
SAFEGUARDING OUR DAUGHTERS: TACKLING FEMALE INFANTICIDE AND FOETICIDE IN INDIA THROUGH LEGAL AND SOCIAL PERSPECTIVES

Samantha Spence¹ and Naveen Suresh²

ABSTRACT

This paper presents a comprehensive analysis of female infanticide and foeticide in India, examining the complex interplay between socio-cultural factors and legal frameworks that have shaped these practices. Despite significant advancements in women's rights and gender equality, female infanticide and foeticide persist as deeply entrenched issues, reflecting persistent gender biases and a preference for male offspring in certain regions of India. This study explores the historical roots, cultural beliefs, and economic considerations that contribute to the continued prevalence of these practices. It also reviews the evolution of legal measures aimed at combating female infanticide and foeticide, including the Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 (PCPNDT Act), and the impact of these laws on the ground. By analysing data, legal case studies, and qualitative research, the paper seeks to understand the effectiveness of existing interventions and highlights the challenges in eradicating these practices. Furthermore, it discusses the role of education, awareness campaigns, and societal change in shifting the cultural norms that underpin gender-based discrimination. The study concludes with recommendations for policymakers, legal practitioners, and civil society organisations, emphasising a multi-faceted approach that combines legal enforcement with socio-cultural transformation to address the root causes of female infanticide and foeticide in India.

¹ Dr Samantha Spence is Course Director for Postgraduate Studies in Law at Staffordshire University, UK and a Visiting Professor at REVA University, India. She is co-Director of the International Network Against Accusations of Witchcraft and Associated Harmful Practices and the Deputy-Chair of the UK National Working Group Linked to Spiritual and Ritual Abuse.

² Naveen Suresh is a PhD Research Scholar in Law at Central University Kerala, India.

I. Introduction

India, with its rich tapestry of cultures, traditions, and rapid modernisation, stands at a crossroads in addressing deep-seated gender biases that manifest in the grave issues of female infanticide and foeticide. These practices, deeply rooted in patriarchal values, reflect a preference for male children due to socio-economic, cultural, and historical reasons.³ This introduction sets the stage for a comprehensive examination of the complex nature of female infanticide and foeticide in India, exploring the socio-cultural underpinnings and legal frameworks aimed at combatting these practices. Historically, the preference for male children can be traced back to various cultural and economic considerations, including patrilineal inheritance, the dowry system, and the perceived economic burden of raising daughters.⁴ Such preferences have led to the distressing practices of female infanticide, the killing of newborn female infants, and female foeticide, the selective abortion of female fetuses. The advent of ultrasound technology in the late 20th century further facilitated the practice of sex-selective abortions, contributing to a skewed sex ratio in various parts of the country.⁵ The persistence of these practices, despite India's economic growth and advancements in women's rights, highlights a troubling contradiction within Indian society. While urbanisation, education, and legal reforms have led to significant progress in gender equality, traditional biases favouring sons over daughters remain entrenched in many communities.

The legal response to these issues has been significant, with the Indian government implementing various laws and policies aimed at preventing sex-selective practices. The Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act of 1994 represents a critical step in this direction, outlawing sex determination tests and providing a legal framework to penalise those who violate these provisions. Despite these measures, the implementation and enforcement of laws remain challenging, with continued reports of sex-selective practices across the country.⁶ This paper aims to dissect the complex layers of female infanticide and foeticide in India, analysing the socio-cultural dynamics that perpetuate these practices and evaluating the effectiveness of the legal mechanisms in place to combat them. By

³ BS Dewan and AM Khan, 'Socio-Cultural Determinants of Female Foeticide' (2009) 39 *Social Change* 388.

⁴ Adv Dr Shalu Nigam, *Dowry Is a Serious Violence: Rethinking Dowry Law in India* (Shalu Nigam 2023).

⁵ Dewan and Khan (n 1).

⁶ Kristi Lemoine and John Tanagho, 'Gender Discrimination Fuels Sex Selective Abortion: The Impact of the Indian Supreme Court on the Implementation and Enforcement of the PNDT Act' (2007) 15 *U. Miami Int'l & Comp. L. Rev.* 203.

understanding the root causes and examining the successes and limitations of legal interventions, the paper seeks to contribute to the ongoing discourse on gender equality and the rights of women and girls in India. Through a holistic approach that combines legal analysis with socio-cultural insights, the paper endeavours to outline potential pathways for eradicating female infanticide and foeticide, laying the groundwork for a more just and fair society.

II. Socio-cultural underpinnings

The socio-cultural underpinnings of female infanticide in India are deeply intertwined with the country's patriarchal values, economic considerations, technological advancements, and the consequential skewed sex ratios. Each of these factors plays a critical role in perpetuating the preference for male offspring, with far-reaching impacts on Indian society.

Patriarchal Values and the Preference for Male Offspring

At the core of the preference for male children is the patriarchal structure that dominates Indian society.⁷ This system places higher value on males, viewing them as heirs who will carry forward the family name and legacy. In contrast, females are often seen as belonging to their future husband's family. This perception is reinforced by cultural norms and traditions that favour sons for their role in performing religious rites, particularly those related to inheritance and funeral practices.⁸ Such patriarchal values not only diminish the status of women but also contribute to the systemic devaluation of female life, manifesting in practices like female infanticide.

Economic Considerations: Dowry System and Financial Liabilities

Economic factors significantly contribute to the preference for sons. The dowry system, despite being illegal, remains prevalent in many parts of India. Families with daughters bear the financial burden of providing substantial gifts, cash, and property to the groom's family during marriage. This practice reinforces the notion of daughters as financial liabilities. Conversely, sons are viewed as economic assets who will contribute to the family income and support their

⁷ Daniela Klaus and Arun Tipandjan, 'Son Preference in India: Shedding Light on the North-South Gradient' (2015) 40 Comparative population studies.

⁸ Abhilasha Srivastava and John Willoughby, 'Capital, Caste, and Patriarchy: Theory of Marriage Formation in India' (2023) 55 Review of Radical Political Economics 47.

parents in old age, further incentivising the preference for male children.⁹ Variations in wealth levels, educational attainment, modes of economic production, the significance and role of religion, and kinship systems are believed to intensify the preference for sons in Northern India in comparison to Southern India. Klaus and Tipandjan examined this hypothesis through the Indian segment of the international Value of Children study.¹⁰ The study gathered data from Uttar Pradesh (in North-Central India) and Puducherry (in South-East India), interviewing mothers aged 16 to 65 during 2002 and 2010. Preliminary results suggested that son preference is more prevalent among mothers in North India than those in South India. Whilst gender-specific benefits and cost implications were cited as motivations, minimal evidence suggested that these benefits and costs served as a mediator between the socioeconomic and sociocultural characteristics specific to each region and the preference for sons. In terms of regional differences in socioeconomic and sociocultural factors, son preference was notably stronger among mothers from the urban North.¹¹ However, significant independent regional effects persist, leaving a substantial portion of the variance in son preference between the North and South unexplained. Despite the general trend of higher son preference in northern states, there are notable exceptions, such as Andhra Pradesh in the south and several eastern states, which display levels of son preference comparable to or greater than those in the north.¹²

Role of Technology in Facilitating Sex-Selective Practices

The intertwining of technological advancements and socio-cultural preferences has significantly impacted reproductive practices in India, notably through the facilitation of sex-selective abortions. The widespread adoption of ultrasound technology, initially developed for the noble purpose of monitoring foetal and maternal health, has been repurposed in many instances for determining foetal sex, thereby contributing to the prevalence of female foeticide.¹³ The introduction of ultrasound technology in the late 20th century represented a significant milestone in prenatal care. However, its potential for misuse in sex-selective abortions quickly became apparent. Subramanian and Selvaraj note the correlation between the

⁹ Sonia Laszlo and others, 'Grappling with the Challenges of Measuring Women's Economic Empowerment in Intrahousehold Settings' (2020) 132 World Development 104959.

¹⁰ Klaus and Tipandjan (n 5).

¹¹ *ibid.*

¹² Rohini Pande and Anju Malhotra, 'Son Preference and Daughter Neglect in India: What Happens to Living Girls?' (2006).

¹³ Navtej Purewal, 'Sex Selective Abortion, Neoliberal Patriarchy and Structural Violence in India' (2018) 119 Feminist Review 20.

availability of ultrasound technology and an increase in sex-selective abortions, particularly in the 1980s and 1990s as the technology became more accessible.¹⁴ The capability to non-invasively determine the sex of a foetus has, paradoxically, fuelled practices that contribute to gender imbalance. The misuse of ultrasound technology for sex selection underscores deeper economic and societal dynamics. A preference for male offspring is often justified by the perceived economic benefits of having sons, who are traditionally seen as breadwinners and caretakers of their aging parents. This preference is compounded by the economic liabilities associated with dowries for daughters as discussed above. Estimates indicate that approximately 10 million gender-biased, sex-selective abortions were performed between 1981 and 2005, representing five percent of the female population under the age of 15.¹⁵ Recent research highlights that due to sex-selective abortion, around 0.5–0.6 million girls are not born each year.¹⁶ As medical technology continues to advance, ethical considerations become increasingly complex. The potential for new technologies, such as non-invasive prenatal testing (NIPT), to be used for sex selection poses new challenges as to the ethical implications of these technologies and the responsibility of healthcare providers to prevent their misuse.¹⁷ The role of technology in facilitating sex-selective practices in India is a clear example of how advancements intended to improve healthcare can have unintended socio-cultural consequences. The intersection of technology, legal frameworks, economic incentives, and deep-seated cultural preferences for male children necessitates a multifaceted approach to address female foeticide. Addressing this issue effectively requires not only stringent enforcement of existing laws but also a shift in societal attitudes towards gender equality. Future strategies must consider the complex interplay of technology, ethics, and societal values to mitigate the adverse effects of sex-selective practices on gender balance and societal health.

Impact of Skewed Sex Ratios on Society

The impact of skewed sex ratios on Indian society extends beyond mere demographic imbalances, influencing various socio-economic and cultural dimensions. The pervasive

¹⁴ S V Subramanian and Sakthivel Selvaraj, 'Social Analysis of Sex Imbalance in India: Before and after the Implementation of the Pre-Natal Diagnostic Techniques (PNDT) Act' (2009) 63 *Journal of Epidemiology & Community Health* 245.

¹⁵ PM Kulkarni, 'Estimation of Missing Girls at Birth and Juvenile Ages in India' [2007] Paper commissioned by the United Nations Population Fund, UNFP.

¹⁶ Prabhat Jha and others, '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' (2011) 377 *The Lancet* 1921.

¹⁷ Brent Mittelstadt, 'Ethics of the Health-Related Internet of Things: A Narrative Review' (2017) 19 *Ethics and Information Technology* 157.

practices of sex-selective abortion and female infanticide have led to significant disparities in the number of women relative to men, with consequential effects that ripple through communities and the broader societal fabric. Kaur *et al* found that regions with more pronounced sex ratio imbalances tend to have higher rates of violence against women.¹⁸ This is attributed to increased competition for marriageable women, leading to heightened instances of domestic violence, sexual assault, and other forms of gender-based violence. The scarcity of women has also directly contributed to a rise in trafficking and forced marriages in India, being both a source and a destination for trafficking, particularly for the purposes of forced marriage and sexual exploitation, exacerbated by the gender imbalance.¹⁹ The phenomenon of "bride buying" emerges as a direct consequence of the skewed sex ratio, where women are trafficked from regions with relatively balanced sex ratios to areas facing acute shortages of women. This demand for brides has led to an organised trade, often involving coercion and exploitation.²⁰

The skewed sex ratio also has significant economic implications, as whilst the scarcity of women can lead to increased labour market participation among women, it may also restrict their mobility and bargaining power within both the labour market and marriage market.²¹ Furthermore, the demographic imbalance can lead to a decrease in fertility rates, impacting the country's age structure and potentially leading to a demographic dividend or deficit, depending on policy responses and economic conditions.²² Thus, the skewed sex ratio in India, a direct result of gender-biased practices, has profound implications for society, from increasing violence against women and trafficking to contributing to mental health issues and economic disparities.

III. Legal Framework and Policies

In response to the rising concern over sex-selective practices, the Indian government enacted the Pre-Conception and Pre-Natal Diagnostic Techniques (PCPNDT) Act in 1994, which prohibits sex determination of foetuses. Despite these legal measures, enforcement has been

¹⁸ Ravinder Kaur and others, 'Sex Ratio Imbalances and Crime Rates' [2016] United Nations Population Fund, April.

¹⁹ KG Santhya, Shireen J Jejeebhoy and Sharmistha Basu, 'Trafficking of Minor Girls for Commercial Sexual Exploitation in India: A Synthesis of Available Evidence'.

²⁰ *ibid*.

²¹ Stephan Klasen, 'What Explains Uneven Female Labor Force Participation Levels and Trends in Developing Countries?' (2019) 34 *The World Bank Research Observer* 161.

²² Monica Das Gupta and PN Mari Bhat, 'Fertility Decline and Increased Manifestation of Sex Bias in India' (1997) 51 *Population studies* 307.

challenging due to loopholes in the law and the clandestine nature of these practices.²³ The PCPNDT Act prohibits sex selection before or after conception and regulates diagnostic techniques to prevent their misuse for sex determination leading to female foeticide. It mandates the registration of all facilities offering ultrasound and related diagnostic services, requires a written consent from the pregnant woman, and prohibits health professionals from disclosing the foetus's sex. While the PCPNDT Act is comprehensive in its scope, its effectiveness has been mixed. On the one hand, the Act has raised awareness about the issue of sex selection and has led to the closure of numerous clinics operating illegally. On the other hand, the implementation of the Act faces significant challenges. The secretive nature of sex determination practices, combined with societal pressure for male children, makes it difficult to enforce the law strictly. Furthermore, the requirement for extensive paperwork and bureaucratic procedures has been cited as a barrier for legitimate medical practices, sometimes hindering access to necessary prenatal care.²⁴ Effective enforcement of the PCPNDT Act is hindered by several factors. Firstly, there is a lack of awareness and sensitivity among the law enforcement agencies about gender issues, leading to inadequate prioritisation of cases related to sex selection.²⁵ Secondly, the judicial process is slow, and cases often linger in courts for years, diminishing the law's deterrent effect. Corruption and the complicity of some medical professionals in flouting the law further complicate enforcement efforts, together with the significant challenge in gathering evidence against violators due to the private nature of sex determination practices.²⁶

The legal framework in India, exemplified by the PCPNDT Act, represents a critical component of the country's efforts to combat gender-based discrimination and practices like female infanticide and foeticide. However, the challenges in law enforcement, combined with societal norms favouring sons, highlight the complexities of eradicating these practices. Strengthening the legal framework, enhancing enforcement mechanisms, improving judicial processes are critical measures that must be implemented.

²³ Subramanian and Selvaraj (n 12).

²⁴ Sandeep S Kadu and Sejal Jitendra Jain, 'Awareness about Pre-Conception and Pre-Natal Diagnostic Techniques (PCPNDT) Act among The Married Women: An Observational Cross-Sectional Study' (2020) 13 Indian Journal of Forensic Medicine and Pathology.

²⁵ Amy Farrell, Colleen Owens and Jack McDevitt, 'New Laws but Few Cases: Understanding the Challenges to the Investigation and Prosecution of Human Trafficking Cases' (2014) 61 Crime, law and social change 139.

²⁶ *ibid.*

IV. Civil Society Responses

The fight against female infanticide and foeticide in India has seen significant contributions from both government initiatives and non-governmental organisations (NGOs), each playing a crucial role in raising awareness, advocacy, and implementing programs aimed at curbing these practices. These efforts are critical in changing societal attitudes towards female children and ensuring their safety, education, and empowerment.

National Campaigns and Initiatives

The Beti Bachao, Beti Padhao (BBBP) campaign, initiated by the Indian government in 2015, stands as a comprehensive effort to combat the declining child sex ratio in India. It underscores a multifaceted approach, integrating survival, protection, and education for the girl child, aimed at reversing deeply entrenched societal biases and promoting gender equality.²⁷ The primary objective of BBBP is to correct the skewed child sex ratio by addressing gender-based discrimination against girls. By fostering a positive environment, it endeavours to ensure that girls are born, raised, and educated in a society that values them equally. This nationwide campaign extends across all Indian states, focusing particularly on districts with the most alarming sex ratios.²⁸ BBBP strategically employs a multifaceted approach to transform societal views on the value of girl children, encompassing public awareness campaigns that leverage media, workshops, and community involvement to alter public perceptions positively. Moreover, it fosters inter-sectoral collaboration, orchestrating concerted efforts among various sectors and ministries, including Health and Family Welfare, Human Resource Development, and Women and Child Development, to ensure a comprehensive strategy in tackling the issue. Additionally, the campaign introduces incentive schemes, rewarding districts that achieve notable improvements in their sex ratios. This approach serves to encourage local governments and communities to engage actively in efforts to rectify gender imbalances, demonstrating a unified commitment to fostering environments where girls can thrive equally.²⁹

Research and studies evaluating the impact of BBBP have shown promising, albeit varied, results, noting an improvement in the sex ratio at birth in some of the targeted districts, suggesting that the campaign has begun to influence societal attitudes towards female children,

²⁷ Ministry of Women and Child Development, 'Beti Bachao Beti Padhao' (*Government of India*).

²⁸ *ibid.*

²⁹ *ibid.*

yet highlighting the need for sustained efforts and more rigorous evaluation to fully assess the campaign's long-term impact.³⁰ The BBBP initiative represents a significant step by the Indian government towards correcting gender imbalances and valuing the girl child. However, while its implementation has demonstrated positive outcomes in raising awareness and improving sex ratios in certain areas, ongoing efforts, along with a deeper focus on systemic issues contributing to gender bias, are necessary. Furthermore, there is a call for more comprehensive data collection and analysis to better understand the campaign's effectiveness and areas for improvement.³¹ Future strategies will benefit from incorporating feedback, expanding educational opportunities for girls, and ensuring that the campaign's message leads to tangible changes in societal attitudes and practices.

Success Stories and Case Studies of Intervention

One of the success stories comes from Haryana, a state that had one of the country's most skewed sex ratios. Through a combination of strict enforcement of the PCPNDT Act, the BBBP campaign, community engagement programs, and incentives for families with daughters, the state saw a remarkable improvement in its sex ratio at birth.³² Initiatives included the Ladli scheme, which provided financial incentives tied to the girl child's birth, education, and welfare, significantly improving girls' value perception.³³

NGOs have successfully implemented educational programs targeting both parents and healthcare providers, emphasising the legal and ethical aspects of sex selection. These programs, often conducted in rural and urban slums, have helped change perceptions about the value of girl children. For example, the Meri Shakti, Meri Beti campaign³⁴ in Delhi and Haryana, provided communities with education and resources to empower girls, leading to increased enrolment of girls in schools. Education emerges as the most critical factor in reducing sex selective practices, with educated women showing a lesser tendency to favour

³⁰ Miss Shiva Parmar and Amit Sharma, 'Beti Bachao Beti Padhao Campaign: An Attempt to Social Empowerment' (2020) 7 Journal of critical reviews 13.

³¹ *ibid.*

³² Rakesh Gupta and others, 'Combatting the Imbalance of Sex Ratio at Birth: Medium-Term Impact of India's National Programme of Beti Bachao Beti Padhao in the Haryana State of India' (2021) 36 Health Policy and Planning 1499.

³³ Directorate of Social Justice and Empowerment, 'Ladli Social Security Allowance Scheme' (*Government of Haryana*).

³⁴ 'Meri Shakti Meri Beti' (Centre for Social Research India).

sons over daughters, a trend that strengthens with higher levels of education.³⁵ The widespread educational attainment among women in a community also plays a crucial role, with villages exhibiting higher female literacy rates showing a reduced son preference. The data also shows a positive correlation between women's education, media exposure and the reduction of son preference.³⁶ The influence of media exposure in promoting more equal gender preferences suggests that access to modern information and lifestyles can help shift women's preferences towards equality. This observation holds true even when accounting for the effects of education and wealth. Interestingly, while educated women in urban, affluent settings are more likely to resort to sex-selective abortion, this does not necessarily contradict the observed reduction in son preference. Although a smaller number of educated women may still prefer sons, those who do are also more equipped with the means to realise their preferences for a smaller family size and specific gender composition through sex-selective abortion.³⁷ Grassroots initiatives that involve community leaders, women's groups, and local health workers have similarly shown promise in changing attitudes towards female children. Programs that engage men and boys in discussions about gender equality and the importance of women in society have been particularly effective in some regions.³⁸ Combined efforts of the government, NGOs, and civil society are critical in addressing the deep-rooted issue of female infanticide and foeticide in India. While significant challenges remain, the successes of various interventions highlight the potential for change. Continued commitment, innovation in approach, and community engagement are essential to ensure the safety, education, and empowerment of the girl child.

V. Recommendations

The path forward in eradicating female infanticide and foeticide in India is challenging but not insurmountable. By strengthening legal frameworks, adopting inter-sectoral approaches, engaging men and boys, and leveraging technology and media, significant progress can be made towards achieving gender equality. These efforts require the commitment of all segments of society, from government to grassroots organisations, and a willingness to challenge and change deeply held beliefs and practices.

³⁵ Monica Das Gupta and others, 'Why Is Son Preference so Persistent in East and South Asia? A Cross-Country Study of China, India and the Republic of Korea' (2003) 40 *The Journal of Development Studies* 153.

³⁶ *ibid.*

³⁷ *ibid.*

³⁸ Michael Flood, 'Gender Equality: Engaging Men in Change' (2019) 393 *The Lancet* 2386.

To enhance the legal framework against gender-biased practices, several recommendations have been proposed. Firstly, amending existing laws to close loopholes that permit the continuation of sex-selective practices is crucial. This effort should include more stringent monitoring and regulation of medical technologies capable of prenatal sex determination. Additionally, improving the enforcement of these laws is essential, necessitating enhanced training for law enforcement personnel, the judiciary, and medical practitioners on gender issues and the legal context of female infanticide and foeticide. Furthermore, increasing legal awareness within communities about the rights of women and girls and the penalties for engaging in sex-selective practices is vital. Legal literacy programs can empower communities to combat gender-based violence and discrimination effectively.

The importance of inter-sectoral approaches that involve the education, health, and legal sectors cannot be overstated. Developing integrated programs that tackle the root causes of female infanticide and foeticide by combining efforts from these sectors is imperative. For instance, health campaigns providing prenatal care should also offer education on gender equality and legal rights. Ensuring policy coordination among different government departments and agencies is critical to aligning policies and programs aimed at promoting gender equality and safeguarding the rights of girls and women. Engaging community leaders, NGOs, and other stakeholders in the design and implementation of inter-sectoral programs ensures that these initiatives are culturally sensitive and locally relevant.

In terms of strategies for engaging men and boys in gender equality initiatives, inclusive gender education in school curricula is essential. Such education encourages boys to question and challenge patriarchal norms and appreciate the importance of gender equality. Promoting male role models who advocate for gender equality is also crucial, as it demonstrates that masculinity can embody values of respect, empathy, and equity. Furthermore, encouraging and facilitating the involvement of men and boys in campaigns and movements for gender equality underscores their role as allies in the fight against gender-based discrimination.

Lastly, the potential for leveraging technology and media for positive change is significant. Utilising social media and digital platforms for awareness campaigns can highlight the importance of gender equality and the adverse impacts of female infanticide and foeticide. Creative content such as videos, infographics, and interactive tools can engage a broad audience. Leveraging mobile technology to deliver health services and information directly to

women helps reduce the isolation of women in rural or underserved areas. Additionally, developing technological solutions for monitoring sex ratio trends and reporting violations of the law is crucial. Apps and platforms enabling anonymous reporting can aid in gathering evidence against illegal practices, marking a step forward in the fight against gender-biased practices.

The issue of female infanticide and foeticide in India is a complex and multifaceted problem that reflects deeply ingrained societal norms and practices. Throughout this discussion, several key findings have emerged, underscoring the urgent need for comprehensive and sustained efforts to address this issue. The implications of these practices are profound, affecting not just the immediate victims but also the broader fabric of society, leading to skewed sex ratios, reinforcing gender-based discrimination, and perpetuating cycles of violence and inequality.

The eradication of female infanticide and foeticide in India demands collective action that engages all levels of society—from government authorities and civil society organisations to communities and individuals. It requires a commitment to changing societal norms and values that discriminate against women and girls, fostering a culture that values gender equality and respects human rights. Engaging men and boys as allies, empowering women and girls, and leveraging community leaders and influencers are essential strategies for driving this change.

Envisioning a future where gender equality is realised involves imagining a society where every child is welcomed, regardless of gender. In this future, girls and boys have equal opportunities to thrive, contribute to their communities, and pursue their dreams without the constraints of discriminatory norms and practices. Achieving this vision requires persistent effort, creativity, and the courage to challenge entrenched inequalities. It entails building inclusive communities that celebrate diversity, ensure justice, and promote the well-being of all members.

The journey towards eradicating female infanticide and foeticide and achieving gender equality is undoubtedly challenging, but it is also filled with hope. Through concerted efforts, awareness, and advocacy, society can move closer to a future where gender no longer determines one's value or opportunities in life. This future is not only possible but necessary for the realisation of a just, equitable, and prosperous society.

VI. Conclusion

This paper has explored the deeply entrenched practices of infanticide and foeticide in India, framing them as manifestations of structural violence within the broader narrative of women's protection in contemporary Indian society. While the academic debate often centres around ethical issues, access to abortion, and reproductive rights, especially in the Indian context, where it is intertwined with a culturally and technologically reinforced preference for sons, this discussion argues that these practices should be understood as indicators of wider structural violence. It posits that mere awareness-raising initiatives or financial interventions designed to protect or save the girl child, are positive interventions, they are insufficient to address the root causes of sex-selective abortion. Instead, it is the societal norms and the overarching cultural framework that, albeit indirectly, create an environment that supports the use of sex-selective abortion as a reproductive strategy. This perspective emphasises that sex-selective abortions are a form of gendered and structural violence, extending beyond simple acts of discrimination.

REFERENCES

- Das Gupta M and others, 'Why Is Son Preference so Persistent in East and South Asia? A Cross-Country Study of China, India and the Republic of Korea' (2003) 40 *The Journal of Development Studies* 153
- Das Gupta M and Mari Bhat PN, 'Fertility Decline and Increased Manifestation of Sex Bias in India' (1997) 51 *Population studies* 307
- Dewan BS and Khan AM, 'Socio-Cultural Determinants of Female Foeticide' (2009) 39 *Social change* 388
- Directorate of Social Justice and Empowerment, 'Ladli Social Security Allowance Scheme' (*Government of Haryana*)
- Farrell A, Owens C and McDevitt J, 'New Laws but Few Cases: Understanding the Challenges to the Investigation and Prosecution of Human Trafficking Cases' (2014) 61 *Crime, law and social change* 139
- Flood M, 'Gender Equality: Engaging Men in Change' (2019) 393 *The Lancet* 2386
- Gupta R and others, 'Combatting the Imbalance of Sex Ratio at Birth: Medium-Term Impact of India's National Programme of Beti Bachao Beti Padhao in the Haryana State of India' (2021) 36 *Health Policy and Planning* 1499
- Jha P and others, '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' (2011) 377 *The Lancet* 1921
- Kadu SS and Jain SJ, 'Awareness about Pre-Conception and Pre-Natal Diagnostic Techniques (PCPNDT) Act among The Married Women: An Observational Cross-Sectional Study' (2020) 13 *Indian Journal of Forensic Medicine and Pathology*
- Kaur R and others, 'Sex Ratio Imbalances and Crime Rates' [2016] United Nations Population Fund
- Klasen S, 'What Explains Uneven Female Labor Force Participation Levels and Trends in Developing Countries?' (2019) 34 *The World Bank Research Observer* 161
- Klaus D and Tipandjan A, 'Son Preference in India: Shedding Light on the North-South Gradient' (2015) 40 *Comparative population studies*
- Kulkarni PM, 'Estimation of Missing Girls at Birth and Juvenile Ages in India' [2007] Paper commissioned by the United Nations Population Fund, UNFP
- Laszlo S and others, 'Grappling with the Challenges of Measuring Women's Economic Empowerment in Intrahousehold Settings' (2020) 132 *World Development* 104959
- Lemoine K and Tanagho J, 'Gender Discrimination Fuels Sex Selective Abortion: The Impact of the Indian Supreme Court on the Implementation and Enforcement of the PNDT Act' (2007) 15 *U. Miami Int'l & Comp. L. Rev.* 203

‘Meri Shakti Meri Beti ’ (*Centre for Social Research India*)

Ministry of Women and Child Development, ‘Beti Bachao Beti Padhao’ (*Government of India*)

Mittelstadt B, ‘Ethics of the Health-Related Internet of Things: A Narrative Review’ (2017) 19 *Ethics and Information Technology* 157

Nigam ADS, *Dowry Is a Serious Violence: Rethinking Dowry Law in India* (Shalu Nigam 2023)

Parmar MS and Sharma A, ‘Beti Bachao Beti Padhao Campaign: An Attempt to Social Empowerment’ (2020) 7 *Journal of critical reviews* 13

Purewal N, ‘Sex Selective Abortion, Neoliberal Patriarchy and Structural Violence in India’ (2018) 119 *Feminist Review* 20

Rohini Pande and Anju Malhotra, ‘Son Preference and Daughter Neglect in India: What Happens to Living Girls?’ (2006)

Santhya KG, Jejeebhoy SJ and Basu S, ‘Trafficking of Minor Girls for Commercial Sexual Exploitation in India: A Synthesis of Available Evidence’

Srivastava A and Willoughby J, ‘Capital, Caste, and Patriarchy: Theory of Marriage Formation in India’ (2023) 55 *Review of Radical Political Economics* 47

Subramanian S V and Selvaraj S, ‘Social Analysis of Sex Imbalance in India: Before and after the Implementation of the Pre-Natal Diagnostic Techniques (PNDT) Act’ (2009) 63 *Journal of Epidemiology & Community Health* 245