

Crime against Women in India: An Analytical Study

Dr. Shrimant Chavan

Associate Professor of Criminology, Government First Grade College, Vijayapur. Karnataka

ABSTRACT

Today violence against women in India has assumed an alarming proportion. This paper highlights the crime against the legally protected right to sexual self-determination. Sexualised violence is one form of gender-based violence. Indian patriarchal setup, it became an acceptable practice to abuse women. On the top of that, there are some crimes which are still not covered under any of the Indian law, like marital rape. The fear of violence is widespread among women in India. Many women feel unsafe in public spaces, especially at night. Women's safety in India is currently a serious concern. Significant increase in crime rates has been seen in the nation's crimes against women.

Keywords: crime, sexual, gender, human, rights, violations and discrimination

INTRODUCTION

Violence against women and girls is one of the most pervasive, ongoing, and severe human rights violations in our society today. Discriminatory gender norms and stereotypes coupled with prevalent patriarchy leads to crimes against women. Women in India-a better half of Indian society, today, are becoming the most vulnerable section as far as their safety and security is concerned. Sexual violence against women represents a grave violation of human dignity and fundamental rights. Women in India-a better half of Indian society, today, are becoming the most vulnerable section as far as their safety and security is concerned. Protection of Women from Domestic Violence Act, 2005, is an important Indian law enacted to protect women from domestic violence.

Right from the womb to the tomb, she has been carrying on both her mind and body the tell-tale marks of discrimination and violence caused by man, people of her own sex, the society and its anachronistic social mores, the outdated laws, the government itself, the media, the politicians and the political parties as well as scores of other agencies. From the podium, the high and mighty talk about human rights for refugee, the labour class, the prisoners and several categories of the disadvantaged and the dispossessed, but most of us know that half of humanity comprising women will enter the threshold of the new millennium deprived of basic of human rights. The discrimination and violence she is

inflicted upon may vary from one region to another in our country, but the crux of the matter is that she will continue to be a second class citizen all over the world, be it under the obscurantist regime of the Taliban in Afghanistan or the so-called civilized society in USA where the person holding the highest political office in the country could go scot free despite the most publicized sexual dalliance he seemed to have had with Monica Lewinsky, a small-time employee in the White House establishment. The plight of the women who have to pay a high dowry to get married in the highly literate State like Kerala is no different from the widows from West Bengal who are dumped into Mathura and Brindavan to fend for themselves.

She is a cross-bearer everywhere in the orthodox Hindu Society, the fundamentalist Islamic world and the so-called advanced Christian civilization. Perhaps, no society and no nation can claim that women enjoy the same rights as men do. The discrimination and violence begin even before she is born and continue till her last journey beyond this mundane world. Female foeticide secured surreptitiously through the scientific method of amniocentesis easily gets rid of the girl child even before she is born. The preference for boys in the tradition-bound Indian society and the fear of the looming specter of dowry that dogs the birth of girls compels many of the parents of the middle class and rich families to get rid of the girl to be born to them by resorting to selective abortion. In collusion with doctors and clinics operating in big cities like Mumbai, Delhi and Chandigarh, they try to predetermine the sex of the child to be born and let the guillotine fall if the sex of the foetus is female. Shocked at the widespread practice of the evil, the Government of Maharashtra and later the Government of India brought in legislature a stamp out the evil. But what we have failed to learn is that no social evil can be exercised by legislature however well-intentioned it may be. See, how may deny even right to be born to the female species!. Even when is born, she is not spared in certain parts of Tamil Nadu several poor families, plagued by the fear of the prospect of dowry, resort to female infanticide.

There are many villages in certain districts notorious for the persistence of this pernicious practice and both the state government and NGOs have been doing their best to wean poor families away from this practice. But such social practices cannot be wished away all too soon. Stray cases of female infanticide are also reported from the states like Rajasthan and Bihar too. So, we deny the

girl child even the basic human right to life. And the poor girl bears the cross all through her childhood, adolescences, adulthood and old age in all the realms of life. Many girls are still not sent to school in many parts of the country as many parents hug the notion that “ a girl is after all has to go into another family and what is the use wasting time and money by sending her to a school?”. That explains why female illiteracy is high and the female drop-out from schools is more than the males. Thus girl continue to a high price for the rampant poverty and an education system that promises no future for the money and time put into it. For the poor, education is a luxury they can ill-afford and the girl become either domestic help or part of the gigantic army of child labour where they are exploited sexuality too.

The Universal Declaration of Human Rights and our own constitution provides for the right in the prevailing socio-economic milieu is known to all. Adolescence is the period where every girl crosses the threshold of childhood and prepares for any into adulthood. The adolescent girl needs a lot of nutrition for healthy growth for playing the role of the mother. But in most families in our conservative society, the adolescent girl is denied this nutrition. Along with the mother, she gets her shares of the food last after serving the male members of the family, she gets the left –over, poor in both quality and quantity. Add to it the burden of back-breaking work at home or outside.

Millions of girls in their formative adolescent stage are thus denied the right to health and nutrition, a right adumbrated in the Universal declaration of Human Rights. Yet another social practice that comes in the way of girl enjoying the rights to education and health is the persistent evil child marriage. Despite the so called Child Marriage Restraint Act , child marriage is still practiced , with religious fervor, Rajasthan and to a lesser degree in Gujarat, Bihar, UP, Madhya Pradesh , Karnataka and Tamil Nadu. During the Akha Teej Festival thousands of girls and boys –many of them virtual infants get married with the authorities just looking away attempts to do away with this practice have ended in smoke. The Rajasthan Government organized a band of women volunteers to educate the public against the bad effect of child marriage and one of the women volunteers was gang raped for taking up the cudgel against marriage before consent.

Child marriage deprives young girls of their right to education and prepares them for motherhood before they are mentally and physically prepared for it. Of all the crimes against women raped are the most heinous and despicable and the assailant spares none including minor girls. A rape victims, once deprived of the right to honor and dignified living, loses all interest in life. Justice eludes her and most of the assailants go scot free, thanks to the prolonged litigation and loopholes in the law. The

poor woman goes through one trauma after another at the police station, the courtroom and the remainder of her life. “The majority of these suicides are done through hanging, poisoning or self-immolation. Bride burning, a form of dowry death, occurs when a woman is set on fire. This act is referred to as bride burning murder, and it is frequently staged to look like a suicide or accident. In some instances, the woman is set on fire in a manner that suggests she caught fire while cooking on a kerosene stove” (Wolper, J. S. 2015) This also comes at a time when India has seen cases of violence against women only increase each successive year.

None knows the real number of women and minor girls who become victims of rape year after year in our country. Official figures seldom indicate the large number of reported cases who refuse to come out into the open fearing social stigma that may stalk them all through the rest of their life. The social attitude towards the rape victim is as reprehensible as the villainous act to violate the modesty of a woman. “Equally disconcerting is the acknowledgment by 38% of Indian men admitting to engaging in physical abuse against their partners” (Radjabova, Aziza M. 2022). A leading politician in our country is said to have remarked once” what is rape after all in America there is a rape every minute. It is as common as drinking tea” . The United Front government at the centre went a step further when it mooted a scheme whereby rape insurance could be taken on chastity.

Appalled by the poor deterrent values of the laws already existing in regard to the penalty awarded to the guilty, India’s Home Minister, Mr. L.K Advani, went to the extent of recommending death penalty for the culprit. One may or may not agree with him, but one can neither question his high feeling about the crime nor underestimate the enormity of the crime. Say the law commission”: “Rape is the ultimate violation of the self. It is a humiliating event in the woman’s life which leads to fears for existence and a sense of powerlessness”. Rape robs the woman and the family to which she belongs, their highly valued self-esteem. The female is universally treated as a sex object to slake the lust of man. This attitude has given rise to the indecent representation of women in the media and more particularly in the advertisement, both electronic and printed media. A few years ago we passed a law against indecent representation of women were last all its punch when mod women were only willing to join in the media blitzkrieg to make quick bucks. “This increase in reported violations underscores the pressing need for enhanced efforts and measures to address and curb the illicit activities falling under the purview of the Immoral Traffic (Prevention) Act of 1956 in various states across the country” (Ranjan, Sheetal 2013:249) This figure, which does not include sexual harassment, has remained largely unchanged in the last two decades.

Prostitutes are no longer prostitutes, but sex workers and would like to be recognized as such and they have also asked for the right to health, and the right to education for their children and the right to pursue their trade without the harassment from the law enforcement agencies. Yet another social evil that takes from every woman the right to life, the right to dignified living is the scourge of dowry. "Between 2014 and 2018, National Crime Records Bureau data revealed that 1,483 victims registered cases of acid attacks in India. While the number of acid attacks continues to rise, there is a concerning decline in the number of people charged by the police. Uttar Pradesh, West Bengal, and Delhi collectively account for 42% of all acid attack victims in India. Perpetrators of these horrific crimes often evade punishment, as exemplified by the fact that out of 734 cases that went to trial in 2015, only 33 cases resulted in completion" (Acharjee, Rituparna 2019:1). Dowry is an undying conflagration that has consumed several innocent lives in the last thirty years. Women, victimized by mental and physical torture, either kill themselves or get killed. At the base of dowry problem is the argument that men and woman are not equal and every parent has to buy a bridegroom to help his daughter enter another family with dignity. Just as in other social evils, here too law has miserably failed to tackle the problem of dowry which perpetuates the theory of woman is inferior to man. Even the education of woman has not tackled the problem.

Today, there is a price tag for an IAS officer, a business executive, a doctor, an engineer and other boys in top bracket earning high emoluments. Education and more wealth have only deepened the complexity of the problem. In many parts of the country parents ruin themselves paying dowry their life. "From 2000 to 2013, around 3,000 victims of sexual assault, domestic abuse, or other forms of gender-based violence have registered with Dilaasa, underscoring the urgent need for comprehensive efforts to break the cycle of violence and foster gender equality in India" (Bühler, Peter 2018:12) Crime against women is happening across the world not only in India.

That men and women are equal in social life is more a myth than a reality. Though women in large number are joining the work place, here to they face sexual harassment in white collar and blue collar jobs, a burning subject that recently drew the attention of the Supreme Court of India. Even in regards to inheritance rights women do not enjoy the same rights as men. The 15th Law Commission entrusted with the task of revising Central Acts to simplify them and to remove anomalies, has begun a study of certain provisions of the property rights of Hindu women, especially of the daughters to ancestral and inherited property. For no fault of hers, a widow is a sign of bad omen and she seldom attends gala social functions or is totally sidelined. Worse still, many

of the widows from west Bengal are dumped in the pilgrim centres of Mathura and Brindavan where they become a life of penury singing Bhajans and begging. Their crime, they have become widows. And there are still many educated in Rajasthan who would like the widows to immolate themselves in the funeral pyre of their husbands. That sum up the plight of the women denied of basic human rights right from their birth to death.

CONCLUSION

Crimes against women are one of India's most serious social issues. Violence against Women in India varies from domestic abuse, female feticide, dowry death and rape to child marriages and female circumcision. But unfortunately, contemporary Indian women continue to face discrimination and other social challenges and are often victims of abuse and violent crimes. Sexual, physical or emotional violence against women in India is a serious form of exploitation that needs to be prevented in the nation. Everyday women face systematic assault on their fundamental right to free movement and personal dignity. The global prevalence of crimes against women has made it an enduring public health challenge that has persisted over time. The whole time India, violence against women has a long history that has been influenced by social, cultural, and legal structures over many centuries.

REFERENCES

- Acharjee, Rituparna (15 December 2019) "Determinants of anaemia among children aged under-five years in Meghalaya, India". *Spectrum: Science and Technology*. 6 (1):
- Bühler, Peter; Schlaich, Patrick; Sinner, Dominik (2018) "-Erstellung", , Berlin, Heidelberg: Springer Berlin Heidelberg,
- Wolper, J. S.; Peters, Andrea, eds. (22 September 2015) *Women's Rights, Human Rights: International Feminist Perspectives*. New York: Routledge.
- Ranjan, Sheetal (2013), "Crimes against Women in India", *Crime and Justice in India*, New Delhi, India: SAGE Publications India, pp. 249–268
- Radjabova, Aziza M. (9 March 2022) "From gender blindness to gender equality policy". *International Journal of Social Science and Human Resources*. 05 (3)
- Yee, Amy (April 2013) "Reforms urged to tackle violence against women in India". *The Lancet*. 381 (9876):