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Sex selection and global gender justice

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1 | INTRODUCTION

A core motivation of this paper is to recast sex selection as both a symptom of, and a contributing factor to global gender injustice, where the practice and its motivation are expressions of the broader structural inequalities and oppression faced by women and girls worldwide, be it in terms of status, relationships, or access to goods and opportunities (Jagger 2014, 23). While it may appear evident that the practice of sex selection is strongly embedded in gender injustice, various discourses have, at times, lost sight of this. This is in part due to disciplinary focus, and in part due to a lack of engagement with broader aspects of discrimination and oppression. I examine three particular ways of framing sex selection in the Indian—and South Asian diasporic—contexts and suggest that without an understanding of historical and current particularities, and more significantly, without a systematic engagement with considerations of justice, each of these approaches fails to fully capture the morally significant aspects of sex selection. The term *(in)justice* is used here as a broad concept, to capture considerations related to inequality, discrimination, oppression, and subjugation. The term also offers a strong normative and theoretical anchor, especially in its relationship to questions of responsibility. I do not suggest that there needs to be a single conception of justice toward which to strive, but would argue that any approach embedded in consideration of gender justice will aim, in some form or other, at diminishing gender-based inequality, discrimination, oppression, or subjugation.

Rajani Bhatia documents how in the mid-1990s, discussions around sex selection evolved in different directions, in interesting and telling ways. Sex selection through abortion was presented as "as act of violence against women," in the context of rising global movements focused on issues of reproductive and sexual health, even as techniques for sex selection for "family balancing" were being marketed in the West (Bhatia 2018, 3–4), and celebrated as a "revolution in the way people have children" (Bhatia 2010, 267). Such problematic dichotomy (and moral double standard) has also, in part, motivated this paper. This is not to say, of course that all means of sex selection should be considered morally equivalent. However, focusing on the means of selection, or the decisions specifically

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associated with reproductive technology obfuscates an important moral aspect, which is the motivation behind the practice.

In advancing a gender justice lens to addressing sex selection, I suggest that it is possible to propose a global framing based on justice, that does not fall prey to either moral imperialism or moral relativism, but one that is based on transnational feminist solidarity and scholarship. Having discussed some of the problematic ways in which sex selection is often framed, I explore a means of addressing this specific expression of gender injustice through philosopher Iris Marion Young's social connection model of responsibility (Young 2006). Addressing global gender injustice in relation to sex selection requires focusing our moral lens on actors who are in specific positions of privilege, and therefore, have some capacity to change the norms, structures, and practices which contribute to injustice. In this particular debate, I position myself as a feminist member of the Indian Diaspora, with the privilege and responsibility this might entail for disrupting cultural hegemony and academic discourse on sex selection. As a researcher living away from India, however, I have limited lived experience of the complex factors that govern the lives of girls and women in the region, and while I propose an universalist approach to sex selection, I am equally aware of my own epistemic limitations in the area.

2 | BACKGROUND AND SCOPE

The paper focuses on sex selection wholly motivated by social reasons. I do not address medically motivated selection, although this can also be subject to ethical scrutiny. First, the distinction between medical and nonmedical or social motivation is not as clear as one might initially suppose, and so-called medical sex selection might in fact reflect deeply held discriminatory social attitudes, for example, toward people with disability (de Wert and Dondrop 2010). Sex selection is, to a great extent, a misnomer. What parents are doing when "selecting for sex" in the social context, is attempting to select for gender, based on a specific view of how gender operates (or should operate) in the world. As Anna Mudde writes: "The predominant assumption at work in the desire to select for sex is that such a selection will produce not only a child with the appropriate genitals and biochemistry, but more importantly a child of the desired gender with all the social significations this implies" (Mudde 2010, 556). In other words, along with selecting for gender through a biological indicator, parents are selecting for a specific kind of gender conformation (Browne 2017, 195). An implication of this perspective, and one that I endorse in the paper is that any form of "gender essentialism" (Hendl 2017, 431), based on the perceived differences between genders, gender roles and gender expectations, is inherently sexist and heteronormative, regardless of particular expressions and cultural contexts.

Beyond self-reported sex selection by parents, the only other global data reflecting systematic sex selection are distorted sex ratios at birth, or unusually high levels of infant mortality for one sex. Over the years, considerable evidence has arisen from several countries, especially in South Asia, South East Asia, and the South Caucasus, showing both distorted sex ratios at birth (some areas with up to 25% more male births) and a prominent decline in the survival rates of girls, with a higher risk for second or third births within a family. There appears to be a distinct, and systematic preference for the male child at play. India is one of the few countries in the world, where the mortality rate is higher for female infants than it is for male infants (UNFPA 2014, 2). While some quantitative evidence of sex selection has been reported in specific (predominantly South Asian) communities in several countries, notably, the United States, United Kingdom, and Canada (Van Balen and Inhorn 2003; Dubuc and Coleman 2007; Vogel 2012; Urquia et al. 2016), the percentage reported is small, which makes the interpretation of such data somewhat unreliable. There is however, significant qualitative evidence that sex selection does take place, with a systematic preference for the male child (Gill and Mitra-Kahn

2009; Puri et al. 2011; Unnithan and Dubuc 2018; Unnithan and Kasstan 2019). The Indian context in particular, provides a wealth of literature on the topic: ethnographic, demographic, and development perspectives, as well as examples of legal, state-based, and grassroot interventions. It also provides considerable scholarship from the academic and feminist movements. The feminist concern, and the concern of global gender justice in this case is not, however, focused on sex ratios. Nor is moral concern limited to the practice itself, beyond it being a manifestation of sexism and gender oppression. A gender justice approach rather points to the broader structural landscape, to the sexist norms, processes and attitudes that result in systematic patterns of sex selection.

3 | A GLOBAL GENDER JUSTICE LENS

3.1 | The possibility of global gender justice

A *global* approach to gender injustice immediately faces a key problem. Alison Jaggar has argued that it is "possible to discern transnational patterns of gendered disparities that reveal systematic differences between the lives of men and women" (Jagger 2014, 18). This seems to warrant global feminist movements and scholarship. However, feminist scholars from the Global North and those from the Global South[1] have often clashed over concerns related to ethnocentrism (Khader 2019, 30) and moral imperialism (often seen as an inevitable result of advancing universal frameworks) and questions of moral relativism (sometimes seen as an implication of context-specific visions). This rift is particularly visible when it comes to women's bodies and choices, where, as postcolonial theorists have argued, the issues at stake have often been co-opted by political concerns that are rarely to do with justice (Abu-Lughod 2015). As Uma Narayan points out, women and female sexuality are often the site of political struggles between the colonizer and the colonized (Narayan 1997, 17), and even where intentions of feminist scholars from the North are genuinely directed at addressing oppression, a lack of awareness of particularities, and ignoring the effects that the current global order has on the lives of women everywhere, often widens this rift. The motivation for addressing gender justice from a global philosophical perspective is not novel, but as Jaggar writes, such approaches have, at times, attributed the subjugation of women in the South to particular cultures, without attention to how this oppression might mirror those faced by women in the North, or how particular unjust structures continue to be reinforced by global political and economic orders (Jagger 2014, 22). Chandra Talpade Mohanty argues:

> An analysis of 'sexual difference' in the form of a cross-culturally singular, monolithic notion of patriarchy or male dominance leads to the construction of a similarly reductive and homogenous notion of what I call the 'Third World difference'—that stable, ahistorical something that apparently oppresses most if not all the women in these countries. And it is in the production of this Third World difference that Western feminisms appropriate and colonize the constitutive complexities that characterize the lives of women in these countries. (Talpade Mohanty 2003, 19–20)

The call to action often becomes a question of "saving brown women"—to echo Gayatri Chakravorty Spivak (1994, 93) and other feminists—from their backward, dominating cultural structures. This results in badly justified, and badly motivated political interventions (Abu-lughod 2015, 27–53), or poor academic discourse and "missionary feminism" (Khader 2019, 33–34). It may encourage processes that

reproduce misunderstanding about particular contexts of injustice, and reinforce unjust structures, both locally and globally.

If an interventionist stance lies at once end of the normative spectrum, at the other end is the position that people across the world have different values and preferences, and that these values and preferences should be respected. This may be further reinforced by the realization that scholars from the North, who continue to benefit from historically established and ongoing positions of privilege, are not well placed to impose universal ideas and values on others (Nussbaum 2000, 35). However, the temptation to categorize women of the South as adhering to fundamentally different ethical values and norms) can be just as problematic as labeling them victims of an injustice different from the gendered inequalities women face in the global North. Both are forms of othering, and both ignore the dissenting voices and the struggle of feminists and activists from the South (Nussbaum 2000, 35). Such positions also diminish the voices of women who might not identify as feminists, activists, and scholars, but might nevertheless speak of the injustices and oppression they face in their daily lives (Narayan 1997, 12). Such positions might also further marginalize those who have already been marginalized by their own contexts, families, and communities for speaking out against oppressive social norms (Narayan 1997; Grewal 2012). At times, the discourse on sex selection falls prey to several of these problems, and this has significant consequence for policies and interventions . I try to elucidate some of these in the next section, in an attempt to refocus the moral problem. In doing so, I suggest that we need not choose between silence, moral relativism, or moral imperialism.

At its core, this paper is therefore also an attempt to reclaim the normative aim of gender justice as fundamentally universal. As Naryan writes: “women's inequality and mistreatment are, unfortunately, ubiquitous features of many ‘Western’ and ‘non-Western’ cultural contexts, even as their manifestations in specific contexts display important differences of detail” (Narayan 1997, 13). Neither an understanding of contextual complexities, nor a deep reflection of historical and contemporary political and economic power structures preclude us from striving for universal, transnational, or global normative perspectives. I follow Serene Khader here in emphasizing that “any plausible feminism will include the view that some things that happen to people because of their gender are genuinely wrong, and cross-contextually so” (Khader 2019, 28). Indeed, as Khader goes on to say, the possibility a universal perspective is crucial, if we are to also ensure that perspectives and feminist struggles arising from the Global South have normative strength in transnational feminist scholarship and discourse (Khader 2019, 29). Scholarship from the Global South brings important intersectional, anti-racist and decolonizing views, which should be heard and incorporated in feminist struggle across the world.

In her recent work, Mohanty, who has at times been interpreted as advocating for a more relativist position, writes: “I did not write ‘Under Western Eyes’ as a testament to the impossibility of egalitarian and noncolonizing cross-cultural scholarship, nor did I define ‘Western’ and ‘Third World’ feminism in such oppositional ways that there would be no possibility of solidarity between Western and Third World feminists " (Mohanty 2003, 224). A common thread between the work of Mohanty and Narayan, for example, is the idea of the particular informing the universal. A key point that I take from these feminists' perspectives is that while moral evaluations and practical strategies must be contextually informed, global or transnational feminist perspectives and movements are equally important. This paper's particular focus on embedding sex selection within specific geographical and cultural contexts (India and the South Asian Diaspora), with the view of revisiting it within a global approach to gender justice is well-suited, given the topic's contextual particularities and its global relevance. No doubt, important features (motivation, pervasiveness, institutions, and process) related to sex selection will differ in the context of China or South Korea, for example, and these might “speak to” a cross-border normative approach in particular ways. I would suggest, however, that the normative force of a global feminist lens would remain broadly similar. As Mohanty suggests, the challenge

is to see "how specifying difference allows us to theorize universal concerns more fully," and that this allows for women from very different backgrounds to build "coalitions and solidarities across borders" (Talpade Mohanty 2003, 226). Ideally, we would neither ignore transnational differences, nor be paralyzed by them. The need and urgency to build feminist connections across borders is therefore a key motivation for taking a global perspective on sex selection.

3.2 | A structural understanding of gender injustice

Gender discrimination, sexism, and misogyny can be explored as characteristics of individual actions, behaviors and attitudes. Often, however, they arise from, and contribute to, structural and systemic patterns that pervade many aspects of the lives of girls and women, sometimes glaringly so, and at other times more insidiously. In this paper, I base my approach on Iris Marion Young's approach to structural injustice:

> Structural injustice (…) exists when social processes put large groups under systematic threat of domination or deprivation of the means to develop and exercise their capacities, at the same time that these processes enable others to dominate or to have a wide range of opportunities for developing and exercising capacities available to them. Structural injustice is injustice is a kind of moral wrong distinct from the wrongful action of an individual agent or the repressive policies of a state'. (Young 2011, 52)

Gender-based discrimination also belongs to this form of injustice, and sex selection is a particular expression of gender-based discrimination. In other words, individuals and couples express a preference for the male child (and practice sex selection) because there is a systematic (at times severe) social disadvantage in living as a girl or a woman (Sunder Rajan 2003; Moazam 2004; Purewal 2010; Nanda 2018). Our moral attention, therefore, should to a great extent focus away from specific practices of discrimination, and on to patterns of inequality, social norms, institutions, and processes that together create disadvantage. Equally, problematic patterns of gender-based discrimination can exist in contexts where there is no obvious, significant social harm in living as a woman, or where people do not operate within a rigid gender hierarchy. As several feminists have recently argued, and as I go on to explore later in the paper, sex selection for "family balancing" also contributes to morally problematic patterns, including gender essentialism, stereotyping, heteronormativity and sexism (Browne 2017; Hendl 2017; Shahvisi 2018). As Young suggests, "one important purpose for taking a large-scale point of view on a society and locating positions in a structural field is to identify broad structural inequalities that are far-reaching in their implications for people's life courses and that persist over time, often over generations" (Young 2011, 58). A global gender justice lens asks us to situate sex selection within local and global structures, even where the practice, at first glance might not seem to operate under, or contribute to unjust systems and structures. Such an approach also requires us to understand the nature and scope of moral responsibility in this context as one arising less from individual action, and more as a collective obligation to address such injustice.

4 | CURRENT ANALYTICAL LENSES AND LIMITATIONS

Alison Jaggar argues that women across the world tend to be systematically and significantly worse off than men in other similar circumstances, in what she calls "transnational cycles of gendered vulnerability" (Jagger 2014, 20). She explores five inadequate philosophical responses to this pattern,

some of which have been closely echoed by other feminists: (a) ignoring gender injustice, which refers to the blindness to gender issues in the global justice literature; (b) treating gender disparities instrumentally, rather than as intrinsically unjust; (c) treating gender injustices as natural and biologically determined; (d) blaming such injustice on non-Western cultures; and (e) treating them as "bad decisions made by poor women" (Sunder Rajan 2003, 177). In this section, I argue that some approaches to sex selection suffer from analogous problems: blaming sex selection on non-Western traditions and cultures; addressing gender-based inequality and oppression merely as obstacles to development; and finally, explaining sex selection away as individual choices (as poor choices made by poor women, or conversely, as reasonable choices made by Western parents). The following categories are not mutually exclusive and there are significant overlaps between each trope. My intention is not to suggest that they fail to highlight any important aspect of sex selection, but rather that these framings, devoid of a justice-based lens, fail to correctly identify the problem, and to correctly ascribe responsibility for redress.

4.1 | Sex selection as a problem of culture and tradition

Categorizing sex selection as a morally problematic practice arising from culture and tradition, is at best an incomplete assessment. As a blanket criticism, it fails to understand the many historical processes, cultural and otherwise, that have precipitated and contributed to the spread of the practice over the years. It also tends to view cultures as homogenous and unchanging, and silences the many voices that have been fighting against gender inequality and oppression within those cultures.

Preference for the male child has deep cultural and historical roots in India (and South Asia), and its associated behaviors and practices are rarely hidden. Its pervasiveness and reach, however, deeply vary across the country, and its Diaspora. Birth data from India suggests that the trend is spreading, especially in regions not formerly associated with sex selection (Nanda 2018, 28). However, preference for the male child and the resulting relationship with daughters are a more complex phenomenon than a straight-forward approach to sex selection might suggest (Puri et al. 2011). A strong bias exists for the gender that will one day take over the responsibilities of the family: "sons represent strength in a masculine sense while daughters, who represent femininity and thus weakness, will one day belong to the home of another man and should thus be seen as a futile investment," writes anthropologist Navtej Purewal (2010, 1). Indeed, although daughters are not "unwanted" (Purewal 2010, 1), the social norms working against women and girls are multiple, and deeply entrenched in practices that might otherwise appear unrelated. Most communities in India have historically relied on patrilineal inheritance, of both property and surname. Families continue to depend on male children for economic support in old age, and in carrying out final rites (Nanda 2018, 133). Marriages are male-centric, hypergamous, and often involve dowry (Nanda 2018, 133)—especially, though not exclusively in Hindu families—in an effort to raise status and caste. Daughters travel away from their families through patrilocal exogamy, having provided little economic contribution to their maternal household, since reliance on girls or women for financial support is considered shameful (Gill and Mitra-Kahn 2009, 688). Women's lack of involvement in the workforce affects their status within the family, and their intrafamilial and social status is often enhanced or protected following the birth of a son (Patel 2007, 27–60).

Beyond traditional social norms, sex selection and gender preference also have close historical connections to the colonial project. The British "discovered" female infanticide in 1789, and this, among other practices defined as problematic, was a powerful tool in the hands of imperial powers. It allowed them to carefully map and group people according to specific—and as a result, amplified—practices, to define and illustrate moral differences between the colonizers and the colonized, to reinforce

colonial rule as part of a civilizing mission, with the intention of "uplifting women" (Purewal 2010, 12). As Narayan argues:

> The picture of 'cultural differences' between 'Western culture' and the cultures of various Third-World colonies that was constructed in colonial times, and that persists in contemporary postcolonial incarnations, was never a simple *descriptive* project (…). It was inevitably implicated in the political and discursive struggles that marked the colonial encounter, and was an important part of attempts to justify, and interrelated attempts to challenge, the legitimacy of colonial rule. (Narayan 1997, 16)

Bearing echoes of the past are current, deeply entrenched social norms, such as honor. Women are seen as the "repository" (Purewal 2010, 48) of family and community honor, and therefore, a liability to families. This leads to early, sometimes forced marriages as means of controlling the sexual purity of young women. Such attitudes and practices are particularly prevalent where there is a fear of foreign influence, or in communities where the memory of a violent colonial past and of the 1947 Partition and its bloody aftermath remains raw in the collective memory:[2]

> Femininity […] represents negative connotations of vulnerability, risk of honour, and weakness to predatory male pursuits within a masculine world (…). The abduction and rape of women as a tactic of conquer, violence and war has been seen in other contexts of conflict where women's bodies can be a site at which battles and wars are played out. (Purewal 2010, 48)

Such social norms are often mirrored within emigrant communities, compounded by the perceived "threat" of Western influences on communities and children (Puri 2011, 1171) making the purity of girls and women particularly precarious and precious, and the consideration of honor and shame particularly compelling in these contexts. Importantly, however, none of these factors can be consistently traced to either skewed sex ratios at birth or high female infant mortality, even within India. Not all regions where dowry is prevalent, for example, consistently report skewed sex ratios, and sex-selection exists in regions where dowry is widespread. Equally, caste privilege does not always coincide with gender privilege. In fact, caste privilege in this context can have a negative impact on freedom, as women of higher castes are often subject to more restrictive social norms and limited autonomous activity outside the home (Purewal 2010, 3). What is simplistically referred to as "culture" is in fact a far more complicated interaction between custom, colonial history, caste history, as well as various kinds of (traditional and new) norms and patterns, including increased prosperity within certain groups, consumerism, aspirations of enhanced social status, decrease in female fertility and infant mortality, and the effects of broader political and neoliberal economic forces (Sunder Rajan 2003, 192).

A global gender justice approach should therefore avoid any tendency to essentialize unfamiliar practices, preference, or behavior *solely* under the banner of culture or tradition, be it in the context of the Global South or within minority communities living in the Global North. Such othering has played suspicious roles in attempts to regulate practices seen as belonging to those defined as culturally different. This was recently illustrated by attempts in the United Kingdom to specifically criminalize sex-selective abortions (a practice which tends to be associated with South Asian minorities in the United Kingdom) (Unnithan and Dubuc 2018). While such othering reinforces prejudice against some communities, it can at the same time serve to enhance liberties for others. Tereza Hendl writes that proponents of sex selection for "family balancing" in the North often "construct [gender bias] along regional or ethnic lines. This distinction works to externalize the risk of harm to non-Western

countries and further justify the call for state noninterference with sex selection in Western countries" (Hendl 2017, 430–31), amplifying the apparent distinctiveness in the social norms that lead to sex selection in different parts of the world.

A simplistic accusation of cultural oppression in relation to sex selection, fails to recognize gender biases as they pervade many societies, albeit expressed in very different behaviors, choices, and practices. Portraying women and girls as "victims of a static past of unchanging customs and tradition" (Narayan 1997, 16), also results in silencing the many voices of dissent, and ongoing activism in this area. Indeed, the dissenting voices within India are numerous, including those of civil society, of scholars and of activists who continue to be at the forefront of feminist struggles and important legal reforms. Assigning the label of oppressive traditional behaviors therefore perpetuates a damaging and othering stance that is incompatible with a global approach to gender justice.

4.2 | Sex selection as a problem of poverty and development

The trope of tradition and culture has also made its way into the development discourse, in ways that have often obscured the role played by local and global institutions and actors in perpetuating problematic attitudes. Practices such as sex selection (and female infanticide) have been framed by the Indian state as remnants of "backward" tradition, embraced by the uneducated and poor masses, and which remain frustratingly immune to modern policies and institutions. Sunder Rajan writes that "The state, both colonial and postcolonial, has found it a useful alibi to present practices it labels 'social evils' as both pre-existing and deeply embedded, not amenable to reform through its intervention via modern law and education" (Sunder Rajan 2003, 183). In the same vein, the Indian state, postindependence, has failed to address the extent to which its own aggressive policies of development, population control, and sterilization schemes (Nanda 2018, 197) have fueled practices of sex selection (Sunder Rajan 2003, 184). The Indian state, the first to establish a family planning program in 1951, aggressively pursued the deployment of reproductive technologies as a cornerstone of development, with the repercussions on gender discrimination only coming to the fore with the work of, and pressure from, feminist activists. In an aggressive form of medical imperialism, interventions to promote population control also came from beyond national borders, from the Ford Foundation (Harvaky and Roy 2007) World Bank, UNFPA, USAID, the Rockefeller Foundation, and International Planned Parenthood among others (Hvistendahl 2011, 32–33). Foreign aid from the North to the South consistently aimed at encouraging low-income countries to adopt targets for population control (Grimes 1998, 375), over considerations of reproductive rights and health (Connelly 2003, 122). Achieving population control in Asian countries (seen to be under threat of communist influence) was very much predicated on existing social norms of gender bias (Hvistendahl 2011, 33). Ultrasound technology, which triggered the epidemic of sex determination and sex-selective abortion, was introduced in India in the late 60's and 70's, in collaboration between the All India Institute of Medical Science (AIIMS) and several Harvard scientists, and deployed in rural India with the help of corporations such as General Electric (Hvistendahl 2011, 33). Despite concerns of gender discrimination raised by Indian feminist, sex selection was seen by Indian law makers and physicians as an important measure of population control (Menon 2004, 76), and therefore, a key tool of development. In this case, gender justice was to be sacrificed for the sake of economic development. AIIMS testing ended in 1979 but testing soon flourished in private clinics in Punjab, Maharashtra, and Delhi (UNFPA 2014, 8). Privately undertaken testing, seen as an important measure of population control, was openly advertised and remained unchallenged until the mid-90s (UNFPA 2014, 10).

In the broader, global development discourse, and even in the absence of any particular trade-off, gender inequality and discrimination have consistently been portrayed as failures of poor economies, to be solved by economic growth. This has led not to a sacrifice as above, but to the instrumentalization of gender justice by the development discourse. Amartya Sen, whose original article on the "missing women" of India and China (Sen 1992) triggered a global discussion[3] on the topic, has warned that economic growth does not automatically translate into better prospects for girls and women (Sen 2003). Sen explores the various factors which complicate the relationship between gender equality and economic development, making the relationship far less smooth than traditional economics might suggest. On the one hand, there is evidence that the financial costs of raising a daughter (lavish weddings, large dowries, lack of gainful employment) act against the wellbeing and survival of girls and women. Equally, employment outside the household at times enhances a woman's status, and gives her a stronger voice within a family, which in turn might ameliorate the social status of her own daughter(s) (Sen 1999, 194). On the other hand, in India, where a great number of rural women living are part of the workforce, for example, such work remains undervalued, and gender biases remain strongly entrenched (Gill and Mitra-Kahn 2009, 690). Equally importantly, while data suggests that economic prosperity has improved the survival of the girls in North Africa and West Asia (Klasen and Wink 2005), this has not been the case for India, where increased prosperity and declining fertility—often seen as paradigmatic signs of economic development—have worked against the survival and wellbeing of girls. Prosperous Indian families practice sex selection (Bhatia 2010, 282, Nanda 2018, 33), and improved financial status also results in "diminished survival possibilities for girls in middle-class families in India" (Benaria 2003, 18). Dowry and lavish weddings persist in the more prosperous classes, as part of a "drive towards new sources of wealth, weaved within an interacting network of bribery, corruption, NRI[4] money, instant status elevation and new forms of consumerism" (Sunder Rajan 2003, 206). That severe economic hardship is not always driving factor in sex selection has also emerged from qualitative data from the South Asian Diaspora. Here, informants have cited reasons for sex selection related to preference for smaller families, patterns of inheritance (Unnithan and Kasstan 2019), discriminatory allocation of family resources, and other traditional patriarchal norms (Gill and Mitra-Kahn 2009, 694). Applying the lens of justice reminds us that indeed, gender inequality is not a necessary feature of poverty, and that developmental approaches that treat it as such will fail to address the root of the problem.

Approaches to development that fail to address gender justice as an intrinsically important aim, result in further reinforcing unjust and oppressive structures. The World Bank and other development agencies have justified concerns for women and girls by appealing to increased productivity within the household and in society, and by extension to concerns of economic growth. This pragmatic, or "efficiency" model (Benaria 2003, 12) continues to frame much mainstream development language (D'Andrea Tyson 2019) and has unfortunately seeped into approaches sex selection in particularly pernicious ways. For example, sex selection is sometimes discussed in terms of its resulting in the social phenomenon of a shortage of brides (Hesketh et al. 2011). This is often followed by arguments that once such absence become socially significant, it might lead to the improvement in the status of women (Hesketh et al. 2011). Even if we are to ignore such inherent instrumentalization of women's interests, current evidence is far from promising. A "shortage of brides" has also reportedly led to interstate trafficking and coerced polyandry within families, and the selling of women once their reproductive role has been fulfilled (Nanda 2018, 276). In other words, the lack of attention to gender-based discrimination as a problem of justice has, rather unsurprisingly, led to further unjust norms, behaviors, and patterns.

Pragmatic economic models also lead to ethically problematic interventions that are meant to address preference and bias toward the male child. This is particularly glaring in the realm of financial

incentives against sex selection. A handful of states in India—at times in collaborations with international agencies—have implemented schemes aimed at enhancing the status of a girl child through enhancing her economic worth within the family (Nanda 2018, 158). While the specific criteria differ according to the scheme, all generally involve offering families financial incentives to keep their daughters alive, in education and unmarried, until they reach adulthood. The effectiveness of these schemes has been questioned, and the schemes have been criticized on various fronts: that they are financially too modest; that they do not reach those who would truly benefit from financial support; that their eligibility criteria are too restrictive; or that that schemes do not target the areas with high prevalence of female infanticide (Sunder Rajan 2003; Nanda 2018, 155). Importantly, from the perspective of gender justice, such incentives serve to further reinforce the notion that daughters are a liability (Nanda 2018, 164–65). Indeed, in some parts of India, these financial schemes are considered lump-sum dowries provided the state in recognition of the burden of daughters, and are sometimes locally referred to as "*dahej*" (dowry) (UNFPA 2014, 15).

4.3 | Sex selection as a question of autonomy and individual choice

Finally, a gender justice lens also exposes the problem of addressing sex selection as isolated incidences related to a couple's procreative choice, or as only a matter of individual reproductive autonomy. Often, emerging technologies and their regulation give rise to tension between reproductive autonomy—or procreative liberty—and the justifications for imposing restrictions on such autonomy (Seavilleklein and Sherwin 2007, 9–10). As a result, there is a danger that such technologies (and their governance) themselves become sites of gender-based oppression and discrimination. Feminist theorists have argued that the choice created by procreative technologies and mediated by social norms, themselves give rise to constraints in the way people conceive of choice in reproduction, as well as to various new modes of governing women's bodies (Bhatia 2010, 275–76). Ideally, considerations of gender justice, as well as autonomy, should be inherent to the discussion of procreative choices and their governance. In the global discourse on sex selection, however, questions of justice and questions of autonomy often remain disjointed. This is apparent in the manner in which (procreative) autonomy is discussed in "family balancing" in the Global North, versus in the practice of sex selection in the Global South. I would argue that there are at least two, related positions on autonomy put forward: First, that sex selection based on a systematic preference for a specific gender is a sexist practice, whereas sex selection for "family balancing" is not; the second position is that *our* autonomous procreative choice (in the Global North) is not compromised, whereas *their*s (in the Global South) might well be.

The premise behind the first position is that while preference for a male child is clearly discriminatory and sexist behavior, family balancing (which is not predicated on a preference for either gender) is not. Several scholars have pointed to the problem with such simplistic distinctions, including the fact that family balancing not only relies on a belief that sex and gender are aligned (Mudde 2010), but also that children of a certain biological sex should embrace the social expectations, behaviors, and interests traditionally associated with that gender (Hendl 2017; Shahvisi 2018). As Victoria Seavilleklein and Susan Sherwin have argued:

> (…) What is desired by families seeking these techniques is not primarily a child with different genitals but a child who conforms to the opposite gender role to the children they already have. The fact that couples are willing to pay thousands of dollars for sex selection services and spend the time, effort, and emotional energy, (…) indicates a strong

> belief that important differences attach to having a child of one sex rather than the other. (Seavilleklein and Sherwin 2007, 11)

Equally problematically, such motivation suggests something deeply problematic about what constitutes a "perfectly balanced," therefore ideal family (Mudde 2010, 562). Comparatively less problematic expressions of sexism also contribute to global structures of sexist oppression, and an appeal procreative liberty does not necessarily overcome the concerns that such choices contribute to various forms of harms (de Melo-Martin 2013).

The premise behind the second position relies on the argument that either autonomy (especially of women) operates differently in other contexts, or that choices made in certain contexts are compromised in a way that affects their validity. That autonomous choices are socially mediated should not come as a surprise. Hendl writes: "The narrow understanding of autonomy as an individual choice, to a large extent, disregards the social context in which sex selection is practiced as well as crucial socio-cultural factors in selectors' decision-making process" (Hendl 2017, 430). This is true, I would argue, of all contexts in which such decisions are made, whether such contexts are more conducive to individual liberty or more heavily influenced by social norms and structures. The example of "family balancing" and its motivation is a stark illustration of a socially mediated choice (based on stereotypical cultural views on gender) in contexts where individual choice and individual procreative liberty appear paramount.

In recent discussions around emerging reproductive technologies that allow for noninvasive sex determination, Mozersky and colleagues suggest that an emphasis on personal reproductive autonomy or procreative freedom, which dominates much of the Western bioethics discourse "does not reflect the lived reality of prenatal screening decision-making in many cultural contexts" (Mozersky et al. 2017, 4). While I entirely concur with these authors that "decisions are not necessarily made by individual women, but in relation to others," (Mozersky et al. 2017, 4). I would argue, indeed this is true of any woman making such decisions, unless she is entirely isolated from friends, family, and society or social conditioning. This does not automatically compromise the validity of an autonomous choice. As Rajani Bhatia has argued: "Just as we cannot deny that individuals in India may seek sons in an effort to balance their families, we cannot overlook that sex preferences in the United States may be tied to larger familial and cultural pressures" (Bhatia 2010, 282).

A more severe but potentially less prejudicial claim is that women in certain situations lack the freedom to properly exercise their individual autonomy. Thus, Rogers, Ballantyne, and Draper have argued that "the pregnant Indian woman lacks the opportunity to develop her capacities as her status is limited to her success in bearing sons; she is denied the experience of mothering daughters without risking serious penalties and she has no power or influence to alter the strong preference for sons in her society" (Rogers et al. 2007, 522). In their view, the choice to use reproductive technologies for sex selection may be rational but not truly autonomous, where a woman faces harms that are "anticipated, avoidable, unjustly inflicted and so serious that she has little choice but to avoid them" (Rogers et al. 2007, 521). To some extent, such assessment does not fully capture the lived experiences of women making such decisions. Maya Unnithan and Sylvie Dubuc report the manner in which women in Western India speak about access to such technologies as their *huq*[5] (Unnithan and Dubuc 2018, 744). Along similar lines, Rajeswari Sunder Rajan writes of the choices women often make:

> whether they are compelled by husbands, families, and communities to eliminate female children, or are moved by independent altruistic reasons to 'spare' their female children a life of deprivation and suffering, or are pragmatically motivated to choose the number and sex of their offspring, it is true that women *do* make these choices, however

> undeniably the choices are an outgrowth of social prejudice against their sex. (Sunder Rajan 2003, 187)

Indeed, this might precisely be what Rogers and colleague mean by rational but not truly autonomous choices, but I suggest that our evaluation needs to be more cautious here, especially if recommending, as a result of such evaluation, restrictions on reproductive choices (e.g., access to abortion). We can assume that all autonomous choices will be mediated by external factors and the choices of women more so, given global patriarchal structures. Autonomy may, at times, be further limited for women who are socioeconomically disadvantaged or choosing within particularly restrictive social contexts. However, it is not clear that in addressing an injustice (expressed through sex selection), denying the limited autonomy that women have in those situations truly advances the goal of gender justice. As Khader has argued "hard paternalistic and anti-oppressive measures can also end up entrenching oppression by expressing and contributing to the view that oppressed people are poor judges of their own interests" (Khader 2020, 504). Indian feminist scholars have questioned the wisdom of denying, or further restricting a woman's autonomy in particularly oppressive situations. Nivedita Menon writes:

> Within the realm of legal discourse, it is dangerous for feminists to construct women as incapable of taking autonomous decisions—the consequences for women's struggle against legally sanctioned discrimination in other sphere could be fatal. (Menon 2004, 84–85)

This does not mean that we need not worry that a woman's autonomy is often disregarded, or that she may be coerced in making certain choices. There is ample evidence of women having been pressured into undergoing sex-selective abortions by their husbands and families, in collusion with physicians and clinics, who stand to profit financially from such arrangements. Nor are such women always socioeconomically marginalized (Nanda 2018, 177). However, an approach focused on gender justice might suggest that an overemphasis on individual choice might distract from, and exacerbate underlying concerns. If sex selection is conceived as an individual choice, then, the responsibility for preventing it also falls on the shoulders of individuals. As Bijayalaxmi Nanda has pointed out: too often, the appeal to address and prevent sex selection is directed to the "woman as mother" (Nanda 2018, 175), an equally problematic stance if we recognize the structural factors leading to such choices.

A gender justice approach therefore needs a more balanced approach to the problem, both in accounting for coercion, but also in allowing for the autonomous—at times morally problematic—choices made by women, everywhere (Puri et al. 2011; Unnithan and Dubuc 2018). Such a nuanced approach is also needed in evaluating whether, and how regulatory restrictions should be implemented, and feminists have traditionally disagreed on the right strategy in addressing sex selection (Moazam 2004). Seavilleklein and Sherwin write that "because state regulation is the only effective way to restrict individual preferences when such a restriction is in the social interest, (…) such legislative restrictions are an appropriate response to the growing marketplace in sex selection technologies" (Seavilleklein and Sherwin 2007, 8).

While restricting access to reproductive technologies for sex-determination might, all things considered, be morally justified, it is far more problematic to regulate certain interventions that might follow sex-determination, in this case sex-selective abortion. Access to abortion has long been a site of feminist contestation and a site of conflict between feminists and the state (Nanda 2018, 98–100). From the perspective of gender justice, it can be argued any restriction to bodily autonomy should always be approached with strong caution, and often with downright suspicion. As touched upon earlier, in 2014 this discussion came to a head in the United Kingdom, where, following reports that

sex-selective abortions by members of the South Asian community were taking place in the United Kingdom, an amendment was proposed to the (then) Serious Crime Bill, which would have made sex-selective abortion a specific criminal offense (sex selection is already banned in the United Kingdom under the HEFA Act 2018) (Unnithan and Dubuc 2018, 743). The proposed amendment had support from the conservative, Christian base in the United Kingdom, as well as some British Asian Civil Society groups, but was criticized by many others, with 50 signatories (including this author) writing a letter to the Telegraph explaining their concerns (Unnithan and Dubuc 2018, 743). The amendment did not pass as part of the Serious Crime Act 2015. The troubling relationship between opposition to sex-selective abortion and the antichoice movement has also reared its head in the United States, where 21 states have proposed prohibiting sex selection (Unnithan and Dubuc 2018, 747), and of course in India, where campaigns against “female foeticide” have been known to use language bearing troubling resemblance to aggressive antiabortion campaigns elsewhere in the world (Nanda 2018, 185–86).

Ultimately, both permissive and restrictive approaches to reproduction tend to treat choices around sex selection as matters of individual or parental autonomy, rather than as expressions of a globally pervasive sexist and oppressive patriarchy (further entrenched or more pernicious in some parts of the world). Instead, a global gender justice approach requires a recognition that everyone acting within such global structures bears responsibility for perpetuating sexist and oppressive conditions and practices, and therefore, a forward-looking responsibility to redressing such forms of injustice. It requires that we consider the role we each play in producing limitations on the lives of women and girls, and following Young, that the additional realization that responsibility for change is greater on those who are in positions of privilege, and therefore, able to contribute to change.

5 | A SOCIAL CONNECTION MODEL OF RESPONSIBILITY

In her approach to structural injustice, Young argues that: “All agents who contribute by their actions to the structural processes that produce injustice have responsibility to remedy those injustice” (Young 2006, 102–03). If the various attitudes, practices, and process leading to sex selection are aspects of systematic and structural injustice, then, we *all* have a responsibility to remedy the structures, norms, and patterns that create, reinforce, and perpetuate such practices and attitudes. Young argues that addressing structural injustice requires a forward-looking, collective approach, in what she calls a *social connection model of responsibility*. I suggest that such a model can also be applied in our approach to thinking about responsibilities in the context of sex selection. The social connection model does not, however, assign equal responsibility to all for change. Young writes that “different agents have different opportunities and capacities, can draw on different kinds and amounts of resources or face different levels of constraints with respect to processes that contribute to structural change.” (Young 2006, 127). The weight of responsibility here depends on important aspects related to social position, potential and actual power to bring about change, privilege, interest in remedying injustice, and collective ability to do so (Young 2006, 127–30).

In the context of India, actors who should bear such responsibility are numerous: socioeconomically privileged families, physicians, and clinics which profit from sex selection, community leaders, and politicians. In thinking about forward-facing responsibility to bring about change and given my own positionality, I would like to focus on two of my own communities: the Indian Diaspora and the feminist community based in the Global North. Although these communities do not stand in similar relation to the practice of sex selection, I would suggest that they stand in particular positions of privilege in terms of their ability to bring about change. Given the relationship Young describes between

responsibility and power, responsibility and privilege, and the need for collective action and activism, I would argue that the Indian Diaspora—of which I consider myself a member—holds a larger share of the responsibility for change than it is currently willing to take on. For a community that often prides itself in holding on to its roots, through language, cuisine, art, music, culture, and religion, we are equally guilty of glorifying problematic practices and attitudes, and of internalizing their normative strength. At times, we do so without questioning the ways in which these continue to exacerbate structural gender injustice within our diasporic communities, and back in our homeland. If we are to take the call to action of the social connection model seriously, it is not enough to say that we are not guilty of discrimination because sex selection does not take place in our families, in our particular religious or cultural communities, or even in the particular region of India our families come from. Holding on to, and glorifying traditional attitudes and practices that reinforce gender bias is in itself immensely morally problematic. Such attitudes and practices include overt and subtle preferential treatment of sons; perpetuating the tradition and expectation of lavish and expensive weddings and gifts (which often falls on the bride's family); conferring an almost sacred status to the son-in-law and his family; and bringing up our daughters and our sons to conform to traditional cisgendered and heteronormative ideals. Celebrating these norms and practices in the guise of holding on to our roots, without consideration for their contribution to patterns of oppression represent moral and justice-based failures.

Equally, how might we characterize the justice-based responsibilities of feminists of the global North? Here I believe, Young's social connection model meets Talpade Mohanty's idea of a feminist solidarity model, based on mutual and common interests across borders (Mohanty 2003, 226). If a global feminist movement is possible and desirable, a shift in *how* we discuss sex selection is an ideal place to start. First, sexism must be recognized in all circumstances, including where it appears fairly innocuous, for example, in the context of family balancing. Second, all interventions to counter sex selection must also, as Menon has suggested, be reviewed through a feminist lens. Interventions that reinforce sexist biases (e.g., financial incentives increase the economic value and status of girls, or language that subsumes gender equality to questions of economic development) are questionable parts of a gender justice approach to sex selection. Regulatory or other interventions fail the gender justice test, if they further restrict a woman's right to her own body (Menon 2004; Nanda 2018)—as do, for example, the restrictions on abortion or the forced-monitoring of pregnancies. Finally, as Khader has argued, it is important that we shed any persistent traces of missionary feminism. Our feminist lens must therefore resist all forms of othering (Bhatia 2010), and we must continue to learn from the scholars and activists that have fought various expressions gender injustice in regions that have a long history of sex selection and resistance to it. Feminism must amplify the voices of women who have organized and politically engaged against not just sex selection, but various structural and intersectional aspects of gender injustice (caste, dowry, forced marriage, domestic violence, rape, poverty, environmental destruction, religious unrest, and communalism). We must also actively listen to the voices of those are oppressed, and who stand to gain or to lose the most as a result of interventions, as they can "rpovide invaluable input about the types of social changes that are needed" (Khader 2020, 505). This would allow for particular and context-attentive feminism from the South to speak to, and be heard by, a global approach to gender justice.

6 | CONCLUSION

Given the wealth of scholarship on sex selection, it is impossible to do justice to the variety of approaches to the issues, and the nuances of each. My main motivation in this paper has been threefold: first to highlight the ways in which some discourses, and their language continue to frame the issue

of sex selection in ways that are particularly problematic, and that lead to problematic interventions. The second has been to argue that a global feminist approach is possible and desirable, that has a universal normative aim (to address sex selection as a form of structural gender injustice) but that is attuned to contextual particularities, and cognizant of the scholarship and voices of the global South. Finally, I have considered the question of responsibility for addressing sex selection through Iris Marion Young's social connection mode and approach to structural injustice. This has led me to explore the moral and justice-based responsibilities of two communities I closely identify with: the Indian Diaspora and the feminist academic community. I have suggested that the way to address sex selection is to systematically recast it as a problem of gender justice regardless of context, and that the discourse around intervention, policies, and politics should also adopt the language and considerations of a global gender justice lens.

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ENDNOTES

[1] While I have remained faithful to the terms used by specific scholars, I have chosen to use the term (Global) North and (Global) South to distinguish broadly different perspectives, where "North" refers to former colonial powers and feminism predominantly influenced by Western thinkers and "South" refers to those formerly colonized, the "Third World," marginalized communities and people, and the body of literature and activism arising from these areas of the world, including postcolonial, transnational, and decolonizing approaches. (also see Khader 2019)

[2] The Indian Partition 1947 was the division of British India into two states: India and Pakistan, displacing over 10 million people, and leading to widespread communal violence and the death of almost 2 million people (according to some estimates).

[3] The relationship between the sex ratio and women's status in India had been raised by women's groups in Indian since the 1970s (Nanda 2018, 30).

[4] Nonresident Indian.

[5] Their social right

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