

Criminology: A Study on Crime against Women

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Abstract: *Although the position of women has improved in the society today but still there is a deal of “Crime AGAINST WOMEN”. “Crime against women,” includes many kinds of Harmful physical, emotional, and sexual behaviors against women and girls that Are most often carried out by family members, but also at times by strangers. The United Nations Declaration on the Elimination of Violence against Women includes a widely accepted definition of violence against women as: “Any act of gender-based violence that results in, or is likely to result in, Physical, sexual, or psychological harm or suffering to women, including Threats of such acts, coercion, or arbitrary deprivations of liberty, whether occurring in public or private life”. Women and children are often in great danger in the place where they should be safest: within their families. For many, ‘home’ is where they face a regime of terror and violence at the hands of somebody close to them – somebody they should be able to trust. Those victimized suffer physically and psychologically. They are unable to make their own decisions, voice their own opinions or protect themselves and their children for fear of further repercussions. Their human rights are denied and their lives are stolen from them by the ever-present threat of violence. Twenty years ago, violence against women was not considered an issue worthy of international attention or concern. Victims of violence suffered in silence, with little public recognition of their plight. This began to change in the 1980s as women’s groups organized locally and internationally to demand attention to the physical, psychological, and economic abuse of women. Gradually, violence against women has come to be recognized as a legitimate human rights issue and as a significant threat to women’s health and well-being. For over three decades, women’s advocacy groups around the world have been working to draw more attention to the physical, psychological, and sexual abuse of women and to stimulate action. They have provided abused women with shelter, lobbied for legal reforms, and challenged the widespread attitudes and beliefs that support violence against women. Needless to say, it’s not the responsibility of certain groups to fight for the basic rights of women and protect them but..... Until we reform our society “violence against women” will remain a problem which we need to face and fight. So, let’s unite together and..... Say no to violence against women!*

1. Introduction

Centuries have come, and centuries have gone, but the plight of women is not likely to change. Time has helplessly watched women suffering in the form of discrimination, oppression, exploitation, degradation, aggression, humiliation. In Indian society, woman occupies a vital position and venerable place. The Vedas glorified women as the mother, the creator, one who gives life and worshipped her as a ‘Devi’ or Goddess. But their glorification was rather mythical for at the same time, in India women found herself totally suppressed and subjugated in a patriarchal society. Indian women through the centuries remained subjugated and oppressed because society believed in clinging on to orthodox beliefs for the brunt of violence—domestic as well as public, Physical, emotional and mental. Male violence against women is worldwide phenomenon. Fear of violence is an important factor in the lives of most women. Fear of violence is the cause of lack of participation in every sphere of life.

There are various forms of crime against women. Sometimes it is even before birth, some times in the adulthood and other phases of life. In the Indian society, position of women is always perceived in relation to the man. This perception has given birth to various customs and practices. Violence against women both inside and outside of their home has been a crucial issue in the contemporary Indian society. Women in India constitute near about half of its population and most of them are grinding under the socio-cultural and religious structures. One gender has been controlling the space of the India’s social economic, political and religious fabric since time immemorial. The present study felt the need that in the era of globalization and modernization the present trends of crimes against women is on increase. Recently the brutal gang rape against 23 year student in Delhi again sparked the debate on Indian mental set up and existing law and order in the Country.

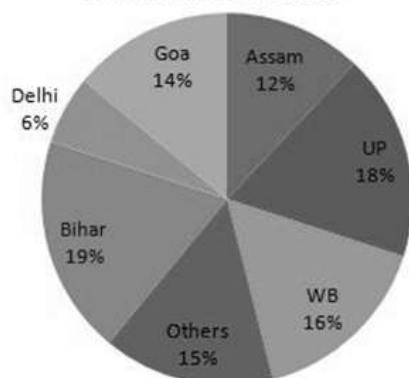
Another danger in India is that, Indian law does not differentiate between major and minor rape. Rape in India has been described by Radha Kumar as one of the “India’s most common crime against women.”¹ Rape cultures are nourished by norms, attitudes, and practices that trivialize, tolerate, or even condone violence against women. They are further normalized if there is impunity for perpetrators either due to a lack of effective legal mechanisms or apathy to prosecuting crimes against women. The need for a new law on sexual assault was felt as the present law does not define and reflect the various kinds of sexual assault that women are subjected to in our country. The Supreme Court in *Sakshi vs. union of India* (on 26th may 2004) had recognized the inadequacies in the law relating to rape and had suggested that the legislature should bring about the required changes.

2. Crimes against women in Cities

Crimes rates are much higher in big cities than in either small cities or rural areas. “There is a litany of theory about the connection between cities and crime. Indeed some of the most important of the ideas on crime and cities has been discussed at early stages of modern Sociology by Emile Durkheim, George Simmel and Max Weber. Wirth (1938) claims that urban crime reflects the more anonymous and unstable nature of urban life. Jacob (1961) focuses on the emptiness of urban streets, and argue that cities only abet crimes when urban neighborhood lose (as they often do) their traditional social structure.” A study conducted by NAVTEQ in 2011 (global provider of navigation enabled maps) regarding safety of women in Delhi reveals that, 51 percentages of the women surveyed in Delhi, Kolkata, and Chennai felt unsafe while travelling on roads while 73 % said that they were scared of travelling at night. TNS Market Research claims 87 per cent women regarded Delhi as most

unsafe city while Mumbai was touted as the safest city by 74 per cent women.

Statewise % crimes against women in 2018



2.1 Common Practices of Violence against Women

Violence against women is a problem around the World. It affects women of all races, ethnic groups, classes and nationalities. It is a life threatening problem for individual women, and it is a costly problem for societies. In many countries, women fall victim to traditional practices that violate their human rights. The persistence of the problem has much to do with the fact that most of these physically and psychologically harmful customs are deeply rooted in the tradition and culture of society.

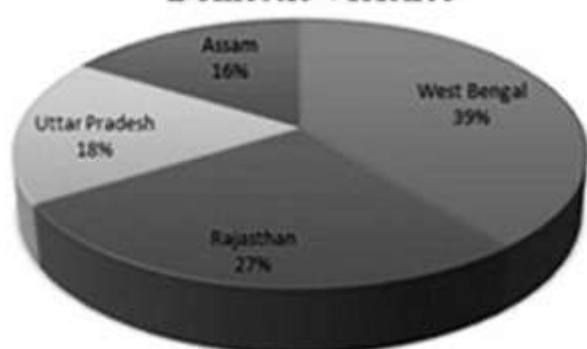


a) Domestic violence

Violence against women in the family occurs in developed and developing countries alike. It has long been considered a private matter by bystanders — including neighbors, the community and government. But such private matters have a tendency to become public tragedies. In the United States, a woman is beaten every 18 minutes. Indeed, domestic violence is the leading cause of injury among women of reproductive age in the United States. Between 22 and 35 per cent of women who visit emergency rooms are there for that reason. The highly publicized trial of O. J. Simpson, the retired United States football player acquitted of the murder of his former wife and a male friend of hers, helped focus international media attention on the issue of domestic violence and spousal abuse. According to the Special Reporter's report, many Governments now recognize the importance of protecting victims of domestic abuse and

taking action to punish perpetrators. The establishment of structures allowing officials to deal with cases of domestic violence and its consequences is a significant step towards the elimination of violence against women in the family. The Special Rapporteur's report highlights the importance of adopting legislation that provides for prosecution of the offender. It also stresses the importance of specialized training for law enforcement authorities as well as medical and 61 legal professionals, and of the establishment of community support services for victims, including access to information and shelters.

Domestic Violence



Son Preference

Son preference affects women in many countries, particularly in Asia. Its consequences can be anything from foetal or female infanticide to neglect of the girl child over her brother in terms of such essential needs as nutrition, basic health care and education. In India, some women choose to terminate their pregnancies when expecting daughters but carry their pregnancies when expecting sons. According to reports from India, genetic testing for sex selection has become a booming business, especially in the country's northern regions.

Dowry-related Violence and Early Marriage

In some countries, weddings are preceded by the payment of an agreed upon dowry by the bride's family. Failure to pay the dowry can lead to violence. In India, an average of five women a day is burnt in dowry-related disputes and many more cases are never reported. Early marriage, especially without the consent of the girls, is another form of human rights violation. Early marriage followed by multiple pregnancies can affect the health of women for life.

Prostitution and Trafficking

Many women are forced into prostitution either by their parents, husbands or boyfriends or as a result of the difficult economic and social conditions in which they find themselves. They are also lured into prostitution, sometimes by "mail-order bride" agencies that promise to find them a husband or a job in a foreign country. As a result, they very often find themselves illegally confined in brothels in slavery-like conditions where they are physically abused and their passport withheld. Most women initially victimized by sexual traffickers have little thinking of what awaits them. They generally get a very small percentage of 62 what the customer pays to the pimp or the brothel owner. Once they caught up in the system there is practically no way out, and they find themselves in a very vulnerable situation. Since prostitution is illegal in many countries, it is difficult for prostitutes to come forward and ask for protection if they become victims of rape or want to escape from brothels. Customers, on the other hand, are rarely the object of penal laws. The extent of trafficking in women and children has reached alarming proportions, especially in Asian countries. Many women and girl children are trafficked across borders, often with the complicity of border guards. In one incident, five young prostitutes were burnt to death in a brothel fire because they have been chained to their beds. At the same time, sex tours of developing countries are a well-organized

industry in several European and other industrialized countries.¹⁰

b) Violence in the community

Rape

Rape can occur anywhere, even in the family, where it can take the form of marital rape or incest. It occurs in the community, where a woman can fall prey to any abuser. It also occurs in situations of armed conflict and in refugee camps. In the United States, national statistics indicate that a woman is raped every six minutes. In 1995, the case of a Brazilian jogger raped and murdered in New York City's Central Park drew international attention once again to the problem. The incident occurred only a few years after an earlier sensational jogger-assault case in which the victim - an American assaulted in the same general area of the park - barely survived after her assailants left her for dead. Relations between residents of the Japanese island of Okinawa and American GIs were thrown into turmoil in 1995 after two marines and a sailor allegedly kidnapped and raped a 12-year-old girl."

Sexual assault within marriage

In many countries sexual assault by a husband on his wife is not considered to be a crime; A wife is expected to submit. It is thus very difficult in practice for a woman to prove that sexual assault has occurred unless she can demonstrate serious injury.

Sexual harassment:-

Sexual harassment in the workplace is a growing concern for women. Employers abuse their authority to seek sexual favors from their female coworkers or subordinates, sometimes promising promotions or other forms of career advancement or simply creating an untenable and hostile work environment. Women who refuse to give in to such unwanted sexual advances often run the risk of anything from demotion to dismissal. But in recent years more women have been coming forward to report such practices -- some taking their cases to court. The Special Rapporteur stressed that sexual harassment constitutes a form of sex discrimination. "It not only degrades the woman", the report noted, "but reinforces and reflects the idea of non-professionalism on the part of women workers, who are consequently regarded as less able to perform their duties than their male colleagues".

Projected rapes in India - Highest incidence						
Rank	State	2013	2014	2015	2016	2017
1	Madhya Pradesh	4730.44	4832.02	4933.6	5035.18	5136.76
2	Uttar Pradesh	3382.26	3529.39	3676.52	3823.65	3970.78
3	Maharashtra	2511.76	2570	2628.25	2686.49	2744.74
4	West Bengal	2309.88	2386.16	2462.43	2538.71	2614.98
5	Assam	1753.44	1813.52	1873.6	1933.68	1993.76
6	Andhra Pradesh	1777.17	1825.17	1873.17	1921.17	1969.17
7	Rajasthan	1662.24	1728.31	1794.37	1860.43	1926.49
8	Odisha	1461.95	1523.37	1584.79	1646.2	1707.62
9	Kerala	1022.76	1070.12	1117.48	1164.84	1212.2
10	Chattisgarh	1210.64	1218.93	1227.22	1235.51	1243.8

c) Violence against women migrant workers

Female migrant workers typically leave their countries for better living conditions and better pay, but the real benefits accrue to both the host countries and the countries of origin. For home countries, money sent home by migrant workers is an important source of hard currency, while receiving countries are able to find workers for low-paying jobs that might otherwise go unfilled. But migrant workers themselves fare badly, and sometimes tragically. Many become virtual slaves, subject to abuse and rape by their employers. In the Middle East and Persian Gulf region, there are an estimated 1.2 million women, mainly Asians, who are employed as domestic servants. According to the independent human rights group Middle East Watch; female migrant workers in Kuwait often suffer beatings and sexual assaults at the hands of their employers. 64 The police are often of little help. In many cases, women who report being raped by their employers are sent back to the employer -- or are even assaulted at the police station. Working conditions are often appalling, and employers prevent women from escaping by seizing their passports or identity 14 papers.

Female Genital Mutilation

According to the World Health Organization, 85 million to 115 million girls and women in the population have undergone some form of female genital mutilation and suffer from its adverse health effects. Every year an estimated 2 million young girls undergo this procedure. Most live in Africa and Asia — but an increasing number can be found in immigrant and refugee families in Western Europe and North America. Indeed, the practice has been outlawed in some European countries. There is a growing consensus that the best way to eliminate these practices is through educational campaigns that emphasize their dangerous health consequences. Several Governments have been actively promoting such campaigns in their countries.[^]

Pornography

Pornography represents a form of violence against women that "Glamorizes the degradation and maltreatment of women and asserts their subordinate function as mere receptacles for male lust". Pornography treats women's body as packages of anatomical parts, rather like cuts of meat arranged on a butcher's shop. Recent studies show that pornography actually incites otherwise fair non-aggressive men to attack women. Even the kind of sex and violence shown on television may have this effect. Thus we can speak of pornographic films, books, photographs, postcards, figures and much else. '

Custodial violence against women

Violence against women by the very people who are supposed to protect them -- members of the law enforcement and criminal justice systems -- is widespread. Women are physically or verbally abused; they also suffer sexual and physical torture. According to Amnesty International, thousands of women held in custody are routinely raped in police detention centers worldwide. The report of the Special Rapporteur underlines the necessity for States to prosecute those accused of abusing women while in detention and to hold them accountable for their actions.

d) Violence against women in situations of armed conflict

Rape has been widely used as a weapon of war whenever armed conflicts arise between different parties. It has been used all over the world: in Chiapas, Mexico, in Rwanda, in Kuwait, in Haiti, in Colombia. Women and girl children are frequent victims of gang rape committed by soldiers from all sides of a conflict. Such acts are done mainly to trample the dignity of the victims. Rape has been used to reinforce the policy of ethnic cleansing in the war that has been tearing apart the former Yugoslavia. The so-called "comfort women" - young girls of colonized or occupied countries who became sexual slaves to Japanese soldiers during the Second World War — have dramatized the problem in a historical context. Many of these women are now coming forward and demanding compensation for their suffering from Japanese authorities. "Such rape is the symbolic rape of the community, the destruction of the fundamental elements of a society and culture -- the ultimate humiliation of the male enemy", the report by the Special Rapporteur noted. It stressed the need to hold the perpetrators of such crimes fully accountable.

e) Recognized Crimes against Women

Despite existence of a number of special legislations in India for providing protection to women, crime against women has increased. Women continue to be victims of various types of crimes. Although Women may be victims of any of the general crimes such as 'Murder', 'Robbery', 'Cheating', etc, only the crimes which are directed specifically against Women are characterized as 'Crimes Against Women'. Various new legislations have been brought and amendments have been made in existing laws with a view to handle these crimes effectively. These are broadly classified under two categories.

Projected Kidnapping in India

Rank	State	2013	2014	2015	2016	2017	2018
1	Uttar Pradesh	18060.29	19578.7	21097.12	22615.54	24133.95	25652.37
2	Bihar	3955.79	4235.2	4514.62	4794.04	5073.45	5352.87
3	West Bengal	2825.14	2959.27	3093.41	3227.55	3361.68	3495.82
4	Assam	2753.36	2844.69	2936.01	3027.34	3118.66	3209.99
5	Andhra Pradesh	2008.79	2102.2	2195.62	2289.04	2382.45	2475.87
6	Gujarat	1908.47	1995.38	2082.28	2169.19	2256.09	2343
7	Maharashtra	1852.24	1931	2009.75	2088.51	2167.26	2246.02
8	Tamil Nadu	1736.48	1822.23	1907.97	1993.71	2079.45	2165.19
9	Madhya Pradesh	1427.41	1476.93	1526.46	1575.98	1625.51	1675.03
10	Odisha	1185.48	1254.57	1323.66	1392.75	1461.83	1530.92

Projected Cruelty in India

Rank	State	2013	2014	2015	2016	2017	2018
1	Uttar Pradesh	36648.11	38826.42	41004.73	43183.04	45361.35	47539.66
2	Maharashtra	29655.79	30489.78	31323.77	32157.77	32991.76	33825.75
3	West Bengal	22014.09	23250.37	24486.66	25722.94	26959.22	28195.51
4	Andhra Pradesh	23288.8	24254.52	25220.23	26185.94	27151.66	28117.37
5	Gujarat	21245.85	22206.03	23166.21	24126.39	25086.58	26046.76
6	Madhya Pradesh	11380.5	11674.77	11969.04	12263.31	12557.58	12851.85
7	Rajasthan	10054.73	10328.07	10601.41	10874.76	11148.1	11421.44
8	Kerala	7671.42	7909.05	8146.68	8384.31	8621.94	8859.57
9	Karnataka	6916.29	7286.82	7657.35	8027.88	8398.41	8768.95
10	Assam	6260.18	6638.79	7017.39	7396	7774.6	8153.21

Approach towards safety of women

- To **increase reporting of rape and assault cases:** To increase the reporting of such cases at first we
- Need to empower the women and children. They must be educate on their rights and encourage them to
- Come forward to register the cases. There are many violent cases but due to stigma in the society very few are reported.

Law enforcement agencies: Law enforces should be well trained to react swiftly and with sensitivity towards the women and children cases.

Exemplary punishment: Punishment of every culprit need to be exemplary. Campaigning of **"Zero-tolerance"** of sex offenders. More and more fast track court should establish.

Proper planning of the city: Every city should be planned in a very specific manner. According to Ranjana Kumari, director of Delhi's Centre for Social Research, only 37% of the city was ever planned. "The rest is slums, villages, with no proper lighting or development," she said last week. "There are many pockets of crime."

Indian Police system: Neither the Centre nor States have been proactive in improving the quality of Policing. Official records shows that only 14 states have either enacted the New Police Act or amended their existing laws to incorporate SC's suggestion. Finally, a nationwide campaign is needed to reignite India's core values and traditions that respect and nurture women and children. This can only be borne out of consensus in society. Awareness amongst men of the scope of this issue is critical. Men who turn a blind eye to such brutal acts in their own neighborhoods, communities and families are just as culpable as those that perpetrate these acts. Action from courts and police will not suffice if the community remains defiantly opposed to change.

Various legislations for safeguarding the women

There are various legislation has been incorporated regarding the safeguarding of the women. Various Legislation for safeguarding crime against women, classified under two categories:

The Crime under Indian Penal Code (IPC)

- Rape (Section 376 IPC)
- Kidnapping and abduction for specified purpose (Section 363-373 IPC)
- Homicide for dowry, Dowry death or their attempts. (Sec. 302/304-B IPC)
- Torture both mental and physical (Sec.498-A –IPC)
- Sexual Harassment (Sec. 509 IPC)
- Importation of girls (Up to 21 years of age) (Sec. 366-B IPC)

The Crimes under the Special and local Laws (SLL) - Gender specific laws

- Immoral Traffic (Prevention) Act, 1956.
- Dowry Prohibition Act, 1961
- Indecent Representation of Women (Prohibition) Act, 1986.

- Commission of Sati (Prevention) Act, 1987.

3. Conclusion

The meaning of gender and sexuality and the balance of power between women and men at all levels of society must be reviewed. Combating violence against women requires challenging the way that gender roles and power relations are articulated in society. In many countries women have a low status. They are considered as inferior and there is a strong belief that men are superior to them and even own them. Since women are easy victims, they experience a great deal of direct behavioral violence in every society. The use of violence against woman as a form of control is not only pervasive, but varied in its expression. Such variations reflect social and cultural differences which have resulted in battering, rape, incest, foot-binding, infibulations, clitoridectomy, dowry death, selective malnourishment, bride burning, female infanticide, gang rape, forced prostitution, homicide, sexual harassment, international sexual trafficking and slavery, sexual degradation, child prostitution, violent pornography, child sexual abuse, abuse of widows and elderly women etc. Changing people's attitude and mentality towards women will take a long time, at least a generation, many believe, and perhaps longer. Nevertheless, raising awareness of the issue of violence against women, and educating boys and men to view women as valuable partners in life, in the development of a society and in the attainment of peace are just as important as taking legal steps to protect women's human rights. It is also important in order to prevent violence that non-violent means be used to resolve conflict between all members of society. Breaking the cycle of abuse will require concerted collaboration and action between governmental and non-governmental actors, including educators, health-care authorities, legislators, the judiciary and the mass media.

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