

Programme to mark the National Girl Child Day

(January 24, 2010 – New Delhi)

Address by Hon'ble Mr. K.G. Balakrishnan, Chief Justice of India

Distinguished guests, Ladies and Gentlemen,

I am grateful for the invitation to attend this programme. There is an inherent correlation between the empowerment of women and the promotion of peace and development in any society. Women play the essential role of nurturing the next generation and looking after the welfare of their families. Hence, the education, proper healthcare and equality of opportunity in the realms of employment and political participation expands personal freedoms and enhances social welfare at the same time.

However, our society is rife with gender-based discrimination which is evident in the private as well as public sphere. The problem begins with social evils such as sex-selective abortion, female infanticide and abandonment of baby girls, which skews the overall gender-balance in the population. Girl children also face disadvantages in matters such as nutrition, education and healthcare in comparison to boys. As girls grow into puberty and then adulthood, they face an increased risk of sexual abuse. Even in the marital home, there is widespread prevalence of dowry harassment, domestic

violence and subordination in matters relating to ownership and control of property. In the public sphere, chauvinistic attitudes have persisted and it is only in recent years that there has been a significant increase in the number of women who form part of the workforce. Despite these gains, there are several obstacles which prevent women from making progress. Gender-based discrimination is a complex web and some forms of discrimination are often defended by invoking customs and religious beliefs.

The foremost means for engineering social reforms is obviously that of education. This means that gender-justice should not only be an important component of the school and college curriculum but it should be constantly emphasized through the mass media and public awareness campaigns. The family is of course the most important site for inculcating respect for women. If the female members of the family are treated with dignity and have an equal say inside the four walls of a home, they will also be empowered in the public sphere. With each passing year, more and more girls are excelling in studies and making a mark in the various professions. If our country has to become an economic power in the years to come, we must take effective steps to give our womenfolk enough opportunities as well as social mobility. In this respect, I must highlight the role that the Legal Services

Authorities can play in order to expand the reach of the various welfare schemes.

The law is an agent of social change and accordingly Article 15 of our Constitution places an obligation to prevent discrimination on grounds of sex. This constitutional command has been relied on in some judicial decisions which have invoked the importance of 'equality of opportunity' for women. It is the idea of 'substantive equality' that addresses the existing patterns of inequality which should guide policy interventions. This means that due attention should be given to the specific nature of dominance and submission in different social settings. Legislative interventions have been designed to combat social evils such as dowry demands, immoral trafficking, sex-selective abortion and domestic violence. Even though there are criticisms with respect to the implementation of these legislations in the short-run, we must remember that in the long-run the content of the law also re-shapes social mores and customs.

With these words I would like to express my gratitude to the Hon'ble Minister of State for Women and Child Development, for inviting me to speak here today.

Thank You!
