



Jus Corpus Law Journal

Open Access Law Journal – Copyright © 2023 – ISSN 2582-7820
Editor-in-Chief – Prof. (Dr.) Rhishikesh Dave; Publisher – Ayush Pandey

This is an Open Access article distributed under the terms of the Creative Commons Attribution-Non-Commercial-Share Alike 4.0 International (CC-BY-NC-SA 4.0) License, which permits unrestricted non-commercial use, distribution, and reproduction in any medium provided the original work is properly cited.

Killed in the womb for being Girl: India's Missing Daughters

Aman Rai^a

^aSymbiosis Law School, Nagpur, India

Received 04 February 2023; Accepted 25 February 2023; Published 02 March 2023

The topic delves into the problem of gender-based discrimination and violence prevalent in India, specifically the issue of sex-selective abortion and female foeticide. This issue has led to a significant decline in the number of girls being born and a skewed gender ratio, with far-reaching consequences for the country's social, economic, and political stability. The study aims to understand the root causes of this problem, which include the preference for male children and the stigma attached to having a girl child, and the impact it has on the country and its citizens. The research paper will analyze existing literature and data on the topic and conduct field research to gain a deeper understanding of the issue and its effects on society. The study will also examine the legislative and policy measures that have been taken to address this problem, as well as the impact of education and awareness programs aimed at changing societal attitudes toward girls. The findings of this research paper will provide valuable insights into the issue of missing daughters in India and contribute to the ongoing discourse on the need for a multi-pronged approach to address this problem. The study will also make recommendations for future policy and action, highlighting the importance of creating a society that values and respects the lives of all its citizens, regardless of gender. Additionally, the paper will discuss the role of gender equality and the empowerment of women and girls in combating female foeticide and suggest potential strategies for addressing this issue.

Keywords: *female foeticide, women, sex, equality.*

INTRODUCTION

In India, it is common for couples to pray for children and to consider a child to be a "gift" from God. However, this belief does not extend to female children in many cases, and female foeticide is a common practice in some parts of India. As a child brings joy to the mansion. But when it comes to birth, the Child is killed in the womb when the family discovers the infant is a female. Discrimination against the female child in Indian society remains for several reasons, including social behavior and prejudices against the female child, as well as the ills of the dowry system, which remains prevalent in society despite its prohibition under the Dowry Prohibition Act. The nationwide drop in the female-child ratio leads to the inescapable conclusion that the practice of destroying female fetuses through the use of pre-natal diagnostic procedures is pervasive in this country. However, infanticide and gender-specific abortions are considerably worse. Millions of females in India are missing today. Crime against women is a cause for national shame. An act that kills a fetus is known as feticide or foeticide. In a legal context, it alludes to the inadvertent killing of a baby as a result of a violent human act, Feticide is the term used in medicine to describe the killing of a fetus, such as during the initial stage of a legally induced abortion. When sonography was improperly used to determine the sex of the fetus, the preference for male children is inevitably manifested via different types of female foeticide and infanticide, Abortion is often performed because of an unplanned pregnancy. However, the traditional practice of murdering an undesired infant, even before it is born, is a considerably less horrible offense than female feticide. India is a patriarchal society, much like many others throughout the world. All strata of the social order follow a predetermined hierarchical structure¹.

Men are extolled as the key to preserving the family bloodline across several scriptures in the ancient texts. To achieve her lifetime dream of becoming a breeding machine that produces male kids by the demands of the family, a girl is compelled to have several pregnancies and (or) abortions. Sadly, young and old women enthusiastically participate in the majority of instances of female feticide, this is usually done due to family pressure. Female foeticide has its historical

¹ Pre-Natal Diagnostic Technique (Regulation and Prevention of Misuse) Act 1994

origins in social thinking, which is built on certain erroneous beliefs, egotistical traditions, perverted perceptions of societal expectations, and concerns with notions that are completely individualized without regard for the common welfare.

Every woman who gives birth to an infant in a case of female foeticide must keep in mind that, despite being a mother, she is killing her child. In terms of society, that is what abortion would entail. In its logical conclusion, the abortion of female infant results in the killing of a woman. It is forbidden by law, forbidden by the scriptures, condemned by philosophy, despised by ethics, despised by morals, and abhorred by social science. A woman's creative intellect and a child's innocence cannot ever be dismissed or marginalized. How a nation treats its women is a sign of its degree of civilization. For humanism to survive in its conceptual essence, people in the contemporary day must be made aware of the need to treat women with respect and dignity. In the modern world, every member of society must cultivate a scientific mindset since there is currently a societal necessity for it. No awareness campaign will ever be complete until there is a genuine emphasis on women's abilities and the need for women's empowerment.

“I am the daughter of India. I am like your daughters who are playing on your premises, who are bringing laurels to the nation like Sunita Williams, Kiran Bedi, Kalpana Chawla, Sania Mirza, etc. But there is a difference between me and all of you as I have been killed in the womb of my mother itself”².

CAUSES FOR FEMALE FOETICIDE

Several factors result in Female Foeticide in India. In Indian Society, Women are considered a burden due to the presence of various Customs. The Custom of Dowry of which we all are aware, the huge amount which is required for the marriage of a girl, the difficulty in finding mates for the girls. While Boys in Indian society are considered blessings because of the expectations attached to them that they will work hard and would earn for the family and will

² Kusum, ‘The Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Bill 1991: A Critique’ (1991) 33 Journal of Indian Law Institute
<http://14.139.60.116:8080/jspui/bitstream/123456789/17339/1/029_The%20Pre-Natal%20Diagnostic%20Techniques%20%28Regulation%20and%20Preservation%20of%20Misuse%29%20Bill%201991_A%20Criti.pdf> accessed 02 February 2023

care for their parents when they get Old. The sex of the fetus can now be determined, and if it is discovered to be female, it is terminated due to technological advances in medical science.

Preference for the male child: Yes, preference for male children is one of the main causes of female foeticide in India. In many parts of the country, there is a strong cultural preference for male children, leading to the abortion of female fetuses. This preference is often driven by a belief that male children are more financially viable and will be able to support their families in the future. There may also be a belief that male children are more likely to carry on the family name and continue family traditions. In addition, there may be a perception that male children are more likely to be successful in various fields, such as business or politics. All of these factors contribute to the cultural preference for male children in India, which can lead to the practice of female foeticide.

Economic Pressures: In some cases, families may see female children as a financial burden due to the cost of dowries and wedding expenses. In India, it is traditional for the bride's family to pay a dowry to the groom's family when a woman gets married. The dowry may include a range of items, such as money, jewelry, and household goods. The cost of dowries can be significant, and some families may feel that they cannot afford to pay for the dowries of multiple daughters. As a result, they may choose to abort female fetuses to limit the number of daughters they will have to provide dowries for. In addition to the cost of dowries, some families may also see female children as a financial burden because they may not be able to work outside the home or may have limited job opportunities. This may lead families to prefer male children, who may be seen as more financially viable. Overall, economic pressures can play a significant role in driving the practice of female foeticide in India.

Limited access to education: Limited access to education can be a cause of female foeticide in India. In some areas of the country, girls may have limited access to education due to a variety of factors, such as poverty, cultural beliefs, or lack of schools or teachers. This can lead families to prefer male children, who may be seen as more financially viable and likely to have better job prospects in the future. Limited access to education can also contribute to a cycle of poverty and disadvantage for girls and women. Without access to education, girls may have fewer

opportunities for employment and social mobility, leading to economic and social disadvantages. This may lead families to prefer male children, who may be seen as more likely to be successful in various fields, such as business or politics. Overall, limited access to education can play a significant role in driving the practice of female foeticide in India.

Limited opportunities for women: In some parts of the country, women may face limited opportunities for education, employment, and social mobility. This can be due to a variety of factors, such as cultural beliefs, poverty, or lack of access to resources. Limited opportunities for women can contribute to a cycle of disadvantage and poverty, as women may have fewer opportunities to improve their socioeconomic status. This may lead families to prefer male children, who may be seen as more likely to be successful in various fields, such as business or politics.

In addition, limited opportunities for women may also contribute to the cultural preference for male children in India. In some cases, families may see male children as more valuable because they may be able to support the family financially and carry on the family name and traditions. This cultural preference can drive the practice of female foeticide, as families may choose to abort female fetuses to have male children instead. Overall, limited opportunities for women can be a significant factor in driving the practice of female foeticide in India. To address this problem, it is important to take steps to improve access to education and employment opportunities for girls and women and promote gender equality in various fields.

Sonography and other reproductive technologies: The availability of sonography and other reproductive technologies has contributed to the problem of female foeticide in India. These technologies make it easier to determine the sex of a fetus, which has led to an increase in the number of female fetuses being aborted. In addition, the widespread availability of these technologies has made it easier for families to access abortion services, which has contributed to the problem of female foeticide in the country. The use of reproductive technologies for female foeticide is a serious issue that has significant implications for the gender balance in India. The widespread practice of aborting female fetuses has led to a significant gender imbalance in the country, with many areas having significantly more men than women. This can have negative

consequences for both men and women, including a lack of marriageable partners, social unrest, and economic problems.

To address this problem, it is important to take steps to restrict the use of reproductive technologies for female foeticide. This could include stricter laws and regulations around the use of these technologies, as well as public awareness campaigns to educate people about the negative consequences of female foeticide. In addition, improving access to education and employment opportunities for girls and women and promoting gender equality can help to reduce the cultural preference for male children and discourage the practice of female foeticide.

Gender-based violence: Gender-based violence can be a factor in driving the practice of female foeticide in India. In some cases, families may choose to abort female fetuses out of fear of gender-based violence, such as rape and abuse. This is particularly true in areas where there is a high incidence of such violence against women. Gender-based violence is a serious problem in India, where women and girls may be subjected to physical, sexual, and emotional abuse. This can have significant negative impacts on the health, well-being, and rights of women and girls, and can also contribute to the cycle of poverty and disadvantage that many women and girls experience.

To address the problem of gender-based violence and its relationship to female foeticide in India, it is important to take a comprehensive approach that includes efforts to prevent and respond to violence against women, as well as initiatives to promote gender equality and empower women and girls. This could include efforts to strengthen laws and policies that protect women and girls from violence, as well as public awareness campaigns and efforts to improve access to education and employment opportunities for women and girls. Working to address gender-based violence and promoting gender equality can help to reduce the fear of violence that may drive the practice of female foeticide in India³.

³ Jagriti Chandra, '46 million girls went missing in India, says UNFPA report' (*The Hindu*, 30 June 2020) <<https://www.thehindu.com/news/national/46-million-girls-went-missing-in-india/article31957348.ece>> accessed 02 February 2023

CASE LAWS ON FEMALE FOETICIDE IN INDIA

Common Cause v Union of India (1996): In this case, the Supreme Court of India issued a series of directives to address the problem of female foeticide in the country. The Court ordered the formation of committees to monitor the implementation of laws related to female foeticide, as well as the creation of a central database to track cases of female foeticide⁴.

Gaurav Jain v Union of India (2003): In this case, the Delhi High Court ordered the government to take steps to prevent female foeticide, including the establishment of committees to monitor the implementation of laws related to the practice and the creation of a central database to track cases of female foeticide.

CEHAT v Union of India (2003): In this case, the Bombay High Court ordered the government to take steps to prevent female foeticide, including the implementation of a public awareness campaign and the establishment of a central database to track cases of female foeticide⁵.

People's Union for Civil Liberties v Union of India (2012): In this case, the Supreme Court of India issued a series of directives to address the problem of female foeticide in the country. The Court ordered the government to take steps to prevent female foeticide, including the implementation of a public awareness campaign and the establishment of a central database to track cases of female foeticide⁶.

AMELIORATION TO COMBAT FEMALE FOETICIDE IN INDIA

Female foeticide, the practice of terminating a pregnancy based on the sex of the fetus, is a serious problem in India. It is illegal under the Indian Penal Code and the Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act of 1994. Despite this, female foeticide remains prevalent in India, particularly in certain regions where there is a cultural preference for male children. According to data from the Census of India, the sex ratio (number of females per 1,000 males) in the country has decreased significantly over the past several

⁴ *Common Cause v Union of India* (1996) (2) SCC 548

⁵ *CEHAT & Ors. v Union of India* (2003) 8 SCC 412

⁶ *People's Union for Civil Liberties v Union of India* (1997) 1 SCC 301

decades. In 1961, the sex ratio was 976 females per 1,000 males. By 2011, it had fallen to 943 females per 1,000 males. This trend is largely attributed to the practice of female foeticide⁷.

The Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act was enacted in 1994 to prevent female foeticide and other forms of sex selection. The Act prohibits the use of any technique for the selection of the sex of a fetus, including ultrasound and other diagnostic techniques. It also prohibits the dissemination of any information regarding the use of such techniques. Despite the provisions of the Act, female foeticide continues to be a problem in India. One reason for this is that the Act is difficult to enforce due to the widespread availability of illegal sex determination tests and the lack of effective implementation and enforcement mechanisms.

In 2014, the Supreme Court of India directed all states and Union Territories to take steps to prevent female foeticide, including setting up committees to monitor the implementation of the Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act⁸. In 2016, the Supreme Court ordered all states and Union Territories to set up special cells to monitor cases of female foeticide and to take action against those who violate the law. In 2018, the Supreme Court ordered the government to take steps to prevent female foeticide, including setting up a national-level monitoring committee to oversee the implementation of the Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act.

In 2019, the Supreme Court directed the government to take steps to prevent female foeticide, including setting up a central-level monitoring committee to oversee the implementation of the Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act. The Court also directed the government to take steps to educate people about the harmful effects of female foeticide and to provide financial incentives to families who have girls.

Overall, the law in India prohibits female foeticide and there have been several cases and rulings related to this issue. The government and society need to take steps to prevent this harmful

⁷ K. S. JACOB, Sex ratio, patriarchy, and ethics, *The Hindu*, April 29, 2011.

⁸ S Tabaie, 'Stopping female foeticide in India: the failure and unintended consequence of ultrasound restriction' (2017) 7(1) *Journal of Global Health*

practice and to ensure that the rights of women and girls are protected. Female foeticide remains a significant problem in India despite the provisions of the Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act. Efforts to prevent this harmful practice, including the establishment of monitoring committees and special cells, have had limited success due to the lack of effective implementation and enforcement mechanisms. The government and society need to take steps to address this issue and to ensure that the rights of women and girls are protected⁹.

THE PERCEPTION AND ATTITUDE OF PEOPLE TOWARD FEMALE FOETICIDE AND FEMALE INFANTICIDE

Perceptions and attitudes towards female foeticide and female infanticide vary widely depending on the cultural and societal context. In some societies, female foeticide and female infanticide may be seen as a necessary or acceptable practice due to a strong preference for male offspring. This preference may be fueled by cultural and societal biases that view males as more valuable or desirable than females. In other societies, female foeticide and female infanticide may be viewed as reprehensible and unacceptable practices that violate the rights of women and girls. This may be due to a greater acceptance of gender equality and a recognition of the inherent value and worth of all individuals, regardless of their gender.

There is also a growing body of research that suggests that perceptions and attitudes towards female foeticide and female infanticide may be influenced by a range of factors, including education, income, and exposure to different cultural and societal norms. For example, research has shown that individuals with higher levels of education are more likely to have more positive attitudes toward gender equality and may be less likely to support practices like female foeticide and female infanticide.

Overall, perceptions and attitudes towards female foeticide and female infanticide are complex and multifaceted and are shaped by a range of cultural, societal, and individual factors.

⁹ PNDT Division, Ministry of Health and Family Welfare, Government of India, *Implementation of the Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act (2006)*

Changing these attitudes will likely require a multi-faceted approach that addresses the root causes of these practices and works to promote gender equality and the inherent value and worth of all individuals, regardless of their gender¹⁰.

THE LEGISLATIVE MEASURES TAKEN TO COMBAT FEMALE FOETICIDE

Despite the provisions of the Act, female foeticide continues to be a problem in India. One reason for this is that the Act is difficult to enforce due to the widespread availability of illegal sex determination tests and the lack of effective implementation and enforcement mechanisms. In recent years, the Supreme Court of India has issued several directives to the government to take steps to prevent female foeticide. However, these efforts have had limited success in addressing the problem. To effectively address the issue of female foeticide in India, a multi-faceted approach is needed that addresses the root causes of the problem and implements effective prevention and enforcement measures. Some possible solutions include:

Strengthening implementation and enforcement of the Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act: This could involve increasing the number of inspections of clinics and hospitals to ensure compliance with the Act, as well as increasing the penalties for violations of the Act.

Providing financial incentives for families who have girls: One way to address the cultural preference for male children is to provide financial incentives for families who have girls. This could include providing cash transfers, education scholarships, or other forms of assistance to families who choose to have girls.

Increasing access to education and employment opportunities for women and girls: Improving the status and opportunities available to women and girls can help to reduce the preference for male children. This could involve increasing access to education and employment opportunities for women and girls, as well as addressing issues such as gender-based violence and discrimination.

¹⁰ Kusum (n 2)

Promoting gender equality and women's empowerment: Addressing the underlying gender inequality that drives the preference for male children is critical to effectively addressing female foeticide. This could involve promoting gender equality through education and media campaigns, as well as supporting initiatives that empower women and girls.

Increasing access to family planning services: Providing access to family planning services can help to reduce unintended pregnancies and, in turn, the need for abortion, including female foeticide. This could involve increasing access to a range of contraceptive options, as well as providing education and information about family planning.

Engaging with community and religious leaders: Engaging with community and religious leaders can be an effective way to address social norms and attitudes that support female foeticide. This could involve working with these leaders to promote gender equality and the value of girls and women, as well as encouraging them to speak out against female foeticide and other forms of gender-based violence.

Enhancing data collection and analysis: Improving data collection and analysis on female foeticide can help to better understand the scope and drivers of the problem, as well as inform the development and implementation of effective prevention and enforcement measures.

Overall, addressing the issue of female foeticide in India requires a comprehensive and multi-faceted approach that addresses the root causes of the problem and implements effective prevention and enforcement measures. By taking these steps, it is possible to effectively address female foeticide and promote the rights and well-being of women and girls in India¹¹.

GAPS AND CHALLENGES IN IMPLEMENTING THE LEGISLATIVE MEASURES TO COMBAT FEMALE FOETICIDE AND FEMALE INFANTICIDE

Female foeticide and female infanticide are practices that involve the selective abortion or killing of female fetuses or infants, respectively. These practices are driven by a preference for male offspring and are often fueled by cultural and societal biases that value males over females. As

¹¹ Nuzhat Parveen Khan, *Women and the Law* (Lexisnexis 2016)

a result, female foeticide and female infanticide disproportionately affect certain populations, including those in certain countries in Asia and Africa. Legislative measures to combat female foeticide and female infanticide have been implemented in many countries, but there are still significant challenges and gaps in their effectiveness. Some of the challenges and gaps include:

Lack of enforcement: In some cases, laws that prohibit female foeticide and female infanticide are not enforced, either due to a lack of resources or political will. This can undermine the effectiveness of these laws and create a perception that they are not taken seriously.

Societal attitudes: Changing societal attitudes and cultural beliefs that support the preference for male offspring can be difficult and may require a multi-faceted approach. This may include efforts to educate and raise awareness about the value of female children and the harm caused by female foeticide and female infanticide.

Access to healthcare: In some cases, women may not have access to quality healthcare, including access to safe and legal abortion services. This can lead to women seeking out illegal and potentially dangerous methods to terminate pregnancies, which can result in female foeticide.

Lack of data: In many cases, there is a lack of reliable data on the prevalence of female foeticide and female infanticide, which can make it difficult to effectively address the issue. This can be due to a lack of reporting or underreporting of these practices.

Limited resources: Implementing legislative measures to combat female foeticide and female infanticide can be resource-intensive and may require the allocation of significant financial and human resources. In some cases, governments may not have the necessary resources to effectively address the issue.

Overall, the challenges and gaps in implementing legislative measures to combat female foeticide and female infanticide are multifaceted and require a comprehensive approach that

addresses a range of issues, including enforcement, societal attitudes, access to healthcare, data collection, and resource allocation¹².

SOCIAL AND ECONOMIC CONSEQUENCES OF FEMALES ON SOCIETY AND INDIVIDUALS

Female foeticide and female infanticide can have a range of social and economic consequences that can impact society as a whole and individuals in particular. Some of the social and economic consequences of these practices include:

Gender imbalances: Female foeticide and female infanticide can result in gender imbalances in the population, with more males than females. This can lead to a range of social issues, including an increase in violence against women and girls, as well as a rise in the number of men who are unable to find a partner due to a lack of females.

Loss of human potential: Female foeticide and female infanticide result in the loss of human potential and deprive society of the contributions that female individuals could have made. This can impact a range of areas, including the economy, as women often play important roles as workers, entrepreneurs, and consumers.

Negative impact on families: Female foeticide and female infanticide can have negative consequences for families, particularly those who are unable to have a female child due to these practices. This can lead to feelings of loss and grief, as well as social isolation and discrimination.

Negative impact on women: Women who are forced to undergo female foeticide or female infanticide may suffer physical and emotional harm, as well as long-term consequences such as social isolation and discrimination.

Negative impact on the economy: Female foeticide and female infanticide can have negative consequences for the economy, as they result in a loss of human potential and the contributions

¹² Justice Sunil Ambwani, 'Human Rights Perspective of Public Health Issues' (2009) 1 GNLU Journal of Law Development and Politics

that female individuals could have made. This can impact a range of areas, including the labor force, entrepreneurship, and consumer spending.

Overall, female foeticide and female infanticide can have a range of negative social and economic consequences that can impact society as a whole and individuals in particular. Changing these practices will require a multi-faceted approach that addresses the root causes of these practices and works to promote gender equality and the inherent value and worth of all individuals, regardless of their gender¹³.

THE ROLE OF GENDER EQUALITY AND THE EMPOWERMENT OF WOMEN AND GIRLS IN COMBATING FEMALE FOETICIDE

The promotion of gender equality and the empowerment of women and girls can play a significant role in combating female foeticide and female infanticide. Gender equality involves the equal rights, opportunities, and treatment of individuals regardless of their gender, and is essential for the full realization of human potential. When women and girls are empowered and have equal access to education, healthcare, and economic opportunities, they are more likely to be able to participate fully in society and make meaningful contributions. There are several ways in which promoting gender equality and empowering women and girls can help to combat female foeticide and female infanticide:

Educating and raising awareness: One of the key ways to combat female foeticide and female infanticide is through education and awareness-raising efforts. This can involve educating individuals about the inherent value and worth of all individuals, regardless of their gender, and the harm caused by practices like female foeticide and female infanticide.

Promoting gender equality: Promoting gender equality and challenging cultural and societal biases that discriminate against women and girls can help to combat practices like female foeticide and female infanticide. This can involve efforts to challenge traditional gender roles and stereotypes and to promote equal rights and opportunities for women and girls.

¹³ *Ibid*

Empowering women and girls: Empowering women and girls by providing them with access to education, healthcare, and economic opportunities can help to combat female foeticide and female infanticide. When women and girls can participate fully in society and make meaningful contributions, they are more likely to be valued and respected, which can help to reduce the occurrence of these practices.

Addressing the root causes: To effectively combat female foeticide and female infanticide, it is important to address the root causes of these practices. This can involve efforts to address societal and cultural biases that discriminate against women and girls, as well as addressing issues such as access to healthcare and education. Promoting gender equality and empowering women and girls can play a key role in combating practices like female foeticide and female infanticide. By challenging cultural and societal biases and promoting equal rights and opportunities for women and girls, it is possible to create a more inclusive and equitable society where all individuals are valued and respected¹⁴.

POWER OF WOMEN

If female foeticide did not occur, girls would have the same potential and capabilities as boys and would be able to contribute to society in a variety of ways. Girls and women can excel in a wide range of fields, including science, technology, engineering, and math (STEM), as well as the arts, humanities, and social sciences. They can also excel in sports, leadership, and other areas. One key factor that can impact the potential of girls and women is access to education. Education is crucial for the development of critical thinking skills, problem-solving abilities, and knowledge of the world. It can also provide girls and women with the skills and knowledge they need to pursue their goals and aspirations. Promoting gender equality and empowering women and girls can play a significant role in combating female foeticide and female infanticide. Gender inequality and the discrimination of women and girls can contribute to the preference

¹⁴ Samsunnessa Khatun & Aznarul Islam, 'Death before Birth - A Study on Female Feticide in India' (2011) ResearchGate <https://www.researchgate.net/publication/215590009_'Death_Before_Birth'_-_A_Study_on_Female_Foeticide_in_India> accessed 01 February 2023

for male children and the devaluation of female children, which can lead to the practice of female foeticide and female infanticide.

Efforts to promote gender equality and empower women and girls can include increasing access to education and other opportunities, addressing harmful cultural practices and norms that discriminate against and marginalize women and girls, and promoting the participation of women and girls in decision-making processes. By addressing gender inequality and empowering women and girls, it may be possible to shift cultural attitudes and reduce the prevalence of female foeticide and female infanticide.

Girls and women can bring about positive change in society in several ways. For example, they can become leaders in their communities and advocate for social and political change. They can also contribute to the economy by starting their businesses or pursuing careers in a variety of fields. In addition, girls and women can play a vital role in balancing the world by bringing diverse perspectives and experiences to the table. They can contribute to decision-making processes and help to create more inclusive and equitable societies. Girls and women often face a range of challenges and struggles that can impact their ability to fully utilize their talents and achieve their goals. These challenges can include discrimination and prejudice, limited access to education and healthcare, and cultural and societal expectations that can limit their opportunities. Despite these challenges, many girls and women can manage their struggles and utilize their talents to achieve success. They do this in a variety of ways, including:

Seeking out education and learning opportunities: Girls and women who can access education are often able to develop their skills and knowledge and pursue their goals and aspirations.

Building supportive networks: Girls and women can often benefit from having a strong support system of friends, family, mentors, and other allies who can provide guidance and encouragement.

Seeking out resources and assistance: Girls and women can often benefit from accessing resources and assistance, such as financial aid, counseling, and other forms of support, to help them navigate their challenges and achieve their goals.

Developing resilience: Girls and women who can develop resilience and the ability to adapt to change and overcome challenges are often able to utilize their talents and achieve success.

Using their talents to create positive change: Many girls and women use their talents and skills to create positive change in their communities and beyond. This can include advocating for social and political change, volunteering, and using their skills and expertise to make a difference.

Overall, it is important to recognize and value the potential and capabilities of girls and women and to provide them with the opportunities and support they need to achieve their full potential. This includes investing in education, healthcare, and other essential services, as well as addressing harmful cultural practices and attitudes that discriminate against and marginalize girls and women. By doing so, we can create more equitable and inclusive societies that fully realize the potential of all individuals, regardless of gender¹⁵.

CONCLUSION

Female foeticide is a harmful and unacceptable practice that has negative impacts on both individuals and society as a whole. It involves the termination of a pregnancy based on the sex of the fetus and is often driven by cultural preferences for male children and discrimination against female children. Female foeticide is illegal in many countries, including India, where it is prohibited under the Indian Penal Code and the Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act of 1994. Despite these legal protections, female foeticide remains a significant problem in India and other countries where there is a cultural preference for male children.

The implementation of legislation prohibiting female foeticide in India has indeed been inadequate, as evidenced by the country's skewed gender ratio. There are several reasons why

¹⁵ Naveen Kumar, 'Beti Bachao Beti Padhao (Save the girl child and educate her) (A geographical analysis of child sex ratio of Haryana)' (2015) 4(6) Global Journal of Research Analysis
<<https://www.worldwidejournals.com/global-journal-for-research-analysis-GJRA/article/beti-bachao-and-beti-padhao-save-the-girl-child-and-educate-her-a-geographical-analysis-of-child-sex-ratio-of-haryana/MzMyNw==/>> accessed 01 February 2023

the implementation of this legislation has been ineffective. One reason is the widespread availability of illegal sex determination tests and the lack of effective enforcement mechanisms to prevent their use. Another reason is the deep-seated cultural and societal attitudes that contribute to the preference for male children and the discrimination against female children.

Female foeticide is a violation of the rights of women and girls and has negative consequences for society. It can contribute to imbalanced sex ratios and gender inequality, as well as a range of other social and economic problems. To address the problem of female foeticide, it is important to take a multi-pronged approach that addresses both the legal and cultural aspects of the issue. This can include strengthening the implementation and enforcement of laws that prohibit female foeticide, increasing access to and availability of quality reproductive health care services, promoting gender equality and empowering women, enhancing social support for families with girls, and increasing awareness and education about the harmful effects of female foeticide.

Overall, the government and society need to work together to address the problem of female foeticide and to ensure that the rights of women and girls are protected. This will require a sustained and comprehensive effort that promotes gender equality and the empowerment of women and girls and that creates more equitable and inclusive societies that fully realize the potential of all individuals, regardless of gender.