



CONSEQUENCES OF FEMALE FOETICIDE AND LEGAL IMPLICATIONS

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Abstract: *After knowing her unborn child is a girl via medical testing, some mothers choose to abort or otherwise dispose of the foetus in a process known as female foeticide. Typically, the spouse, the in-laws, or even the woman's own parents will exert pressure to have her do this. Abortions are often performed because of an unwanted pregnancy. Yet, female foeticide is an even greater evil than the age-old practise of murdering an undesired kid, even before it is born. India, like many other cultures, is too patriarchal. All social strata adhere to a predetermined hierarchy. It's not like any other culture's fanatical fixation on the male sex. Men have been held in high esteem as the essential link in preserving the family name from ancient times. Unless she achieves her lifetime objective of becoming a breeding machine that produces male children according to the demands of the family, a girl is subjected to repeated pregnancies and (or) abortions.*

Keywords: *medical testing, spouse, parents, unwanted pregnancy, female foeticide, patriarchal, hierarchy, abortions*

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1. INTRODUCTION

Female foeticide, in which female eggs or foetuses were selectively destroyed following pre-natal sex determination to prevent the birth of a girl child, is not a new occurrence in India. Forty to fifty million women and girls are thought to be lost from the Indian population as a direct consequence of selective abortion. The gender gap between males and females in the nation has narrowed to fewer than 800 males per 1,000 females in certain regions. The international community, led by the United Nations, has voiced grave alarm. Female foeticide and its repercussions on society are highlighted in this research. Because to female foeticide, India is facing major issues, including an imbalanced gender ratio, an upsurge in rape and assault, a shrinking population, and the trafficking of women (Priyadarshni, & Trisal, Dr., 2022).¹

¹ Priyadarshni, & Trisal, Dr. (2022). Female Foeticide And Infanticide: A Legal Analysis. Legal Research Development: An International Refereed e-Journal. 6. 01-04. 10.53724/lrd/v6n3.02.



2. FACTORS CAUSATIVE OF FEMALE FOETICIDE

Female foeticide has its origins in the prevailing cultural norms and socioeconomic policies of the nation in question. Main responsible factors for female foeticide are discussed below:-

- (i) **Son Preference:** The desperate need for a son is made manifest in the prenatal elimination of female relatives. The fundamental issue in nations where female foeticide is rampant is the pressure to ensure the survival of the family name by having a male heir. In many families, sons are the primary breadwinners. (Noopur I., 1989).² Despite the fact that women may now compete equally with men in practically any industry they choose, the expectation that a man would be the primary caretaker of his family and the home persists. After a woman has found a husband, she is treated like household goods ready to be sent off to another family, while her parents can finally relax knowing that their "daughter" is happy and well-settled.
- (ii) **Dowry Demands:** Parents who are 'fortunate' with a female child in India may feel a sense of disappointment due to the practice of dowry. Once a few decades have passed since the baby took their first breath, it's time to start budgeting for wedding costs.

It's tragic to think that the daughter may get a large quantity of money in twenty years, when the value of the currency might plummet and inflation could soar. Getting rid of them for considerably less money would be preferable.

- (iii) **Status of Women:** Men tend to be at the top of the social hierarchy, but this does not mean that women should have less protections. Instead than moaning about how few possibilities are available to them, women can take action to create those opportunities for themselves. (Behera, Avimanyu, 2007).³

Most women's feelings of inferiority are automatic due to centuries of oppression. They eagerly assume the character of the passive, submissive, and obedient wife who does all she can to satisfy her husband's every desire. A woman's worst enemy is typically the woman herself. When a mother commits female foeticide, she does so knowingly and willingly. Most expectant moms go along with this wrongdoing out of a feeling of responsibility to the family, but others actually initiate it.

- (iv) **Unethical Medical Practices:** As abortion is now legal in India, the practice of illegally determining the sex of an unborn child is commonplace. Medical experts are happy to assist new parents in their quest to welcome a healthy son into the world. Several people in the medical community talk about female foeticide openly, and some clinics even have posters advertising female foeticide with messages like "Pay Rs.500/- now and avoid the expenditure of Rs.500000" on display outside their doors. The first little number represents the price of terminating the pregnancy, and the second larger number is the dowry the family will have to pay.
- (v) There has been a rise in the selective sex abortion industry since the beginning of the industrialisation of the health sector (v). Sex determination of the foetus has gotten more simpler with the development of CVS amniocentesis and Ultrasonography. That the makers of the high-tech equipment and devices utilised in these examinations profit off the anguish of expectant mothers and their unborn children is further shown by this.

3. IMPACT OF SUSTAINED FEMALE FOETICIDE PRACTICES ON A REGION

Serious insinuations of sustained female foeticide practices are visible as follows:

- (i) **Skewed Sex Ratio:** With each passing decade, the ratio of females to boys in India decreases. The gender ratio in the United States hit a record low of 927 girls per 1000 boys in 2001, down from 962 in 1981 and 945 in 1991. With 914 girls for 1000 boys in 2011, the ratio is precariously close to the danger zone. (Mishra Preeti, 2003).⁴
- (ii) **Female/Women Trafficking:** Women are becoming more scarce as the population of men of marriageable age increases. Human trafficking of women is widespread in many parts of the world because of this problem. In terms of seriousness, this issue much surpasses the theory behind mail-

² Indira Noopur, *Women's Studies in school Education: A New Perspective* (1989) p.8.

³ Behera, Avimanyu, *Domestic Violence against Women Vis-A-Vis Judicial Response in India* (2007) p.22

⁴ Mishra Preeti, *Etiology of Domestic Violence against women in India: An Analysis*, (2003) p.139



order brides. Women, sometimes very young girls on the cusp of puberty, are forced into marriage at a price set by the prospective husband. In most cases, these girls are imported from neighbouring regions where the availability of females is not as scarce as in the host country. The tragic results of child marriage and pregnancy among minors cannot be overstated.

(iii) Increase in Rape and Assault: It's just a matter of time until rape, assault, and violence against women become commonplace if they're considered a threatened species. With fewer women to choose from, the ones who made it must learn to navigate a culture where testosterone reigns supreme. While the judicial system may be able to protect the girl, she may be too ashamed to come forward in many circumstances.

(iv) Population Decline: It would result in fewer births since there would be no moms or wombs to carry any kid (male or female). Although several countries, like China and India, are hoping to rein in their population growth rates, eliminating an entire gender is not the answer. A world dominated by men or women would be disastrous for ecological equilibrium.

4. PREVENTION AND PROPHYLACTIC CURE

International attention has been drawn to the problems of infanticide of females, foeticide of females, and selective sex abortion. To end this horrible practise, several groups at the world and national levels have passed legislation. Of the numerous steps taken to curb the matter, the prominent ones have been:

- (i) A doctor's licence should be revoked if he or she complies with a client's request to perform sex selection tests and then kill the client's daughter.
 - (ii) Companies that specialise in selling medical equipment used for unlawful sex determination or abortion in unregulated clinics or hospitals face severe penalties.
 - (iii) Punish "parents" who willfully attempt to murder their unborn child with heavy penalties and legal action.
 - (iv) Seminars and campaigns aimed at young people and would-be parents should be held to educate them on the dangers of female foeticide. (Singh, Dr. Nishant, 2011).⁵
- Give ample opportunities to the girl child about taking care of the health care, education and well-being
 - Promote equal access to all facilities to rise in all fields through sheer promotion of efforts and encouragement in various areas of accomplishment.
 - Train parents towards a healthier mindset where girls are no longer considered an unnecessary burden but an asset to equally support their parents as do their brother.

5. CONCLUSION

There is a long-standing tradition of son preference, with some people holding to the idea that "only sons can perform the last rites for parents like offer fire funeral offer Pyre Pindadana, Mukhagni and not the daughters." In the not-too-distant future, this imbalance could lead to a global situation in which men will be unable to marry their sons, thereby preventing them from continuing the human race. People's perspectives on the value of female offspring in families need to be changed immediately. The population of India has to be shifted urgently, and this heinous form of abuse against women must be stopped.

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⁵ Singh, Dr. Nishant, Tripathi, Prof. Madhusudan, Janamkotarastibetian (sribhrunhatya), Khushi Publications, (2011) p.41



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