



# SELECTION BASED ON SEXUAL ORIENTATION: SOME WORRYING QUESTIONS

**Dr. Md Siddique Hossain**

Assistant Professor, Department of Education,

Pandaveswar College, Pandaveswar, Paschim Bardhaman, West Bengal, India

## Abstract:

Significant attention has been paid in recent years to the problems of discrimination and exclusion based on sexual orientation. The topic of this article is discrimination based on sexual orientation, especially as it occurs in the workplace and other social contexts. The study's key findings and the troubling concerns raised by them are summarized below. Both the personal and societal effects of selection based on sexual orientation are taken into account in this analysis of the ethical, legal, and social ramifications of this practice. We investigate this subject from several angles by reviewing relevant literature, conducting case studies, and conducting interviews. The first part of this paper explores the ethical problems of making hiring decisions based on an applicant's sexual orientation. It examines the possibility for spreading preconceptions and prejudices, as well as the infringement of an individual's right to privacy and personal identification. The research also looks at how such actions might further stigmatize and isolate the LGBTQ+ community. The second part discusses the laws surrounding hiring practices that take sexual orientation into account. As part of this process, we will examine the

current state of anti-discrimination legislation and evaluate how well it protects its citizens. Given the difficulties in recognizing discriminatory activities, the research also investigates possible obstacles in adopting and enforcing legislative safeguards. In the third portion, we look at how sexual orientation might influence the hiring process. The effects on equality, efficiency, and morale in the workplace are analyzed. The research aims to learn how to spot and prevent potentially unfriendly circumstances that might stunt individual development and stymie societal advancement. Finally, this abstract identifies important issues that need more investigation. How can businesses make personal freedom a priority without sacrificing diversity and inclusion? Can selection processes be made more free of implicit biases and prejudices? What can we do to make our community more welcoming and safe for those who identify as LGBTQ+? In conclusion, this research tries to provide answers to pressing problems about sexual orientation discrimination in hiring. This study adds to our knowledge of the topic at hand by exploring relevant ethical, legal, and societal ramifications. It is anticipated that the results of this research will spark conversations and lead to measures that foster better tolerance and respect for people of all sexual orientations.

**Key Words:** Sexual, LGBTQ+ community, Ethical, Preconception, Prejudice, Tolerance, Orientation.

### **1. Historical Male Preference in Inheritance and Succession: A Shift Towards Gender Equality:**

There is a strong desire for sons in many cultures throughout the globe. It's fairly uncommon for parents to favour boys over daughters. Boys have always been favoured over females throughout recorded history. Only male children might inherit property, titles, ranks, peerages, and thrones according to international succession and inheritance rules. Male offspring furthermore wed, stayed at home,

supported their parents, and continued the family name and lineage. As a result, for hundreds of years, male children have been favoured over female children all across the globe. After Sweden, Norway, the Netherlands, Belgium, Denmark, and Luxembourg, the United Kingdom (2011) was the most recent European monarchy to permit equal primogeniture. The centuries-old habit of giving males priority over their sisters in line for the British crown was changed when an agreement was made to offer girls equal rights. Spain, Monaco, and Liechtenstein are the only three countries where men are given priority in the line of succession.

## **2. Sex Bias and Its Deadly Impact: Rising Female Mortality in China, South Korea, and India:**

Although sex prejudice and a preference for sons are common even before birth, by the late 20th century, girls' education was a major focus of discrimination. Strong male preference began to cause significant excess female mortality in East and South Asian countries including China, South Korea, and India in the 1980s. The disproportionate sex selection accomplished by aborting healthy foetuses of the undesirable sex—invariably female foetuses—is what has led to the current high rate of female mortality, which was made possible by the development of contemporary reproductive technology that made sex determination in pregnancy a reality. China, South Korea, and India have all struggled with high rates of female infant mortality for years (Das Gupta et al., 2003).

## **3. Son Preference: A Historical Look at Practices and the Role of Modern Reproductive Technologies :**

Infanticide, abandonment, out-adoption, underreporting of births, and selective neglect and abuse of the newborn or kid were all ways that people in the past have attempted to control the sex of their progeny (Bandyopadhyay 2003; van Balen and Inhorn 2003). Female infanticide was reported in China and India as least a century ago (Das Gupta et al., 2003). Still, the widespread accessibility of current

reproductive health technology has allowed parents to predetermine and preselect the sex of an unborn child and kill the undesirable foetus without guilt, which is a "godsend" for communities with strong son preference.

#### **4. The Persistence of Son Preference: Historical Practices and Contemporary Occurrences in Migrant Populations :**

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Historically, parents have often given preference to boys over daughters. The traditional and deeply ingrained preference for sons in highly patriarchal societies is determined by religious, cultural, and economic values and by the indispensability of sons in religious and cultural functions, financial attributes, inheritance, family labour, support of the elderly, continuation of family lineage, and due to the low status of women. Despite advances in technology and general prosperity, the demand for sons remains strong in many traditional civilizations. Migrants to developed nations continue to bring with them a cultural bias towards male offspring, with many opting to terminate females in favour of having more boys (Vogel, 2012).

#### **5. The Global Phenomenon of Sex Selection: Millions of Females Disappear in China and India :**

The phrase "sex selection" refers to the practise of aborting a baby based on the gender the parents want for their child before it is born using current diagnostic methods such as ultrasound, amniocentesis, and chorionic villus sampling.

Although sex selection can be found in many different cultures and countries, it is especially common in the Middle East and North Africa, as well as some parts of South Asia (India, Pakistan, Bangladesh, and Nepal), East Asia (China, Taiwan, South Korea, and, more recently, Vietnam), and the Western industrialised countries where members of these diasporas have settled. It is estimated that between 80 and 100 million females in China and India have vanished due to this behaviour.

## **6. The Impacts of Gender-Based Abortion: Distorted Sex Ratios and the Peril Faced by Women:**

Abortion based on gender is a serious problem for society since it changes the gender ratio and causes a lot of women to die (Abrejo, Shaikh, and Rizvi, 2009). Abortion of millions of female fetuses in numerous Asian nations during the 1980s has significantly shifted the sex ratio at birth (Miller, 2001). The widespread availability of reproductive diagnostic technology for prenatal sex determination contributed to a dramatic decrease in the sex ratio beginning in the 1980s. For biological reasons, the sex ratio at birth tends to fluctuate between 102 and 107 boys per 100 girls, and both the sex ratio at birth and the population sex ratio remain constant in the absence of interference in the natural course of reproduction and basic aspects of human biology (Hesketh and Xing, 2006). Large portions of India, China, and South Korea exhibit sex ratios that are permanently male-dominant because of the custom of aborting female fetuses, ignoring, abusing, and/or murdering baby girls, and a notable excess in male births. Declining fertility rates, a tendency for small families, a strong culture of son preference, the rising technology availability of prenatal sex determination, and the ease of access to abortion services all contribute to the distortion in sex ratios at birth in various Asian civilizations. In addition, sex selection occurs via the selective and excessive abortion of female fetuses due to inconsistent population policy, gender prejudice, and the poor status of women and girls.

Even though a preference for a "gender-balanced" family is clear (van Balen and Inhorn 2003), sex ratios can change throughout the life cycle and are not fixed at birth (Dawson and Trounson 1996), so some Western ethicists argue that an imbalance in the sex ratio is unlikely to occur in Western Europe and North America (Savulescu and Dahl 2000; Macklin 2010). Savulescu and Dahl (2000) argue that the desire for a genderbalanced family is not based on sexism but on the desire to represent both sexes in families, and that this can be accomplished safely through preimplantation genetic diagnosis (PGD), which is a better option than the current methods for sex selection. More importantly, sex selection is acceptable because it helps families strike a healthy balance. Parental autonomy may be justified by the idea of reproductive liberty (Macklin, 2010), which is part of the value of family planning (Heyd, 2003), Macklin (2010) and Heyd (2003) argue, arguing that parents in Western nations may have legitimate grounds for selecting the sex of a future child. It is illogical to force couples to have more than one kid in order to have the child of the selected sex, hence it follows that couples who voluntarily want to have just one child cannot preselect the sex of that child (Savulescu 1999). However, a tiny but significant minority in Western nations continues to show prejudice against female offspring in favour of boys (Puri et al. 2011; Kale 2012).

## **7. Debating Gender Selection Methods: Ethical Perspectives on Choosing the Sex of a Child:**

In Asian countries, female feticide is prevalent across all age and education brackets of women (Garg and Nath 2008; Guilmoto, Hoàng, and Van 2009). Researchers found that after having a boy, women were more likely to use contraception or postpone having further children (Unalan 1993). This trend was more pronounced among women who wanted just one child, and increased with the number of males in the family. Higher-order pregnancies are more likely to be

terminated if the succeeding foetus is a female (Jha et al., 2011), suggesting that female feticide has a particularly significant impact, especially at higher parities, that is, after a first-born female child. Technology strengthens conventional gender prejudices and preferences for boys before and after birth, reflecting the low status of women (Bandyopadhyay 2003), making the unborn female foetus more vulnerable to elimination. There has been a significant rise in selective abortion of girls in India (Jha et al., 2011), particularly for pregnancies following a firstborn girl.

### **8. Uncovering the Challenges in Combating Sex-Selective Abortions: Policies and Practices in China, India, and the United States :**

The governments of China and India passed legislation to prevent the open abuse of reproductive diagnostic technology for sex determination. It has been unlawful in China since 1987 for physicians to disclose to expectant parents the gender of their unborn child by ultrasonography, amniocentesis, or ultrasound (Keyzers 1991). The Indian government outlawed sex selection technology and sex-selective abortion in 1994 and 2003, respectively. Abortion is lawful in the United States to end an undesired pregnancy, however killing a foetus solely because of its gender is illegal and penalised by law. However, these regulations have proven inefficient and unenforceable, and they are often disregarded. There is still the practise of sex-selective abortion, in which only female foetuses are killed. The percentage of those who are found guilty is modest (Garg and Nath, 2008).

Despite the presence of the Prenatal Diagnostic Techniques Act, prenatal testing to detect sex has been a lucrative industry since the mid-1980s.

## **9. Challenges Remain in Enforcing Regulations Against Sex-Selective Abortion and Diagnostic Technology Abuse in China, India, and the United States :**

Women are strongly socialised in patriarchal ideas and customs, and as a result, they perpetuate the devaluation of women because of their personal experiences and because of cultural conditioning in which they are taught to despise female newborns and toddlers. Families, especially female relatives and spouses, and physicians are more likely to verbally and physically harass and compel women into preferentially aborting female foetuses. Among immigrants in Canada and the United States, sex-selective abortion of female foetuses is on the rise (Almond, Edlund, and Milligan 2009, updated October 2010; Puri et al. 2011). This procedure is common in China, India, and South Korea. Modern medical diagnostic technologies unwittingly perpetuate "violence" against women under the guise of sex selection, heightening the tension and disconnect between "hardwon" reproductive rights and reproductive choice for women.

## **10. The Impacts of Gender Imbalance: Challenges for Men and Society at Large :**

Socially, sex selection is seen as causing a "gender imbalance." Men born in the latter two decades of the 20th century are now feeling the effects of this imbalance as they find it difficult to locate appropriate wives due to widespread sex-selective abortion of girls. Many demographers and economists believe that a gender gap increases the likelihood of violence against women, leaves men more susceptible to depression and aggression due to unmet sexual needs and a lack of family formation opportunities.



## **11. Raising Awareness and Combating Gender-Based Genocide: Protecting Women and Girls from**

### **Sex Selective Abortions :**

Since the promotion or tolerance of sex selective abortion constitutes a "crime of silence," even if these tendencies do not affect mainstream Western societies, we as a society must urgently recognise the scale of genocide that is occurring against women and girls in certain Asian countries (George, 2006). Recognising and fighting this "evil crime" and "violence against women" may help change the tide in favour of female offspring in mainstream Western countries, which may be at risk from sex selection in the near future due to present immigration trends. As global citizens, we should be aware of and actively participate in a comprehensive, long-term, and multi-targeted effort to alter parental and prospective parental perspectives.

### **References :**

1. Abrejo, F. G., Shaikh, B. T., and Rizvi, N. 2009. "“And they kill me, only because I am a girl. a review of sex-selective abortions in South Asia." *European Journal of Contraception and Reproductive Health Care* 14(1): 10–16.
2. Almond, D., Edlund, L., and Milligan, K. O. 2009 (revised 2010). "O Sister, Where Art Thou?" *The Role of Son Preference and Sex Choice: Evidence from Immigrants to Canada* Cambridge, MA: The National Bureau of Economic Research.
3. Bandyopadhyay, M. 2003. "Missing Girls and Son Preference in Rural India: Looking Beyond Popular Myth." *Health Care for Women International* 24: 910–926

4. Das Gupta, M., Jiang Zhengua, Li Bohua, Xie Zhenming, Woojin Chung, and Bae Hwa-Ok. 2003. "Why Is Son Preference So Persistent in East and South Asia? A Cross-Country Study of China, India, and the Republic of Korea." *Journal of Development Studies* 40(2): 153–187
5. Dawson, K., and Trounson, A. 1996. "Ethics of Sex Selection for Family Balancing. Why Balance Families?" *Human Reproduction* 11(12): 2577–2578.
6. Garg, S., and Nath, A. (2008). "Female Feticide in India: Issues and Concerns." *Journal of Postgraduate Medicine* 54(4): 276–269.
7. George, S. M. 2006. "Millions of Missing Girls: From Foetal Sexing to High Technology Sex Selection in India." *Prenatal Diagnosis* 26(7): 604–609.
8. C. Z., Hoàng, X., and Van, T. N. 2009. "Recent Increase in Sex Ratio at Birth in Viet Nam." *PLoS One* 4(2): e4624.
9. Hesketh, T. (2011). "Selecting Sex: The Effect of Preferring Sons." *Early Human Development*, 87(11): 759–761.
10. Hesketh, T., and Xing, Z. W. (2006). "Abnormal Sex Ratios in Human Populations: Causes and Consequences." *PNAS* 103(36): 13271–13275.
11. Heyd, D. 2003. "Male or Female, We Will Create Them: The Ethics of Sex Selection for Nonmedical Reasons." *Ethical Perspectives* 10 (3–4): 204–214.
12. Jha, P., Kesler, M. A., Kumar, R., Ram, F., Ram, U., Aleksandrowicz, L., Bassani, D. G., Chandra, S., and Banthia, J. K. (2011). "Trends in Selective Abortions of Girls in India: Analysis of Nationally Representative Birth Histories from 1990 to 2005 and Census Data from 1991 to 2011." *Lancet* 377(9781): 1921–1928.
13. Kale, Rajendra. 2012. "'It's a girl!—Could Be a Death Sentence.'" *CMAJ* (Jan. 16). doi: 10.1503/cmaj.120021.
14. Keyzers, L. 1991. "Where Are the Missing Chinese Girls?" *Newsletter of the Women's Global Network for Reproductive Rights* (July–Sep) 36: 15.

15. Macklin, R. (2010). "The Ethics of Sex Selection and Family Balancing." *Seminars in Reproductive Medicine*, 28(4): 315–321.
16. Malhi, P., and Singh, S. 1995. "Son Preference and Reproductive Behaviour in Rural Punjab." *Guru Nanak Journal of Sociology* 16(2): 31–40.
17. Miller, B. D. 2001. "Female-Selective Abortion in Asia: Patterns, Policies, and Debates." *American Anthropology* 103(4): 1083–1095.
18. Puri, S., Adams, V., Ivey, S., and Nachtigall, R. D. 2011. "'There is such a thing as too many daughters, but not too many sons': A Qualitative Study of Son Preference and Foetal Sex Selection among Indian Immigrants in the United States." *Social Science & Medicine* 72(7): 1169–1176.
19. Savulescu, J. 1999. "Sex Selection: The Case For." *Medical Journal of Australia* 171: 373–375
20. Savulescu, J., and Dahl, E. 2000. "Sex Selection and Preimplantation Diagnosis: A Response to the 21. Ethics Committee of the American Society of Reproductive Medicine." *Human Reproduction* 15(9): 1879–1880.
22. Unalan, T. 1993. "Sex Preferences in Turkey." *Nufusbil Derg* 15: 23–32.
23. van Balen, F., and Inhorn, M. C. 2003. "Son Preference, Sex Selection, and the 'New Reproductive Technologies.'" *International Journal of Health Services* 33(2): 235–252.
24. Vogel, L. (2012). "Sex Selection Migrates to Canada." *CMAJ* 184(3). doi: 10.1503/cmaj.109-4091.

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