



A STUDY ON LEGISLATION PROTECTING THE CHILD RIGHTS RELATED WITH SELECTIVE ABORTION

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Abstract

Selective abortion is a controversial topic that refers to the termination of a foetus due to a medical condition or genetic abnormality that is detected during pregnancy. This procedure is also known as "selective reduction" or "pregnancy reduction." Major objectives of the research is study on legislation protecting the child rights related with selective abortion. The research method followed here by the researcher is empirical research. The total number of samples is 200. From 200 people the researcher has got the data. Convenient sampling method is used to collect the samples. Convenient sampling method is used to collect the samples. The sample frame taken by the researcher is from colleges and public places. The independent variables are educational qualifications, age, income, gender, occupation, marital status. Findings of the research is that the tradition of our society sets social norms for boys who give economical support that place greater values on sons than daughters. The termination of pregnancy based on gender which clearly shows inequality on gender for unborn children. Our government ensures that all children are valued and treated equally and it leads our

society into greater form. The provisions or regulations of the selective abortion act are satisfied with people. Ancestral social norms are the major reasons for imbalanced sex ratios. The unborn child's right to life is being violated in case of abortion. The people are aware that the termination can be decided only by mother. It is important to ensure that women have access to safe and legal abortion services when necessary, and that they are able to make informed decisions about their own reproductive health.

Keywords

Selective abortion, right to life, children, unborn child and imbalanced sex ratios

Introduction

Sex selective abortion was first documented in 1975, and became commonplace by the late 1980s in South Korea and China and around the same time or slightly later in India. Sex-selective abortion affects the human sex ratio, the relative number of males to females in a given age group, with China and India, the two most populous countries of the world, having unbalanced gender ratios. *Beti Bachao Beti Padhao* - Launched in 2015, this Scheme aims to address disparity in the sex ratio across the nation by: Preventing foeticide biased abortion and post-natal discrimination against daughters. Ensuring holistic growth and protection of the girl child, Providing equal opportunities for education and participation to the girl child. This Scheme has been implemented in approximately 100 districts of the country that have a low Child Sex Ratio (CSR). Here, government officials at Panchayat and district levels work towards elimination of female foeticide and infanticide, as well as ensuring free elementary education to each and every young girl. Sex selective female abortion is a continuation, in a different form, of a practice of female infanticide or withholding of postnatal health care for girls in certain households. Furthermore, in some cultures sons are expected to take care of their parents in their old gender. India's 2011 census revealed a growing imbalance between the numbers of girls and boys genderd 0–6 years, which we postulate is due to increased prenatal sex determination with subsequent selective abortion of female foetuses. Selective abortion occurs also among Indian and Chinese diaspora, but their variability and trends over time are unknown. We examined conditional sex ratio (CSR) of girl births per 1000 boy births among second or third births following earlier daughters or sons in India, China, and their diaspora in Australia, Canada, United Kingdom (UK), and United States (US) drawing upon 18.4 million birth records from census and nationally representative surveys from 1999 to 2019

Objectives

- To ensure that all children, including those in the womb, have the right to life.
- To prevent discrimination against unborn children based on gender, disability or any other characteristics.
- To promote gender equality by preventing practice of sex-selective abortions.
- To ensure that a child's best interests are taken into account when decisions regarding their life are being made.

Review of literature

1. This article examines the dialectics of wrongful life and wrongful birth claims in Israel from 1986 until 2012. In May 2012 Israeli Supreme Court declared that while wrongful birth claims were still permitted, wrongful life claims were no longer accepted in a court of law. The article examines the conditions that allowed for and supported the expansion of wrongful life/birth claims until 2012. Katharina Heyer, 19 July 2018
2. Although research on reproductive technologies such as IVF and egg freezing has traditionally been rather separated from the work on contraceptives and abortion, analysing reproductive and nonreproductive technologies together, as this volume proposes, can provide the basis for a broader contemporary politics of reproductive control. Awugchew Shimelash Yasegnal, 6 January 2023
3. The chapter integrates ethnographic and qualitative data from two minority contexts, including maternity care provision for Orthodox Jews and how providers approach requests for sex-selective abortion (SSA) when caring for women from South Asian backgrounds. By examining responses to caesarean sections and abortion care among ethnic and religious minorities in the United Kingdom, the chapter critiques how routine interventions are entangled in the anticipation of future reproductive potential. Ben Kasstan, 15 September 2022
4. The United States became a member of the United Nations' (UN's) core anti-racism treaty, International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), but has not passed the UN's core gender equality treaty, Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). This chapter explores why the United States passed only one of the conventions. Lucy van de Wiel, 15 September 2022
5. The Rome Statute, especially Article 7 on Crimes against Humanity, and the principle of Responsibility to Protect (R2P) apply to widespread violations of human rights that a State fails to prohibit or protect against. Yet far too little attention has been paid to systemic crimes that take the lives of many millions of women and girls every year. The purpose of this paper is to detail a proposal to use international law to hold governments and/or their agents accountable when they fail to protect the female half of humanity from widespread and egregious crimes of violence. Sagit Mor, 1 January 2014
6. Children – their number, their welfare, their property (whom they belong to), their education – have long been a matter of public concern. What a “proper” childhood should be is always a highly politicised issue never left entirely in private hands. Modern societies in particular have rendered explicit and institutionalised the existence of a public interest in children and in childhood as constituted within, but also outside, families. In this volume, we use the expression “politicising of childhood” in a broad sense in reference to the ways in which childhood is conceptualised not only as a primary family or parental responsibility, but, in addition, as a matter of public importance and concern, something for (welfare) state intervention. Marie-Claire Robitaille and Ishita Chatterjee, 20 January 2020

7. Physical, psychological, sexual, economic and social types of violence were common. Though GBV may be committed anywhere and anytime, restaurants are the most epicentre and night is the critical time by which the problem is more prevalent. Customers, supervisors and agents are perpetrators of GBV. GBV can have serious long-term and life-threatening consequences for victims. Physical, psychological, health-related, social and economic impacts are the crisis behind being a restaurant waitress. Eri Shinoki and Ichiro Matsuda, 24 August 2005
8. This chapter critiques the relationality between care and context to demonstrate how notions of routine technologies are disrupted when considering the reproductive realities and situated constraints of ethnic and religious minority women. Hideyuki Yahata, 24 August 2005
9. The chapter integrates ethnographic and qualitative data from two minority contexts, including maternity care provision for Orthodox Jews and how providers approach requests for sex-selective abortion (SSA) when caring for women from South Asian backgrounds. Kai-Lit Phua, 15 September 2014
10. By examining responses to caesarean sections and abortion care among ethnic and religious minorities in the United Kingdom, the chapter critiques how routine interventions are entangled in the anticipation of future reproductive potential. Arokiasamy Perianayagam and Srinivas Goli, 24 August 2012
11. The idea of anticipatory futures serves as a reflection on the reproductive lifecourse, where technologies carry opportunities and implications that women and carers alike are tasked with negotiating. Taking inspiration from the reproductive justice framework, the chapter builds on a body of work that demonstrates how the concept of 'choice' is contingent and not inclusive of the situated constraints that can affect the reproductive lives of women from minority backgrounds. Takao Takahashi, 24 August 2005
12. By delving into everyday reproductive constraints, the chapter raises implications for what inclusive woman-centred (or person-centred) care can involve, how providers approach 'choice', autonomy and justice in practice, and how their considerations reconfigure the otherwise 'routine' delivery of reproductive health services and technologies. Arti Sharma, Sushanta K. Mishra, Arunava Ghosh and Tuhin Sengupta, 30 May 2020
13. Technologies increasingly invest the reproductive lifecourse with potential and anticipation, and the chapter calls on feminist scholars to understand the dilemmas posed for inclusive models of care beyond the discourse of 'choice'. Harold Braswell, 17 December 2016
14. The authors show that their spouse's son preference is by far the most significant factor associated with a person's own stated son preference. The association between spouse's stated son preference is observed only for couples being married for three to five years. It is postulated that this is the critical period when sex-selective abortion decisions are being made. Sonali Mukherjee, 3 September 2015
15. The focus of existing empirical studies is nearly always on the mother's son preference only. The hypothesis is that spouses mutually influence each other's preferences and models estimating determinants of son preference should include preferences of both spouses. To the best of the authors' knowledge, this is the first attempt to understand the motivations of married men towards preferring

- sons and quantify the association between spouse's stated son preference and respondent's stated son preference. Maryam Dilmaghani, 15 September 2020
16. Historically, sex, tourism, and the labour market have long been inextricably linked, but media concerns about sex as the main purpose of tourism, and its effects on the host group and its sex workers, date from the mid-1990s, in the wake of the spread of HIV, the collapse of communism, the rise of the Internet, and the increasing influence of NGOs concerned with women's and children's welfare. Frederick J. Brigham, 30 July 2014
17. This chapter argues that in order to fully understand the relationship between tourism, sex, and the labour market, we need to adopt a broader perspective and look at the various intersections between the three factors, and how they blend into and influence each other. Arnlaug Leira and Chiara Saraceno, 14 April 2008
18. It conceptualises the three domains of tourism, sex, and work as intersecting circles and analyses the forms of activity typical of each. "Sex tourism," as popularly defined, is the space where all three overlap, but there are significant areas of sexual activity associated with tourism that are not commercial, and yet that generate significant and increasing business activity in some destinations. William K. Beatty, 1 February 1976
19. The chapter concludes that with economic development, there is a tendency for roles in the sex industry to become increasingly professionalised and differentiated, and that as the industry is unlikely to disappear, regulation should focus on the empowerment and welfare of sex workers rather than abolition and suppression. Yoshihiko Kadoya and Ting Yin, 3 June 2014
20. Doctors need to consider all kinds of traits and risk factors about a person in a treatment situation, while antidiscrimination law puts significant restrictions on what an employer can consider about a person in hiring. These two contexts – health care and the antidiscrimination-governed workplace – seem to adopt entirely incompatible conceptions of how to regard the person, and hence, what rights she is considered to deserve. Thao Thi Nguyen and Sarah Neal, 13 August 2021

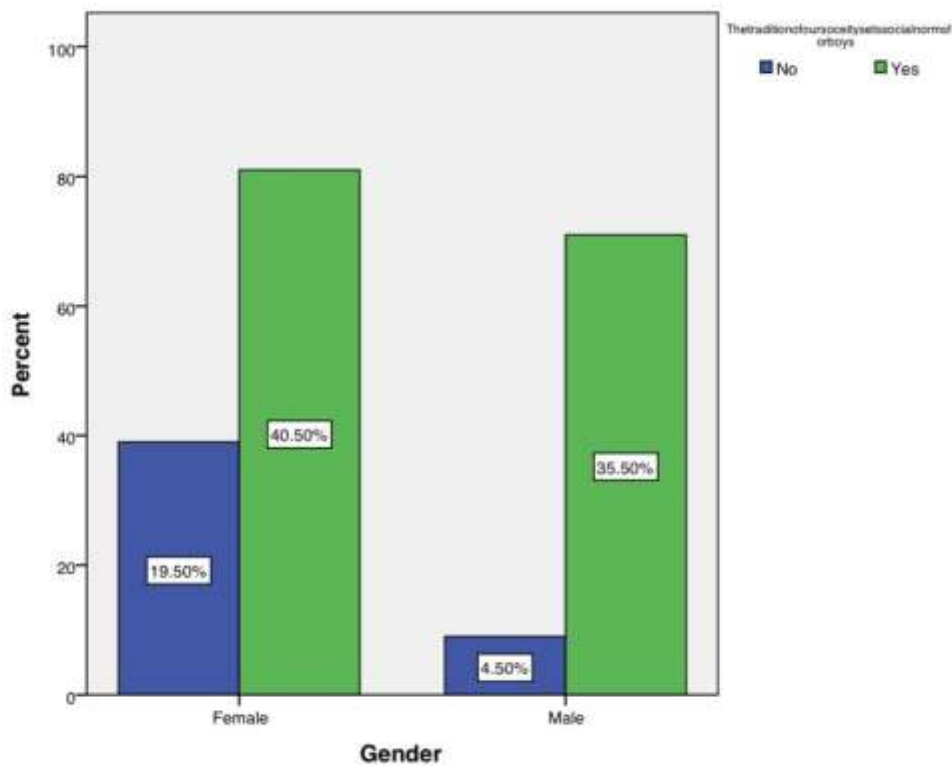
Research methodology

The research method followed here by the researcher is empirical research. The total number of samples is 200. From 200 people the researcher has got the data. Convenient sampling method is used to collect the samples. Convenient sampling method is used to collect the samples. The sample frame taken by the researcher is from colleges and public places. The independent variables are educational qualifications, age, income, gender, occupation, marital status. The dependent variables the questions to the respondents are: do you think that the tradition of our society sets social norms for boys who give economical support that place greater values on sons than daughters? Do you think the termination of pregnancy based on gender clearly shows inequality on gender for an unborn child? Our government ensures that all children are valued and treated equally and it leads our society into greater form - Rate in the 10 points scale. How far are you satisfied with the provisions or regulations of the selective abortion act? "Ancestral social norms are the major reasons for imbalanced sex ratios." - State your agreeability. Are you against selective abortion? Have you ever witnessed or had an experience of a voluntary abortion? On a scale of 1 to 10, rate the level of abortion rates

currently in our country. The unborn child’s right to life is being violated in case of abortion - State your agreeability. How far are you aware that the termination can be decided only by mother? The bar graph, pie chart are the research tools used in this research. SPSS graphics attached in this research work have been used for this research work. The primary sources are taken from the general public in the form of survey methods and the secondary data is also used where articles, books and journals are referred for this research Paper.

Analysis

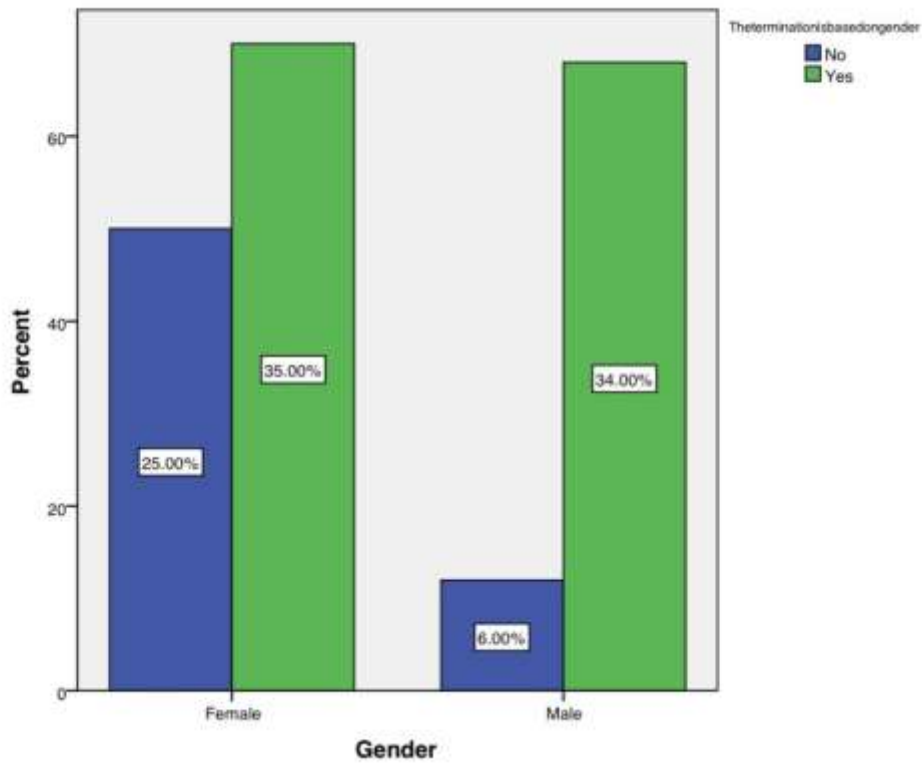
Figure 1



Legend

Figure 1 shows gender distribution with respect to the dependent variable that is the tradition of our social norms for boys who gives economical support that places greater value on sons than daughters.

Figure 2



Legend

Figure 2 shows the gender distribution with respect to the dependent variable if they think the termination of pregnancy based on gender which clearly shows inequality on gender for unborn child.

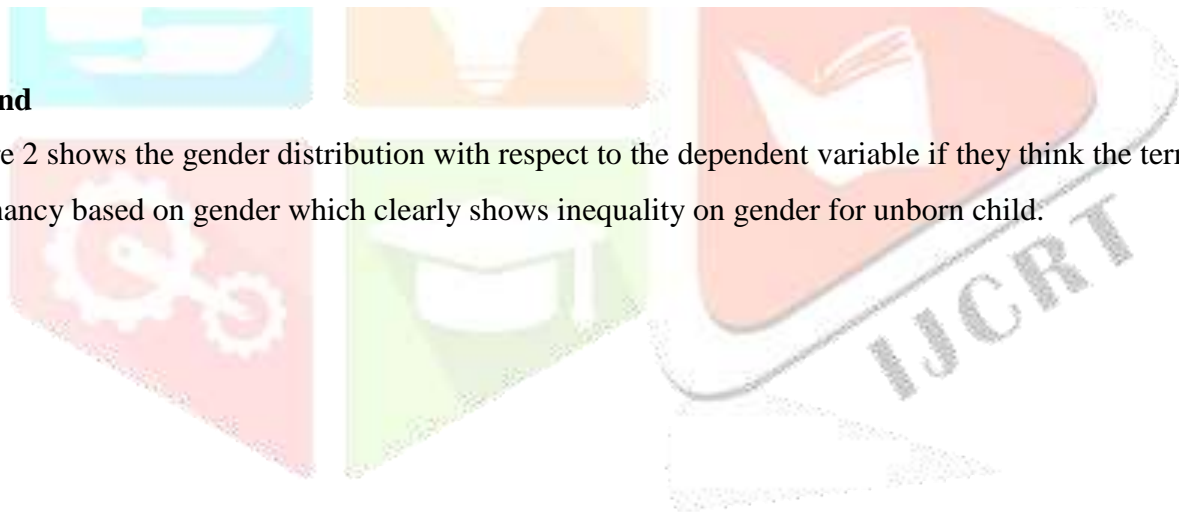
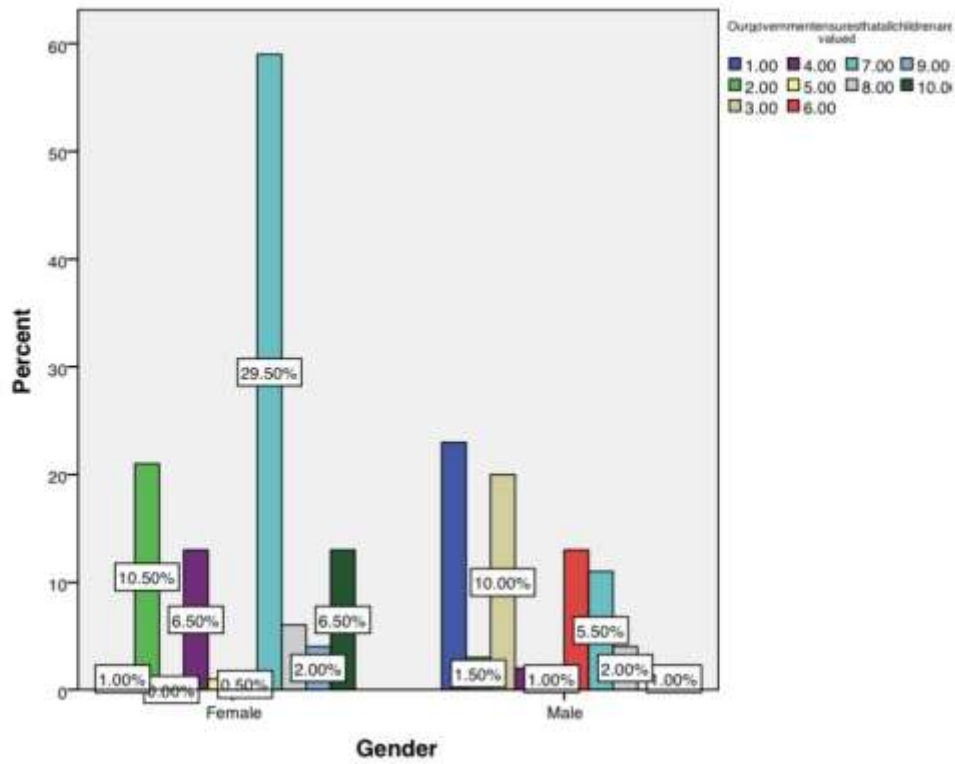


Figure 3



Legend

Figure 3 represents the gender distribution with respect to the dependent variable of rating for the equal treatment of all children by the government.

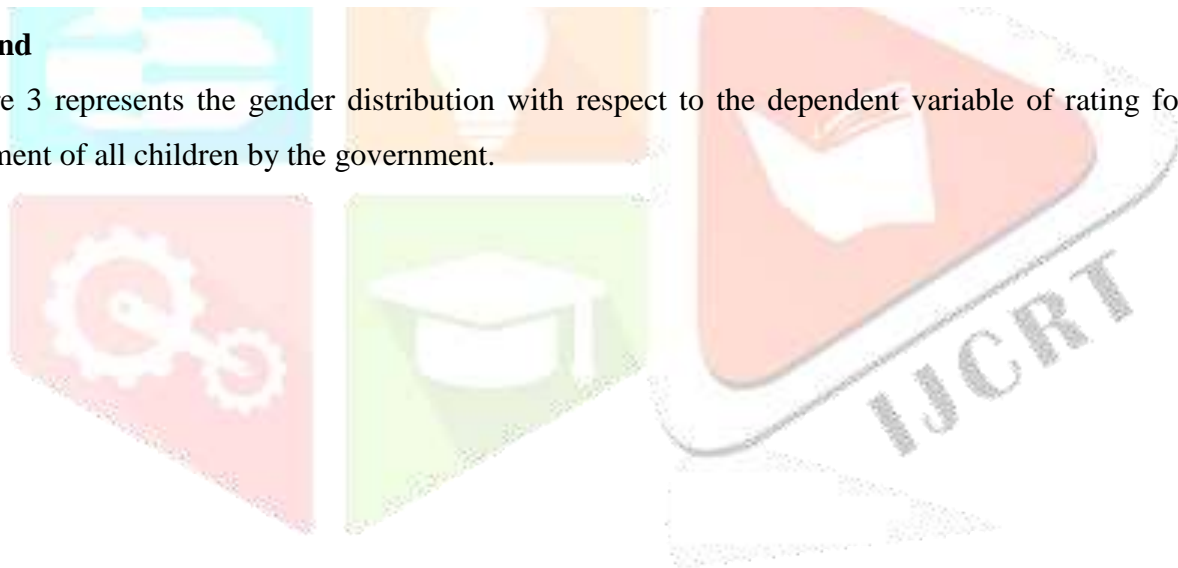
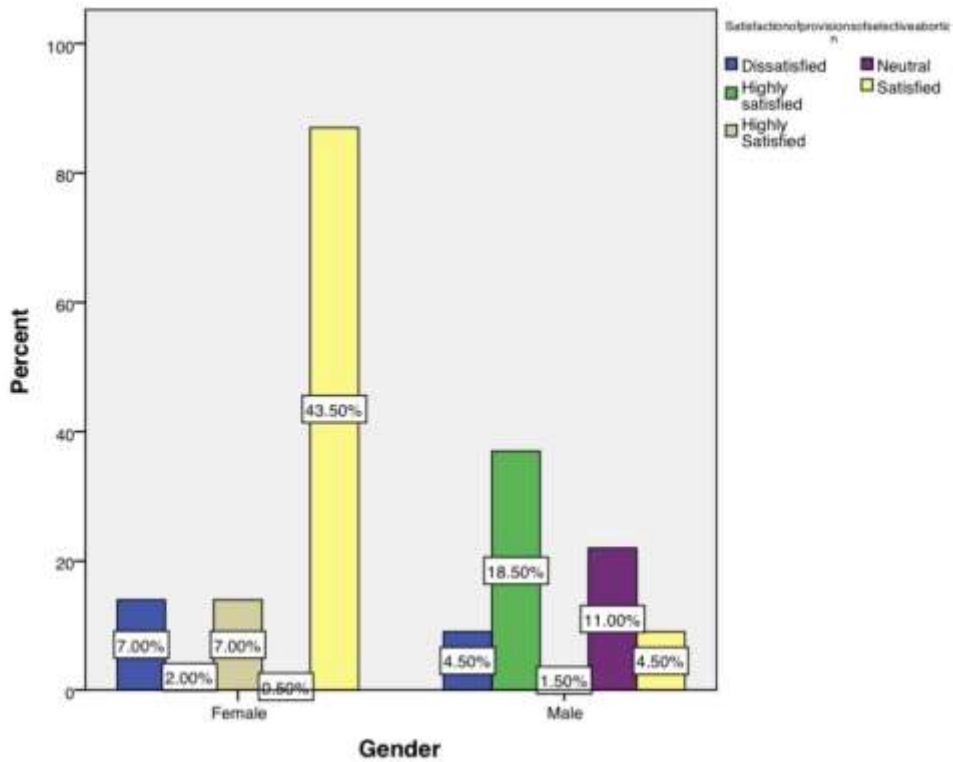


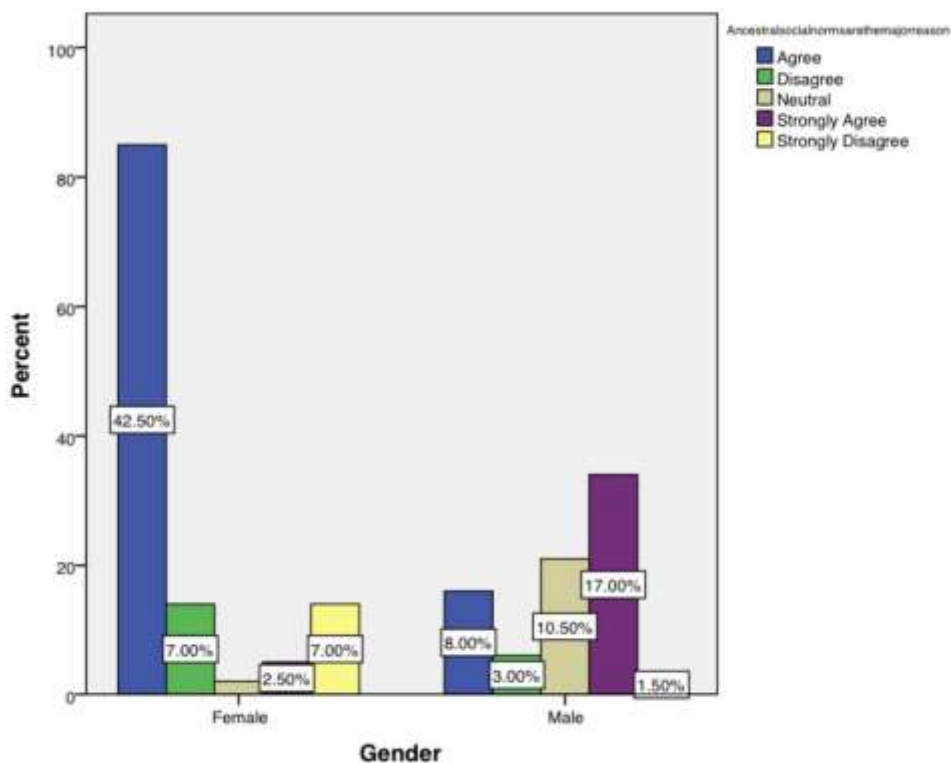
Figure 4



Legend

The figure 4 represents the gender distribution with respect to the dependent variable as to how far are the people satisfied with the provisions or regulations of the selective abortion act.

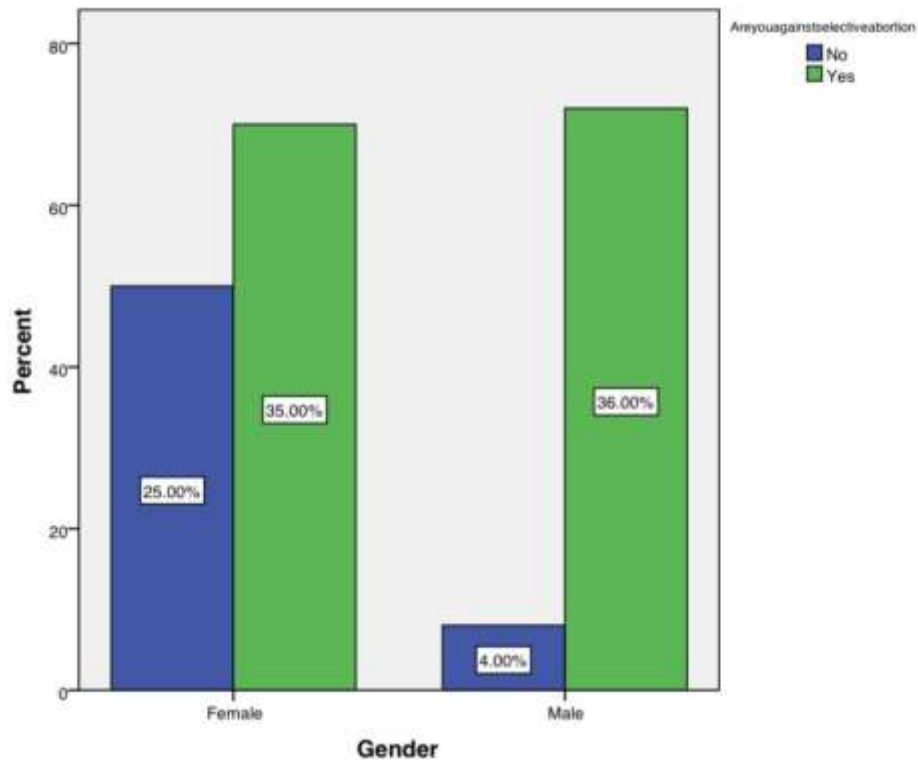
Figure 5



Legend

The figure 5 represents the gender distribution with respect to the dependent variable that shows the agreeability for the statement Ancestral social norms are the major reasons for imbalanced sex ratios.

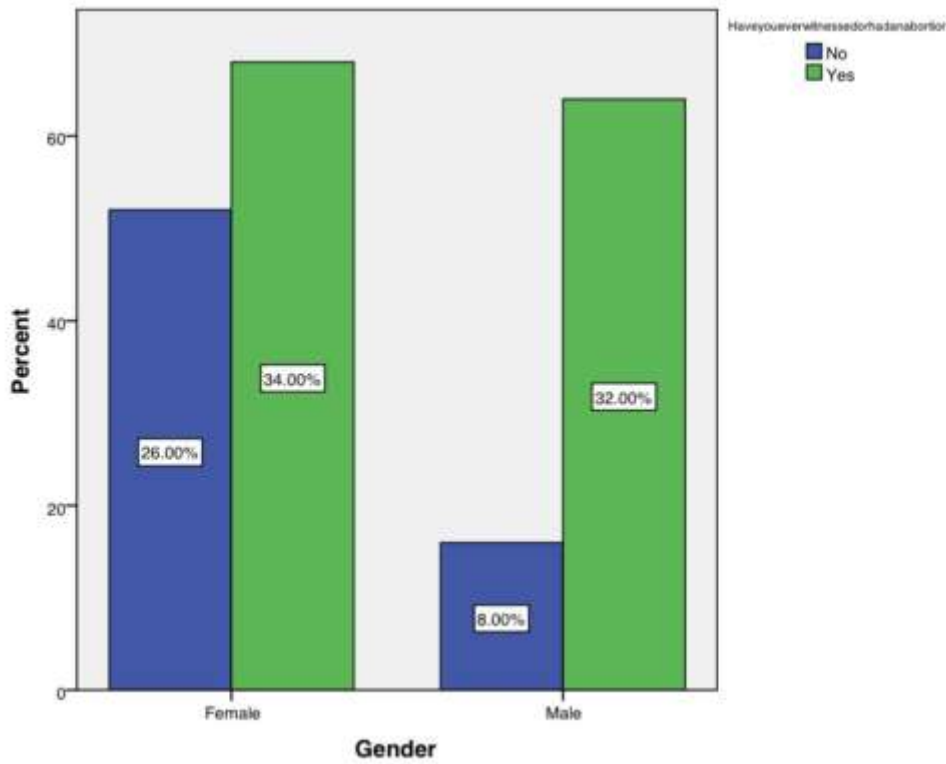
Figure 6



Legend

Figure 6 represents the gender distribution with respect to the dependent variable of if they are against selective abortion.

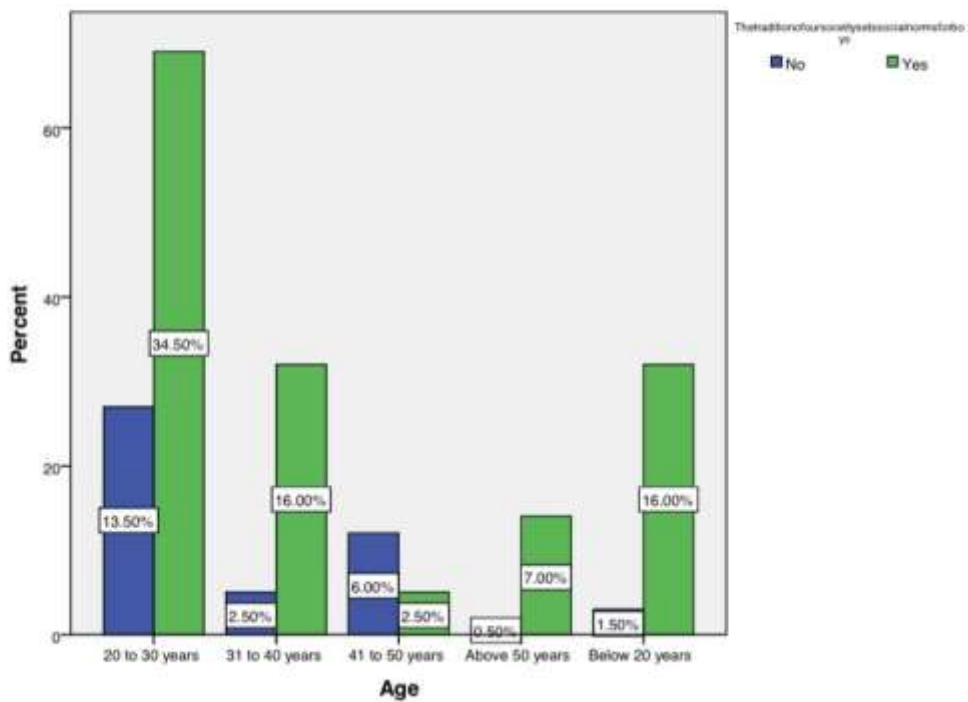
Figure 7



Legend

Figure 7 represents the gender distribution with respect to the dependent variable if the people know that the termination choice can be made only by the mother.

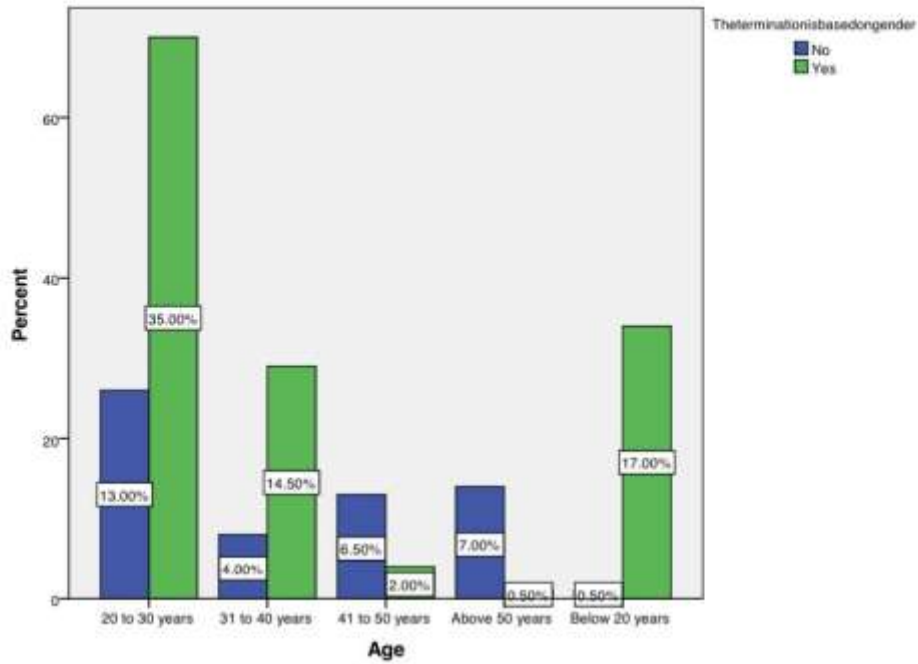
Figure 8



Legend

Figure 8 represents the age distribution with respect to the dependent variable that is the tradition of our social norms for boys who gives economical support that places greater value on sons than daughters.

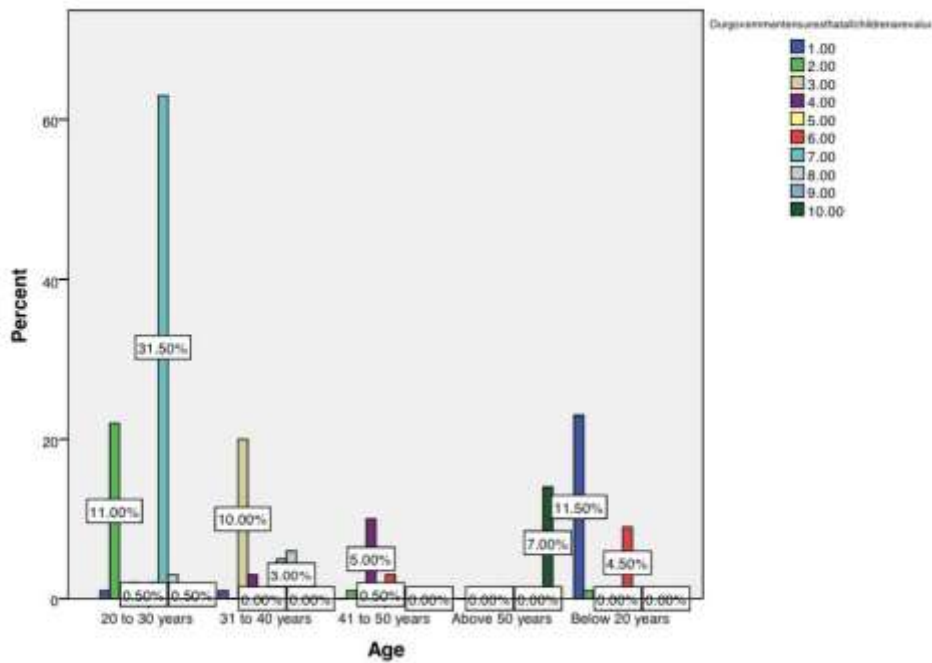
Figure 9



Legend

Figure 9 shows the age distribution with respect to the dependent variable if they think of the termination of pregnancy based on gender which clearly shows inequality on gender for unborn child.

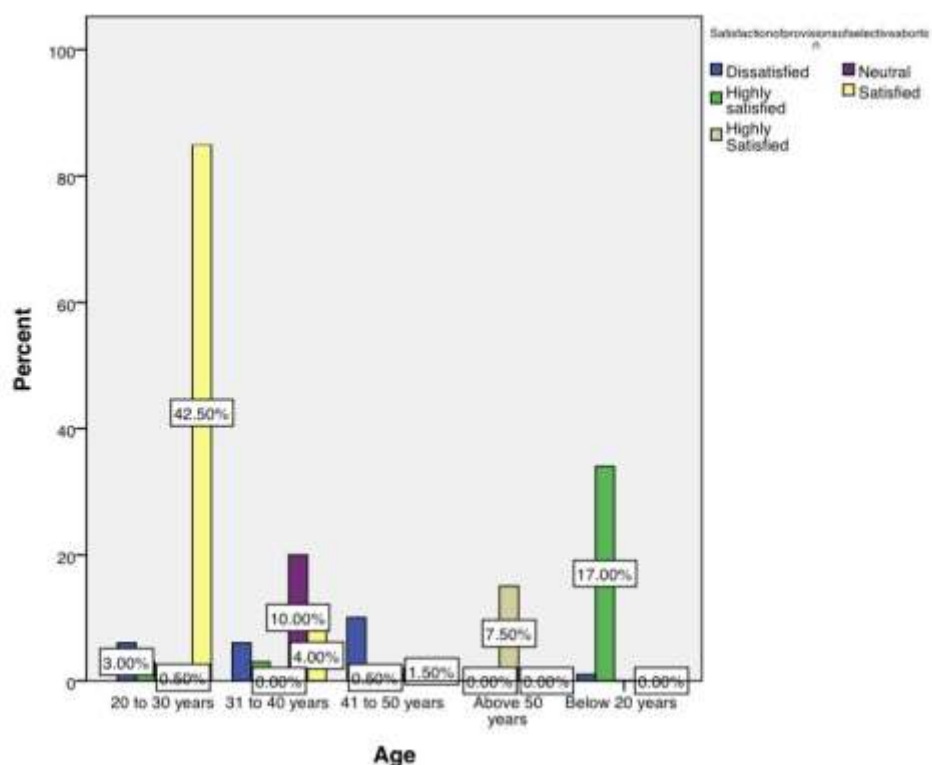
Figure 10



Legend

Figure 10 represents the age distribution with respect to the dependent variable of rating for the equal treatment of all children by the government.

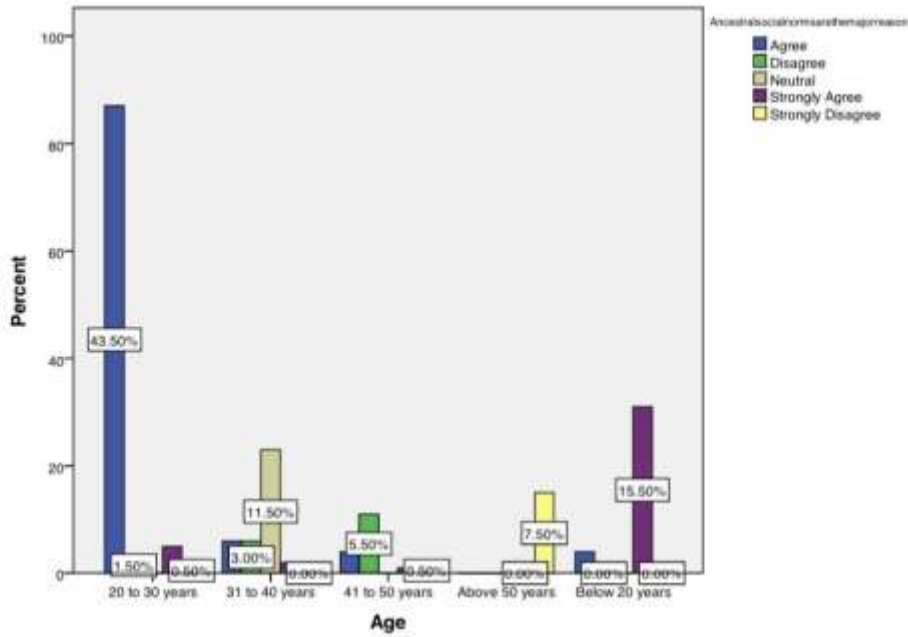
Figure 11



Legend

The figure 11 represents the age distribution with respect to the dependent variable as to how far are the people satisfied with the provisions or regulations of the selective abortion act.

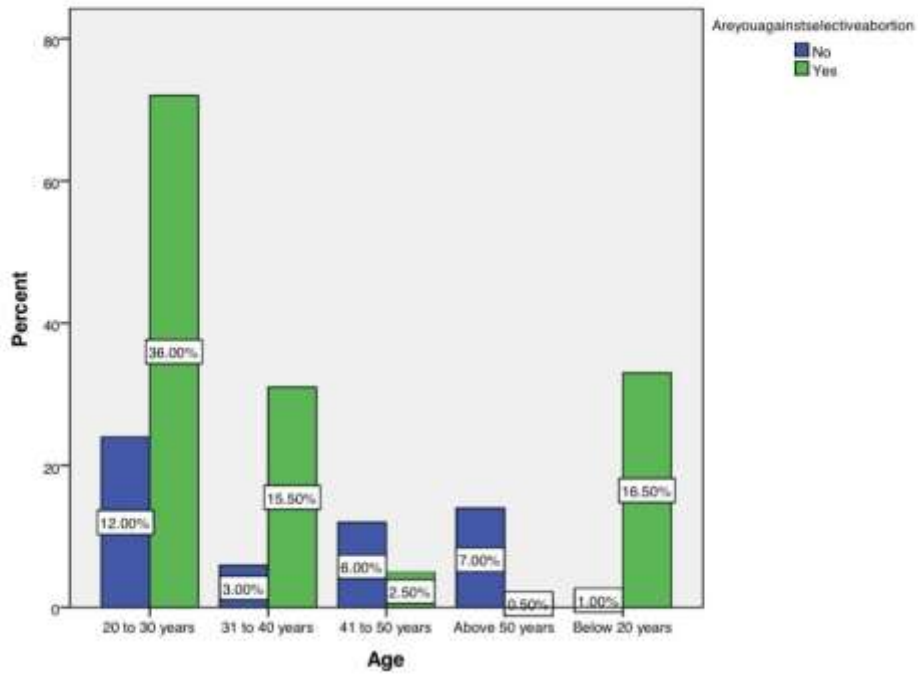
Figure 12



Legend

The figure 12 represents the gender distribution with respect to the dependent variable that shows the agreeability for the statement Ancestral social norms are the major reasons for imbalanced sex ratios.

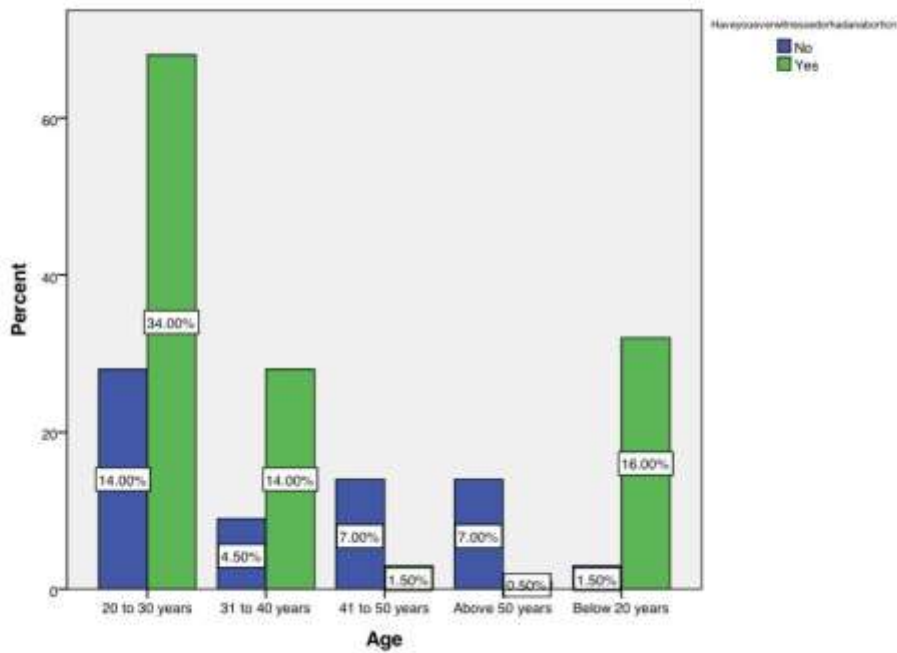
Figure 13



Legend

Figure 13 represents the age distribution with respect to the dependent variable of if they are against selective abortion.

Figure 14



Legend

Figure 14 represents the age distribution with respect to the dependent variable if the people know that the termination choice can be made only by the mother.

Results

From the figure 1 we can observe that based on the independent variable of gender, the females have majorly responded yes to the question of if tradition of our society sets social norms for boys who give economical support that place greater values on sons than daughters. From figure 2 it is observed that, based on the independent variable of gender, the females and males have equally responded yes to the question stating termination of pregnancy based on gender which clearly shows inequality on gender for unborn child. From figure 3 it is observed that, based on the independent variable of gender, females have majorly rated 7 on 10 for the rating question asking if our government ensures that all children are valued and treated equally and it leads our society into greater form. From figure 4 it is observed that, based on the independent variable of gender, females have majorly responded that they are satisfied with the provisions of the Selective Abortion Act. From figure 5 it is observed that, based on the independent variable of gender, females have majorly responded that they agree to the statement “Ancestral social norms are the major reasons for imbalanced sex ratios.” From figure 6 it is observed that, based on the independent variable of gender, females and males have equally responded that they are against selective abortion. From figure 7 it is observed that, based on the independent variable of gender, females and males are equally aware that the termination choice can be made only by the mother. From figure 8 it is observed that, based on the independent variable of age, people belonging to the age group of 20 to 30 years have majorly responded yes to the question of if tradition of our society sets social norms for boys who give economical support that place greater values on sons than daughters. From figure 9 it is observed that, based on the independent variable of age, people belonging to the age group of 20 to 30 years have majorly responded yes to the question stating termination of pregnancy based on gender which clearly shows inequality on gender for unborn child. From figure 10 it is observed that, based on the independent variable of age, people belonging to the age group of 20 to 30 years have majorly rated 7 on 10 for the rating question asking if our government ensures that all children are valued and treated equally and it leads our society into greater form. From figure 11 it is observed that, based on the independent variable of age, people belonging to the age group of 20 to 30 years have majorly responded that they are satisfied with the provisions of the Selective Abortion Act. From figure 12 it is observed that, based on the independent variable of age, people belonging to the age group of 20 to 30 years have majorly responded that they agree to the statement “Ancestral social norms are the major reasons for imbalanced sex ratios.” From figure 13 it is observed that, based on the independent variable of age, people belonging to the age group of 20 to 30 years have majorly responded that they are against selective abortion. From figure 14 it is observed that, based on the independent variable of age, people belonging to the age group of 20 to 30 years have majorly responded that they are aware that the termination choice can be made only by the mother.

Discussion

From the figures 1 and 8 it can be observed that based on the independent variables of gender and age, the females have majorly responded yes to the question of if tradition of our society sets social norms for boys who gives economical support that place greater values on sons than daughters and people belonging to the age group of 20 to 30 years have majorly responded yes to the question of if tradition of our society sets social norms for boys who give economical support that place greater values on sons than daughters. From figures 2 and 9 it can be observed that based on the independent variables of gender and age, females and males have equally responded yes to the question stating termination of pregnancy based on gender which clearly shows inequality on gender for unborn child and people belonging to the age group of 20 to 30 years have majorly responded yes to the question stating termination of pregnancy based on gender which clearly shows inequality on gender for unborn child. From figures 3 and 10 it can be observed that based on the independent variables of gender and age, females have majorly rated 7 on 10 for the rating question asking if our government ensures that all children are valued and treated equally and it leads our society into greater form and people belonging to the age group of 20 to 30 years have majorly rated 7 on 10 for the rating question asking if our government ensures that all children are valued and treated equally and it leads our society into greater form. From figures 4 and 11 it can be observed that based on the independent variables of gender and age, females have majorly responded that they are satisfied with the provisions of the Selective Abortion Act and people belonging to the age group of 20 to 30 years have majorly responded that they are satisfied with the provisions of the Selective Abortion Act. From figures 5 and 12 it can be observed that based on the independent variables of gender and age, females have majorly responded that they agree to the statement "Ancestral social norms are the major reasons for imbalanced sex ratios." and people belonging to the age group of 20 to 30 years have majorly responded that they agree to the statement "Ancestral social norms are the major reasons for imbalanced sex ratios." From figures 6 and 13 it can be observed that based on the independent variables of gender and age, females and males have equally responded that they are against selective abortion and people belonging to the age group of 20 to 30 years have majorly responded that they are against selective abortion. From figures 7 and 14 it can be observed that based on the independent variables of gender and age, females and males are equally aware that the termination choice can be made only by the mother and people belonging to the age group of 20 to 30 years have majorly responded that they are aware that the termination choice can be made only by the mother.

Suggestion

Women who are planning to become pregnant should receive preconception care that includes screening for genetic disorders and other conditions that can increase the risk of complications during pregnancy.

Conclusion

Selective abortion is a controversial topic that refers to the termination of a foetus due to a medical condition or genetic abnormality that is detected during pregnancy. This procedure is also known as "selective reduction" or "pregnancy reduction." Findings of the research is that The tradition of our society sets social norms for boys who give economical support that place greater values on sons than daughters. The termination

of pregnancy based on gender which clearly shows inequality on gender for unborn children. Our government ensures that all children are valued and treated equally and it leads our society into greater form. The provisions or regulations of the selective abortion act are satisfied with people. Ancestral social norms are the major reasons for imbalanced sex ratios. The unborn child's right to life is being violated in case of abortion. The people are aware that the termination can be decided only by mother. Women who are planning to become pregnant should receive preconception care that includes screening for genetic disorders and other conditions that can increase the risk of complications during pregnancy. It is important to ensure that women have access to safe and legal abortion services when necessary, and that they are able to make informed decisions about their own reproductive health.

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