SECTION A - B

Unit 3 - Topic 5

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Sex Selection: Individual Choice or Cultural Coercion?

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Much public attention has been focused on the technology of *in vitro* fertilization (IVF), and on some of the dramatic reproductive technologies which might be developed in the future, such as the cloning of adult human beings, or the creation of heritable changes to the human genome through the genetic alteration of human germ-line cells. Meanwhile, another set of reproductive technologies is being introduced more quietly. It is now possible to preselect the sex of children, either before birth, through selective abortion, or (less reliably) before conception.

In China, India, and other parts of Asia, amniocentesis has been widely used to enable the abortion of unwanted females. Amniocentesis is usually performed at fourteen weeks or later, and the results can take several weeks to obtain. Thus, if an abortion is done, it will usually not be earlier than the latter part of the second trimester. Women who submit to such late abortions merely for sex selection[1] must either be desperate for a child of the "right" sex or subject to powerful social pressures (or both), since late abortion is much more emotionally traumatic and physically dangerous than early abortion. For these and other reasons, sex-selective abortion has been uncommon in the Western industrialized nations. Nor has it been common in parts of the world (e.g., much of Central and South America) where abortion remains illegal and clandestine. However, there are already technically feasible ways of diagnosing fetal sex at earlier stages of pregnancy, e.g., through chorion biopsy; and more techniques are likely to emerge as a side effect of the development of procedures for the early detection of fetal abnormalities. For instance, procedures being developed for isolating fetal cells from maternal blood and culturing them to provide material for genetic analysis will probably also provide a means of early sex diagnosis. Once it becomes feasible to diagnose fetal sex in the first trimester of pregnancy, sex-selective abortion may become a more acceptable option for some prospective parents.

However, a reliable method of preselecting sex prior to conception would certainly have greater appeal for more people. There are a variety of "home remedies" that have been recommended for sex selection, involving, for instance, the timing of intercourse in relation to ovulation, the mother's and/or father's diet, the positions used for intercourse, or the alteration of vaginal acidity. There is no convincing evidence that any of these do-it-yourself methods is effective. However, a more sophisticated technique has been commercially available for over a decade. Dr Ron Ericsson has operated clinics in Europe, Asia, and North America, offering to enhance the odds of having sons, through artificial insemination with semen that has been filtered in order to separate androgenic (male-producing) from gynogenic (female-producing) spermatozoa. While the effectiveness of this particular method is uncertain, the search for an effective method of preconceptive sex selection is likely to continue. Work has been done towards the development of vaccines that will cause women's immune systems selectively to attack either androgenic or gynogenic spermatozoa. IVF pre-embryos can be selected for sex by removing a cell from each, determining the chromosomal composition, and implanting only pre-embryos of the desired sex. IVF is still too expensive, too physically and emotionally trying,

and too often unsuccessful to be attractive to most women merely as a means of sex selection. However, if the success rates continue to improve, and the cost comes down significantly, it may some day commonly be used to predetermine children's sex, and perhaps many of their other characteristics as well.

The prospect of the widespread use of new methods of preselecting sex is disturbing, because in practice sex selection has almost always meant the elimination of unwanted females. Even in the industrialized nations, where son preference tends to be weaker than in much of the developing world, males remain the preferred sex of the majority. Potential parents of both sexes tend to want more boys than girls, to want a male firstborn, and to want a son if they plan to have just one child.

Patriarchy almost inevitably creates a preference for sons. If sons have greater earning power, then they are apt to be regarded as more valuable contributors to family income and old-age security. Sons do not require dowries – an important factor in India, where families often fear economic ruin from the birth of daughters. Where residence patterns are patrilocal, sons are more permanent members of the family; daughters leave when they marry, and neither their children nor their labor will belong to their family of origin. In patrilineal societies, it is usually only sons who pass on the paternal name. Even when the law permits daughters to do this, as in the United States, the force of custom often means that few do. In some cultures, e.g., in China, sons have religious duties towards ancestors that cannot be performed by daughters. Son preference has declined in the industrialized nations, in part because women's earning power has increased relative to men's; but it is unlikely to disappear entirely so long as women's average earnings are not equal to men's, and so long as the patrilineal inheritance of names and property persists.

The selective elimination of female children is nothing new. Female infanticide has been a common (though often covert) practice in most patriarchal cultures throughout the world, and throughout recorded history. It has sometimes been so prevalent that males have outnumbered females by more than two to one – as appears to have been the case in some parts and periods of ancient Greece.[2] Even today, in many impoverished parts of the world, female children may be abandoned at birth or allowed to die later of malnutrition or neglect. There is no other plausible explanation for the higher death rates for female infants observed, for instance, in parts of India; for if the only factors were poverty and illness, it would be male infants who experienced higher mortality rates, since they are more vulnerable to the effects of illness and malnutrition.[3] Because in twentieth-century Western industrialized nations female infanticide has been uncommon, and because women's average life-span has surpassed that of men, these nations have for some time enjoyed sex ratios that are fairly even, except when disrupted by war. Indeed, there is now a slight female majority in many nations. But the introduction of more reliable and less expensive methods of sex selection might alter these roughly even ratios.

How, then, should feminists respond to the prospect of new methods of sex selection? Sex selection has been attacked as immoral by both radical feminists and conservative antifeminists, although for different reasons. Religious conservatives often oppose sex selection for much the same reasons that they often oppose abortion: they regard all technological means of sex selection as unnatural and morally objectionable interferences with the human reproductive process; and they view sex-selective abortion as the wrongful taking of a human life. In contrast, some feminists have opposed sex selection and other new reproductive technologies, as part of the historical process by which men have progressively taken control of women's reproductive lives. Some have predicted that increases in the relative number of males will produce more violent societies, increased sexual exploitation of women and children, and a loss of personal liberty and social and political influence for women. Some have worried that women will be eliminated entirely in favor of ectogenesis machines. Both feminists and conservative antifeminists have predicted that the development of IVF and other reproductive and genetic technologies may eventually bring about the Brave New World scenario, in which totalitarian governments and medical technocrats control who will have children, and exactly what sorts of children they will have.

There is too little space here to deal with all of these objections.[4] Instead, I will consider what I take to be the most troubling objection to sex selection, and ask whether this objection provides a sufficient basis for advocating the universal legal prohibition of all artificial means of sex selection.

The primary objection to sex selection is that it will tend to increase sex ratios, i.e., to reduce the relative number of females born. We need not fear that women will be deliberately rendered extinct, since we will still be needed, e.g., for reproduction. Even if an artificial womb is developed, economic realities will (for some time, and perhaps forever) restrict its use to the wealthy, while the majority of humankind continue to be born of woman. However, if inexpensive and effective forms of sex selection become widely available, women may eventually be outnumbered by men in most of the world. The disparity is likely to be greatest in nations which are severely patriarchal, and not predominantly Roman Catholic. Without legal prohibition, the most extreme sex ratio changes would be likely to occur in India, Southeast Asia, and China, where the one-child policy – now relaxed but not abandoned – has made many couples reluctant to rear a firstborn daughter. Extreme changes might also occur in some of the predominantly Islamic nations which have the wealth to embrace high-tech methods of reproduction. The nations of Central and South America are considerably less likely to experience extreme sex ratio shifts, both because of the influence of the Roman Catholic Church (which officially opposes all of the new reproductive technologies, including sex selection), and because the preference for sons is generally weaker there.[3]

It seems highly probable that large increases in sex ratios (i.e., in the relative number of males) would be detrimental to the cause of gender justice. Other things being equal, there is power in numbers, whether within families, communities, or nations. Given that males often retain a near hegemony of economic and political power even when women are slightly in the majority, it seems unrealistic to hope for significant progress when women are greatly in the minority.

Some commentators have suggested that high sex ratios are good for women, who tend to benefit from their own scarcity. Marcia Guttentag and Paul Secord have argued that in a high-sex-ratio society women enjoy a greater range of choices in the matrimonial sweepstakes, and thus more power in heterosexual relationships.[4] If women are in short supply, they argue, then they are more highly valued, and men are more willing to commit themselves to marriage and family life.

However, Guttentag and Secord also point out that women in high-sex-ratio societies tend to be more strictly confined to domesticity than women in societies with a more even sex ratio; they have fewer opportunities for economic independence, and they are often largely excluded from the political, religious, and other extradomestic institutions of the society. Feminist movements are less likely to arise in high-sex-ratio societies, because most women are absorbed into the domestic role, leaving few to demand entry into politics, the professions, or other public social roles. Wives and mothers are respected, but the flip side of that respect is contempt for women who are not wives, and wives who fail to bear sons. Women who are content with a private domestic role, wishing only that this role could be more highly valued, may find the typical high-sex-ratio society attractive. But women who value the freedom to take part in the full range of social, economic, and political institutions can only view it as a nightmare.

We cannot know that the introduction of new means of sex selection would produce such dire consequences in all societies. It is possible that the extreme forms of patriarchal domination which Guttentag and Secord observe in high-sex-ratio societies are a cause rather than an effect of high sex ratios. It is also possible that sex selection will have only slight effects on sex ratios in most nations. Some jurisdictions have already banned the use of amniocentesis for sex-selective abortion (e.g., the American state of Pennsylvania, and some Indian states). Perhaps public opinion will gradually turn against against all forms of sex selection, such that in the future they will be used only rarely. In the Western industrialized world, improved economic opportunities available to women may already have undermined son preference enough so that seriously skewed sex ratios will never be a problem.

Yet it seems probable that in some societies, without legal prohibition, sex selection will lead to much higher sex ratios, and that the net results will be detrimental to women (and probably also to men. (For instance, men in high-sex-ratio societies are apt to have more difficulty finding a female partner, and they may have to work longer and harder before being considered marriageable.) Thus, where sex ratios are apt to be severely altered by sex selection, there is a strong argument for prohibition – provided that it will not lead to still greater harm, such as a black market in unsafe sex-selection procedures that will put women at even greater medical risk.

But what about the legal and moral status of sex selection in societies which are unlikely to experience large sex-ratio shifts? Is sex selection morally objectionable regardless of the social and personal context? If we find sex selection morally troubling, should we argue for its universal prohibition, even where significant social harm seems unlikely to occur? Our answers to these questions will depend in part upon what we think that a woman is doing – or what is being done to her – when she submits to sex-selective abortion or preconceptive sex-selection procedures. Is she making a choice which ought to be be protected by her right to reproductive liberty? Is she making a choice which is not entitled to such protection? Or is she not making a choice at all, but only yielding to social coercion?

Liberals and liberal feminists tend to support the first interpretation, arguing that the preselection of the sex of a future child is as morally acceptable as the use of contraception for family planning. On this view, individuals and couples are entitled to make these family-planning decisions on the basis of their own moral and religious values, and in the light of their own social and economic situation. Radical feminists, in contrast, generally argue for the second or third interpretation. Some maintain that a woman who uses sex selection in order to have a son may be acting voluntarily, but her choice is ethically indefensible because it will militate against the legitimate rights and interests of all women. Others argue that a woman's use of sex selection is virtually always socially coerced, in so far as she would probably not have made that choice in a society where sons and daughters were equally valued. Thus, the argument continues, women cannot benefit from the legal right to make such a choice; to speak of a "right to choose" in this context is to obscure the reality of coercion.

These conflicting feminist perspectives are apparent not only in the debate over sex selection, but also in connection with *in vitro* fertilization, prenatal diagnosis, and other new reproductive technologies. It is therefore important to ask which of these perspectives on choice is more appropriate as a guide to the moral evaluation of these technologies.

It should be clear that none of these three alternatives represents a universally valid description of what is happening when a woman agrees to the use of sex-selection technology. A more realistic view is that sometimes the choice is clearly coerced, and sometimes it is clearly not coerced; and that usually it falls somewhere between the two extremes. Consider, at one extreme, a poor, young, uneducated woman in a highly patriarchal and highly son-preferring rural community in northern India. She has married into a family which values her only for her dowry and her potential to produce sons. She reasonably fears that if she fails to have sons she may be abused, repudiated, and perhaps even murdered. While she may want a daughter as a companion and helper, she knows that others in the family will view a female child as a useless drain on the family's resources, and may therefore neglect and abuse her. Even if she is not directly coerced into undergoing sex-selection procedures (as she may be), this woman may perceive no alternative to submission. To insist upon letting chance determine the sex of her children might be an act of heroism, but it is a heroism of which she feels incapable. In this situation, her "choice" to avoid bearing daughters is arguably no choice at all, and her "right" to make it is a mockery of reproductive freedom.

Now consider a well-educated woman in a prosperous industrialized nation, such as Australia. She is single, self-supporting (though not wealthy), and committed to doing what she can to remedy injustices against women and other oppressed groups. She may be a lesbian or bisexual, but that is not essential to the situation I wish to depict. What is essential is that she wishes to have a child, and expects to raise the child without a male partner. Her personal reflections have led her to conclude that she does not want to raise a son. She is not a sexist in the usual sense; that is, she does not believe that members of one sex are inherently more valuable than the other. However, she fears that if she has a son, "no amount of love and care and nonsexist training will save . . . [him] from a culture where male violence is institutionalized and revered."[7] She is unwilling to spend a large part of her life raising, at best, a well-meaning member of the ruling sex caste, and at worst, "a potential rapist, a potential batterer, a potential Big Man."[8] She believes that, given her convictions, it would be unfair to have a son, who would have no social father, and might come to feel that his mother regards him as the enemy.[9]

This woman is hypothetical, but she is not mythical. I have met many women who would prefer to have daughters, often for reasons such as these. Her reasons for not wanting to raise a son

may not be particularly good ones; but that is not the issue here. The issue is whether she can be said to be making an uncoerced choice to select her child's sex. I would argue that she can. Her decision is obviously influenced by social realities as she understands them; she might say that in a society with greater gender equality she would be happy to raise a son. But that influence does not rise to the level of coercion, since she remains free to either accept or reject sex selection, without suffering severe social sanctions, or placing herself or the child in great peril.

The lesson to be drawn from these cases is that it will not do to say either that the use of sex-selection technologies is always an exercise of individual reproductive freedom, or that it is always an illusory "choice" of no real benefit to women. Neither description can be generalized to all societies, or all circumstances within any given society. There is a continuum between maximally coerced and ideally uncoerced, voluntary, and autonomous decisions. Some women may submit to sex-selective abortion or preconceptive sex-selection treatments because they fear violence or abandonment if they refuse. Others may do so in defiance of the preponderance of social pressures acting upon them. But most cases are likely to be less clear. Most women will be influenced by the social, moral, and religious values that they have been taught, and the power dynamics of their own family and community life; but of what important decision is this not true? Many will opt for sex-selection technologies not because of coercive forces that they are powerless to resist, but because they judge that this is the best option for the child itself, in a world in which gender is still one of the most powerful determinants of opportunity.

In some societies, poor women often want sons because daughters are more costly to raise and likely to contribute less to the family's long-term economic security. If they seek to have more sons than daughters, are they being coerced or are they making a responsible reproductive decision in the light of harsh realities? Is their attitude essentially selfish or essentially altruistic? We should be wary of rash generalizations here. There may be some contemporary societies in which the economic and ideological forces that shape son preference are so powerful, and women have so little power to resist those pressures, that to permit the sale of sex-selection procedures can only make women more vulnerable to coercion. Deprived of daughters and sisters, women may become more isolated and powerless. In such circumstances, it is difficult to argue that new methods of preselecting sex will provide a net benefit to women, or an extension of their reproductive freedom. On the contrary, women's reproductive freedom may be best protected by the effective prohibition of sex selection.

But this model does not fit the situation of women in the Western industrialized nations. There, more women may choose to raise daughters in preference to sons. More women and couples will use sex selection in order to have a child of each sex. Others will prefer sons; but probably not so many as to produce large increases in sex ratios. Indeed, it is possible that in some instances sex selection will prevent severely *declining* sex ratios in the future, e.g., if natural sex ratios at birth decline due to environmental contaminants that are differentially lethal to male fetuses, or androgenic spermatozoa.

New methods of preselecting sex will probably be introduced over a period of several decades, or longer. Thus, there will be time to improve our understanding of the social consequences of small sex-ratio changes. As Guttentag and Secord point out, some of these changes might be beneficial to women. For instance, a shortage of women in underpaid female-dominated professions, such as nursing, might make it easier for members of these professions to demand improved pay and working conditions, and the redefinition of their role to better reflect their levels of responsibility and skill. Similarly, older women might find it easier to find male partners if the relative number of males were higher – a nontrivial consideration, since women's longer lives, together with men's preference for younger women, cause many women to face unwanted singleness in their later years.

The impossibility of accurately predicting the long-term social consequences of small sex-ratio changes militates against the prohibition of sex selection where large sex-ratio changes are unlikely. Individual rights and freedoms are not absolute, and must sometimes be overridden for the sake of a greater social good. For instance, the rights of property owners to do as they wish with their property are restricted for the sake of promoting environmentally sound practices and to avoid the creation of public hazards. But reproductive freedoms are crucial to women's other basic moral rights, and it is wise to resist incursions upon these freedoms, unless the arguments are extremely strong. Even if we knew that the net

results of permitting sex selection would be somewhat negative, it would not immediately follow that such use should be banned, since the consequences of prohibition may be worse than those of tolerance.

The slippery slope that leads from one infringement upon reproductive liberty to others is very real. In much of the world, women do not have the legal right to contraception and safe abortion, and where these rights exist, they are often under continual threat from conservative religious factions. In some Australian states, women still do not have a legal right to abortion, although it is subsidized by the national health-care service. In the United States abortion has been a constitutional right since 1973, but access is limited by the unwillingness of the majority of state Medicaid programs and private insurers to pay for it; by state laws requiring waiting periods, medically unnecessary tests, and parental consent for minors; and by the increasing scarcity of abortion providers, who are harassed, threatened, and sometimes murdered by abortion opponents. In this situation, it is dangerous to advocate further constrictions of reproductive freedom. The legal oversight and surveillance that would be necessary to prevent women from choosing sex-selective abortion would create further risks to abortion providers, and further erode the willingness of physicians to perform abortions.

But we do not in fact know that the net results of new sex-selection methods will always be negative. Nor it is clear that the goal of preventing the use of sex selection to produce sons automatically justifies overriding the liberty of prospective parents who may wish to use sex selection to produce daughters, or to have a child of each sex. If we knew that women never submit to sex-selection treatments except under coercion, then we could reject out of hand the idea that having this option will benefit some women. But this claim is not plausible in all societies, or with respect to all women.

Feminists in each part of the world must decide which is the greater danger: the erosion of reproductive and other civil liberties through the prohibition of the development and marketing of sex-selection methods, or the reduction in the relative number of girls and women that may result from the introduction of such methods. My conclusion is that, where son preference is not overwhelmingly powerful, and where women enjoy a substantial degree of personal and economic autonomy, the first danger is likely to prove the greater. For the threat to existing reproductive freedoms is real and immediate, while the risk of harm resulting from small sex-ratio changes is uncertain, and perhaps insignificant.

Notes

1 I refer here to sex-selective abortion in the absence of medical indication or need. The ethical arguments are different when there are medical reasons for preferring the birth of a male or female child, for instance, when a male child would be likely to suffer from a severe X-linked illness, such as Duchenne's muscular dystrophy or hemophilia.

2 See Sarah B. Pomeroy, *Goddesses, Whores, Wives and Slaves* (New York: Schocken, 1975).

3 See Susila Mehta, *Revolution and the Status of Women in India* (New Delhi: Metropolitan, 1982), p. 209.

4 I discuss these and other objections to sex selection in *Gendercide: The Implications of Sex Selection* (Totowa, NJ: Rowman & Allanheld, 1985).

5 See Nancy L. Williamson, *Sons or Daughters: A Cross-Cultural Survey of Parental Preferences* (Beverly Hills, CA: Sage, 1976), p. 13.

6 Marcia Guttentag and Paul Secord, *Too Many Women? The Sex Ratio Question* (Beverly Hills, CA: Sage, 1983).

7 Sally Gearhart, "The Future – if there is One – is Female," in *Reweaving the Web of Life: Feminism and Nonviolence*, ed. Pam McAllister (Philadelphia: New Society Publishers, 1982), p. 282.

8 Ibid.