perception, as Agnihotri (2000) points out, regions where the CSR is very high could also be indicative of a lack of medical facilities for the biologically weaker male.

From the 2001 census, it is also revealed that child sex ratios were more skewed among materially and educationally better off sections of the society (Johari, 2015). Agnihotri (2000) coined the term “prosperity effect” to label what he observed – “prosperity worsened the gender gap of survival” (John, 2014, p. 18). This was observed, in both specific cases (Kulkarni, 1986) and more broadly during the time of economic boom in India (1990s), although the causality is contentious. Changes in income source, away from farm income (that would have depended on inheritance) has led to a “decline in trust in sons” (Larsen, 2012), but Larsen (2012) finds that, this has possibly translated into an increased investment in sons, rather than any improvement in attitudes towards daughters. As John, Kaur, Palriwala, Raju, and Sagar (2008) argue, that the rise in educational attainments of girls, and a requirement of a higher investment in her, also contributes to her being seen as a liability. Further, counter-intuitively, regions in India with better access to education are also the ones with declining CSR (John, 2012).

The 2011 census revealed that, what was thought to be an issue in only some parts of India (north-western India, some districts in southern India) had spread well into the other parts of the country. Although the child sex ratio of two-third of the states of India was below normal in 2011 (Bhattacharya, 2017), it varies on the lines of regional, caste, religious, urbanity, economic status, to name a few. The practice of

¹³ For developing nations, some also estimate a normal of 943-971.

¹⁴ The estimated sex ratios from 1901 onwards, are listed in the Appendix

elimination of the female fetus/infant seems to be lower among certain groups of people, for example, scheduled castes and scheduled tribes, Muslims and Christians (Chakraborty & Kim, 2010; Rajan, 2003). According to the 2011 census, also, urban areas have a lower child sex ratio as compared to rural areas. Although the child sex ratio (CSR) has become a focal point around which has drawn much needed attention to female 'unwanted-ness' in India, these numbers are only indicative of a larger social problem that India faces, leading to "missing women" (Sen, 1990)¹⁵.

A lookout for causal explanations

With reasons pinned to something as specific as dowry, to as broad as patriarchy, to the mother/decision makers being seen as altruistic (in their decision to eliminate a female fetus/infant) considering an "early death preferable to a life of extended hardship" (Padmanabhan, 1993, cited in Rajan, 2003, p. 186), the nature of the problem of unwanted-ness remains elusive. While Miller (1981) neatly summarizes the reasons of the problem of 'unwanted-ness' to "pride and purse" (p. 56). But, as discussed above, the census of 2011 revealed higher skewed CSR among more affluent families (Bhattacharya, 2017). In this section, we discuss the problem of female "unwanted-ness" and how different scholars have attempted to understand it. Broadly, economic and social causes are used as causal explanations, although the problems are deeply knit and difficult to segregate into two separate categories.

The unwanted-ness, specific to elimination of a female fetus/infant could be attributed to a lack of choice with the guardians. This framing of the problem would lead to interventions that increase the 'choice' of guardians, like the cradle scheme – where the state would provide a 'choice' to the parents to keep the girl under the care of the state. The unwanted-ness could, and often is also thought to be located in financial issues. In the Indian context, dowry has become the symbol of the 'cost' of raising a girl (John, 2014). Seeing the child as a cost makes her a less attractive investment, and the state, as has extensively done, provided with financial incentives to "retain" the girl child. Further, a woman's contribution financially, and therefore her participation in the labour market is also limited (Miller, 1981), although the correlations drawn between household work with sex ratios has been questioned (John, 2014).

The institution of marriage and its market is also seen as a contributor to the unwanted-ness of a girl child. More specifically, distancing women from natal families, lack of inheritance, and dependence on the husband post marriage are thought to be possible issues (Palriwala, 2005 ; John, 2014). It may seem prima-facie

¹⁵ These numbers treat the third gender as males. 2011 was the first time when data was also collected with transgender considered as a category. In the age group of 0-6 years 0.034% (54,854 out of 15,87,89,287) of children were reportedly transgender.

that falling CSR may lead to a 'marriage squeeze' (Dreze & Sen, 2005) and increased the 'value' of women in the marriage market and even lead to a 'bride price'. But as Dreze & Sen (1995) note, given the difference in age at which males and females get married, the number of women in the marriage age are greater than the number of men. For each cohort of men of marriageable age, there is a larger cohort of younger women of the marriageable age. This logic is only applicable for moderate levels of skewed sex ratio and may lead to dowry (the major 'cost' often associated with marriage) going unchallenged. In cases where the sex ratio is extremely skewed, there are some regions in India (for example of Haryana) who have felt the 'marriage squeeze' and cross regional marriages have been resorted to, to deal with the issue (Kaur, 2004).

In the brief discussion above, we see that boundaries of the problem are difficult to draw and that this problem is '*complex*' (Head, 2008).

4. The state's intervention and its implications

The interventions of the state may also contribute to the intractability of the problem. Looking for causal relations, the state attempts to measure, define and describe the problem, in a way that it lends itself to intervention and change. This attempt runs the risk of visualizing the problem too narrowly, and reflects a refusal to deal with the 'complexity' (Head, 2008) of the problem. This technocratic approach of resolving a wicked issue is likely to shift the problem to another set of issues, contributing to the 'uncertainty' (Head, 2008) of the problem. For example, making it easier to identify and eliminate female fetuses (through a less effective implementation of the laws) may lead to a decrease in female infanticide (see Srivastava, 2014) and vice-versa. In deciding to intervene in certain ways, and not in others, the state also runs into 'value conflicts' (Head, 2008). For example, the problem of female infanticide is closely linked to gender-selective abortion, and the rights of the female fetus conflict with that of the female bearing the fetus. The interventions of the government, we understand, as categorized along two themes - incentives, and as threats, penalties and regulation (on use of technology use). In this section, we deal with the 'complexity,' uncertainty' and 'value conflicts' in the problem of female unwanted-ness, as revealed by the interventions.

Choice and incentives

Through interventions like the cradle scheme (discussed earlier in the paper), the state seeks to give a choice of abandoning girls (in presumably safe cradles). Other than giving a 'choice', i.e. allow for safe abandonment, or incentivize the families to 'retain' the girl. In recent decades, there has been a heavy reliance on conditional cash transfers (from both the center and the state), particularly since the turn of the century. Under the policy, financial incentives have been extended to families from

having a girl child to enrolling her to school at different grades and saving for her marriage or higher education are some of them. For example, the *Dhanlaxmi* program, discussed earlier in the paper, was a centrally funded program, with an aim of providing “financial incentives for families to enable them to retain the girl child and educate her” (Nayar et al., 2013, p. 149).

The cradle scheme aimed to rescue girls who would otherwise be abandoned in garbage dumps, street corners etc. often leading to their death due to delayed attention. The cradle scheme, however, well intentioned, may make the state complicit in the ‘unwanted-ness’ of girls. It may abdicate families from taking care of girls, as opposed to furthering the aim of a more equitable position of children in families aimed at gender justice. The positions here do not feed into neat categories of right and wrong. What we see is a tension between what the state immediately sees and considers worth responding to and condoning behaviour that it would otherwise wish to condemn.

The impact of financial incentives on increased preference for daughters is not significant (Mazumdar, 2012). This finding raises further questions on the effectiveness of the program beyond mere ticking the checkboxes, depending on the conditions of the cash transfer, of a living girl child, her education and deferred marriage (however meaningful each of these are). Even if a girl makes it to youth and adulthood, (ticking the checkboxes the state thought useful), her devalued life may remain unchallenged. Even so, if the demographic problem is left to remain, issues of marriage, in a heterosexual dominated world remains (see Khatry, 2014 for a discussion on a crisis in Haryana). These fine lines have to be treaded with care.

Sekher (2010) reviews of some cash incentive schemes in India interprets conditional cash transfers as a means through which the government tries to compensate those with lower material endowments with some money while trying to also nudge them to act in ways the state wishes them to to address some issues the state thinks are problems: female infanticide, lack of education, early marriage. These are often targeted to families in the Below Poverty Line (BPL) category. These schemes quite explicitly convey that the state thinks that those who are the perpetrators of victimizing girls belong to the BPL category, for which there is no proof (as discussed in the section above). Not only is the state unclear in identifying the group of people responsible for gender discrimination, it absolves a huge group of people who may be equally if not more responsible. Also the financial incentive programs also end up penalizing girls whose parents didn’t make the “right choices” and therefore didn’t receive the incentive – a case of punishing them twice.

Incentives been siphoned off to ineligible citizens, financial irregularities¹⁶ continue to haunt our system. More so, how relevant the interventions are to the context in which they are being implemented opens several questions. For example, how relevant a financial incentive scheme is to the problem of female unwanted-ness, or even to female infanticide/sex-selective abortions remains an open question.

Threats, penalties and regulation (on use of technology use)

Crimes against a fetus are booked under section 315 & 316 of the Indian Penal Code (IPC), and infanticides (crime against newborn child aged 0 to 1 year) under section 315 of the IPC. There are other laws and programs, for example the Dowry Prohibition Act (1961) that have also attempted to alleviate female unwanted-ness. Illegality runs into issues of “imposition of alien norms” (Rajan, 2003, p. 182) on people, in addition to problems of “detection and identification of criminals” (ibid: p. 182). It is also blind to less overt means of violence, like general neglect, that may ultimately lead to early death.

The two acts that have direct bearing on the elimination of a female fetus. The Pre-Conception and Pre-Natal Diagnostic Techniques (PC-PNDT) Act was passed in in 2004 that makes it illegal to reveal a fetus’s sex. Maharashtra was the first state that had passed a law to this effect in 1986. Second, the Medical Termination of Pregnancy (MTP) Act that was passed in 1970 made abortion legal in India till twenty weeks under certain conditions. There were several population control measures taken that may have had their influence on female child’s ‘unwanted-ness’.

Academicians have tried to understand the impact of the laws and programs of the government. Nandi & Deolalikar (2013) estimate that the PC-PNDT law may have saved at least 1,06,000 females from 1991 – 2001. However, the excessive focus on PC-PNDT Act, through these years, has come under skeptical glance, for shifting the focus to new technologies from the reasons, however difficult to grapple with, of ‘tradition,’ marriage, neglect etc. The act, through the control of technologies, attempts to control a woman’s body (John, 2014), and Purewal (2010) goes as far as to argue that the government programs in their threatening and punishments, share much with their colonial predecessors. Further, sex-selective abortions reveal contradictions in values, which we will discuss further.

¹⁶ A recent example is that of the Comptroller and Auditor General’s audit revealing irregularities in the Ladli Lakshmi Yojna in Madhya Pradesh (Johari, 2015).

As the problem of unwanted-ness shifts to sex-specific abortion,¹⁷ the wickedness of the problem is further revealed, as it reveals 'value divergence'. Here, the issue of unwanted-ness confounds itself with debates along the lines of right to choice vs right to life. Feminists, who would otherwise call for an "unconditional right to safe and legal abortion" find it difficult to argue against sex-selective abortion in the same line (Menon, 2012, p. 203). It may seem that the "rights of (future) women to be born" is up against the "rights of the (present) women to control over their bodies" (ibid, 209). The 'divergence of values' makes the dilemma difficult to resolve.

The debate between right to choice and right to life has not evolved as it has in other contexts (example, some western countries). This conflates arguments of stricter PC-PNDT act with anti-abortion arguments. First, although abortion is legal in India (up till 20 weeks) the right to abortion was introduced in India in 1970 (Medical Termination of Pregnancy (MTP) Act), not keeping in mind the rights of women over their bodies, but as a population control measure (Menon, 2012). Second, the dip in the CSR raised several issues on the implementation and effectiveness of the PC-PNDT act. This led to some consideration on legalizing and mandating sex determination and registration of the sex of the fetus followed by tracking the fetus till birth to try and ensure the birth of female fetuses (Acharya, 2016; Marszal, 2016). Although the proposal attracted much criticism, citing reasons of infringement of privacy, subversion of agency of the mother, concerns of blatant misuse, similar interventions have been made in smaller settings, for example in Hyderabad and Punjab (John, 2014). Further, the campaigns against sex selective abortions, in their imageries share close similarity to anti-abortion campaigns in other countries (ibid).

To extend the above discussion, the 'right to individual choice' when it comes to abortion is alien to the Indian context. 'Who's right to choice?' is an important question and the woman who is bearing the child often does not take the decisions alone. Although the decision of sex-selective abortion may not be that of the individual woman, as Menon (2012) rightly points out, so is the case with other circumstances around the decisions of abortion - illegitimacy, economic constraints, which are also social factors. Although many provisions of the MTP Act are problematic (see Menon, 2001, p.204 for a discussion), a particular case of legal abortion of a 'handicapped' reveals a possible contradiction. Both, the lives of the 'handicapped' and that of a 'girl' seem to be devalued. While one can legitimately be eliminated, the state has taken a stand against the elimination of the second (Ghai & Johri, 2008). The dilemma of valuing some lives over others reveals the wickedness of the problem.

¹⁷ We are using the term sex-selective abortion, as opposed to 'feticide,' as the term feticide means murder of a fetus with an individual identity, which may be used as an argument for curbing abortions (Menon, 2012).

Although Rajan (2003, p. 187) points out that the conflation may be resolved by framing the issue of abortion as that of the body of the woman (hence preserving the arguments of pro-choice) while protecting girls who are killed after being born, the ‘unwanted-ness’ of the girl is pervasive in either case, and arguing for one against the other seems to only be a matter of argument. There are no clear resolutions between the pro-choice vs pro-life arguments here, and moving beyond them, to target what indeed devalues the lives of women is more constructive.

The right’s discourse, however intuitively rightful it may sound, comes with several contradictions. One, as we discussed above, the rights of the mother’s choice vs the right of the female fetus to live is a dilemma. Further, the parental rights and duties also seem to be – The state can be seen to have made a call here, intervening and privileging what it considers as rights of the children over the rights of the parents, for example – of being alive, being taken care of, going to school. Therefore, the rights of the parents have been translated into “state-mandated duties” (Rajan, 2003, p. 188).

Further, in addition to the fetus/infant that is being discriminated against, violence is also faced by the pregnant woman both by the state (by say forcing to her to give birth to a female child which she might not want) and by the family (for not giving birth to a male child) (John, 2014; Patel, 2007). The woman’s body has increasingly become a site that people wish to exert control over – the family (for desired sex of the child) and the state to balance its population. More recently, there have also been trends of active family planning also conflate with the issue of gender selective abortion, with parents wishing to have two children, with at least one son (Patel, 2007).

Broader themes around state intervention

Given the unbounded nature of the problem, the list of the programs other than those directly meant to deal with the issue of falling sex ratio can never be exhaustive. In this section, we deal with broader themes around state intervention. The state’s intervention actively deals with ‘divergence in values’ of different stakeholders. At its core there is a conflict in between values emphasizing human rights and that trying to preserve “traditional” order and “stability” of a society. Second, there are conflicts with the state’s legitimacy to enter into the personal or social domain (for example the Shahbano case, see Pathak & Rajan, 1989). Further, the democratic setup also provides for a space for conflict of different values.

Situating the problem in a democratic setup, where populism matters (Rajan, 2003), the state would not want to be seen as challenging the social structures (patriarchy

in our case), radically, and therefore seems to be trying to only hide the wound which had become explicit by the heavily skewed sex ratios. We therefore reveal the wicked problem as the paradox of the state and its interventions.

What we interpret from interventions of the state and its technocratic interventions

The indicator running the show and being vehemently perused, in our case, is the sex ratio. At least this indicator has far over-reached its function i.e. 'to indicate,' and has become the objective driving policies. The hypocrisy of the state is further revealed by its preferential treatment to some devalued lives (girls) to others (handicapped). It reveals that the state chooses to its battles, and its gender balancing act, is at least partly motivated from concern it has for its men. Since *"Fathers may not want daughters, but men want women"* (Kumar, 1983, p. 63), the state seems to come to the rescue for its 'men.'

In what seems to be an effort to discover 'silver bullets,' the Indian state in its vision and treatment is either unable or unwilling to grapple with the "wickedness" of the problem. The incentives and choices like financial incentives and cradle scheme are not unproblematic. There is a tacit acceptance of girls as an economic burden and the state seems to be "bribing" the parents to keep their daughters (Dreze, 1997). For the state does not interfere/ half-heartedly intervenes, with how the family treats the girl, the institution of marriage, till it is overtly violent. The simplistic response of the state, and the dilemmas it uncovers, further emphasizes the wickedness of the problem it attempts to resolve.

We would like to point out that the interventions of the state are targeted at and mention 'girl child' as a site of intervention, drawing from the fact that unwanted-ness also manifest against the girl child. But the "source of anxiety and rationalization" (p.38) is the adult woman (John, 2014). Although, ironically, it is the girl child who is 'unwanted' as opposed to women who may not have an unwanted status (as they are needed by the society's men for marriage) although they may have a devalued one.

Although, we have focussed, till now on the interventions of the state, Several non-governmental organizations and community based organisation (examples in Salem and Madhurai districts see Rajan (2003)) have intervened and have set examples of tackling the issue more holistically. The role of the state in social-ills is important, although complex, in the case of a populist democracy and also because of issues of scale in case of . Although, we recognize the limitations of the state, as Rajan (2003) point out, we do not believe that the state is performing at its limits, and can intervene in more meaningful ways.

5. Conclusion

In the case of female unwanted-ness, the source of the problem cannot be traced definitively – as no one/very few voices seems to publicly endorse her general unwanted-ness, but most of us are complicit in the act of making her ‘unwanted.’ While exploring ways of dealing with the problem, we argue that framing the problem of ‘unwanted-ness’ as a wicked problem helps view the problem as a whole and look at substantive/sustainable/long-term solutions rather than relying on quick fixes.

From a reading of the policy design and official discourse around these policies, we point to ways the state appears to frame the problem, the dimensions it responds to and what it ignores. We argue that only the most visible facet of oppression is catered to. Further, if the sex ratio and school enrolments are the only information we think we need to deal with the problem of ‘unwanted girls’, offering a solution similar to the cradle scheme or the financial incentives is almost "concomitant" (Rittel & Webber, 1973). We argue that both these interventions look at oppression very narrowly – in the form of violence or more overt forms of exploitation (Young, 2011), while leaving out subtle yet pertinent forms of oppression.

The already low and falling sex ratio in India often makes headlines (Deccan Herald, 2016; Palit, 2017) and is a legitimate target for policy intervention, and is a representation of deep seeded prejudices held against girls. There is a tension between framing and responding to an issue at hand as one with immediate and tangible objectives (for example increasing sex ratio, saving a girl child from being killed) and, as vague and distant goals (for example, of changing social attitudes towards a girl child). But while the results may be more visible in the short term (aided by tangible goals and key number like sex ratio, school enrolment ratio), these policies run the risk of ignoring and at worst reinforcing the negative social construction around girls (Dreze, 1997; Johari, 2015). The second approach of targeting broad distant goals may suffer from both inaction and demotivation because of lack of immediate visible changes. The paper argues that the state needs to engage with the complexity and mess of the social structure rather than depending heavily on short term targeted policies.

More recently, Beti Bachao Beti Padhao (BBBP)¹⁸ has been introduced in 2015 as an umbrella scheme encompassing the interventions of the state targeted at the falling

¹⁸ The Beti Bachao Beti Padhao program is aimed at addressing “declining Child Sex Ratio (CSR) and related issues of women empowerment over a life-cycle continuum.”¹⁸ (GOI, MWCD, 2016b). In addition, the scheme includes enforcement of PC & PNDT Act, (GOI, MHRD, 2015), “promoting girls’ education and her holistic empowerment” (GOI, MWCD, 2015), create an enabling environment for the education of the girl child and this requires long-term attitudinal change”(GOI, MWCD, 2016c),

sex ratio and A *Sukanya Samriddhi* Account program has also been launched. The state has been quick to celebrate its success of the BBBP program (GOI, MWCD, 2016a). If not more, the celebration reflects its obsession with one number, which they are even ready to manipulate for possible political gains. An example of the celebration in a state of Haryana elucidates the point we are trying to highlight above. One year into the launch of the much celebrated BBBP program, Haryana's chief minister celebrated the "success" of the scheme by highlighting the sex ratio at birth has crossed 900¹⁹. With the numbers up for question²⁰ (Singh, 2017) and the non-uniform nature of this improvement (Thakur, 2016), these claims only re-affirm the need to unravel the wickedness of the problem and hence a detailed analysis of government interventions.

We do think that it may be too early to discuss the implications of these programs in terms of its translation into improved sex ratios, but they do give us an insight into how the state is framing the issue of unwanted-ness of the girls. Although Beti Bachao Beti Padhao does not provide for cash incentives (GOI, MWCD, 2016a), and the *Sukanya Samriddhi* program is a departure from the central government giving out money, as in the case of the previous *Dhanlaxmi* Program discussed above, the saving scheme and high interest returns, ensure that the state continues to reinforce the notion of being seen as a financial liability. Also, several states continue to run financial incentive programs (examples of AP, Haryana).

How can we 'resolve' a wicked problem?

While policymakers would like to believe and may want the outcomes to be predictable and under their control, social problems (most of which are wicked in nature) are difficult to grapple with (Chapman (2004); Devaney & Spratt, 2009). Scholars have proposed various means of grappling with wicked problems. Unable to structure a wicked problem into "distinct phases," Rittel & Webber (1984), recommend an "argumentative process in the course of which an image of the problem and of the solution emerges gradually among the participants, as a product of incessant judgment, subjected to critical argument" (p. 137).

Dealing with wicked problems may require "mobilizing, in one way or the other, different actors, different forms of knowledge and different practices. In short, this

awareness and advocacy campaigns and focused attention to selected 100 districts, which had been extended later (cite). Three ministries are involved in its implementation - Ministries of Women and Child Development, Health & Family Welfare and Human Resource Development.

¹⁹ 903 girls for every 1000 boys

²⁰ (Singh, 2017) points out that the numbers being compared are incompatible. For one, the gender ratio in children aged 0-6 is being compared to the birth rate, and therefore ignoring the mortality after birth. Further, these only include numbers from registered births (that are about 70% of actual births). Third, these numbers are less reliable than the census data.

means finding ways to include, harness, and activate pluralism.” (Ney & Verweij, 2014, p. 1). (Head, 2008) calls for “better knowledge, better consultation, and better use of third party partners.” This would include the exploration of causal links in a problem inherently averse to this attempt, because of its value-laden nature. In the case of India, the decision-making spaces are marked by an under-representation of women. Efforts like affirmative action have been made, and their impact on nature of decisions has also been significant (Chattopadhyay & Duflo, 2004). We therefore make a call for more gender equitable spaces for deliberation and decision making; affirmative action for positions of power recognizing the limitations of traditional “democratic” mechanisms in inherently undemocratic societies.

5. Abbreviations:

BBBP: Beti Bachao Beti Padhao

BPL: Below Poverty Line

CSR: Child Sex Ratio

GOI: Government of India

IPC: Indian Penal Code

MoSPI: Ministry of Statistics and Program Implementation

MTP: Medical Termination of Pregnancy

MWCD: Ministry of Women and Child Development

PCPNDT: Pre-Conception and Pre-Natal Diagnostic Techniques Act

PIB: Press Information Bureau

SSD: Social Statistics Division

TOI: Times of India

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