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CRIMES AND VIOLENCE AGAINST WOMEN DURING PRE-INDEPENDENCE

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Abstract

Violence against women tends to violate their integrity, safety and dignity. Crime against women has been the key features of the Indian economy where women share a population base of 49% (Census of India, 2011). Crimes against women degrade and hamper their position in the society as well as their autonomy. Thus, the paper makes an attempt to study the determinants of crime against women during the period of 1991-2015. The data has been retrieved from National Crime Records Bureau, National Sample Survey Organisation and Central Statistical Organisation. The main findings of the study reveals literacy rate as the most significant indicator of the major forms of crimes against women. Urbanisation, however, does not provide any significant linkage. The paper also gives a glimpse of inert-state variations with respect to various forms of crimes.

Keywords: *Crime and violence against Women, Development, Growth, Liberalisation Gender based violence*

INTRODUCTION

Crime debases the quality of life in many ways. It impairs the freedom of victims with respect to various employment and educational opportunities. Crime further degrades the autonomy of the victims. (World Bank, 2006) from a macro perspective eye, crime suppresses the ability of the nation to promote development. Increasing incidences of crime can crowd out foreign as well as domestic investments further affecting the labour market. Where women in India have a fair share of 49% in the population base, they remain significant drivers of economic development and growth. But unfortunately, the position such a huge amount of demographic base is of vulnerable nature in India. Agencies of World Health Organisation and United Nations document that crime against women act as a fundamental barrier in achieving the goals of development and equality of a nation. Crimes against women violate and diminish the enjoyment of their human rights. (UNIFEM, 2003) Secretary

General of United Nation describes violence against women as the most shameful representation of human rights and the most dynamic one. Over the last ten years crimes or violence against women especially in developing countries has emerged as a widespread concern among policymakers and researchers interested in women rights and their empowerment. Violation of women rights, their safety, integrity and dignity have been the most prominent features of the Indian economy for the past two decades.

Controlling crime rates against women is, therefore, fundamental in developing nation like India where huge amount of investment is made in (Dutta & Hussain, 2009) establishing and maintaining the police force and judicial system. Such a mechanism will be effective if they are based on understanding of crimes and factors determining crime rates at all India level and at inter-state level. Accordingly, dealing with different types of crimes against women in a society is a matter of public action. This further calls for an investigation that identifies determinants of crimes against women and explores the relationship between the major form of crimes against women and socioeconomic variables. A substantial body of literature has emerged in developed and developing countries to investigate into specific type of crime against women.

The reason why crime against women as a whole is an unsearched issue in studies is the paucity of relevant data. The Indian government, however, publishes a good deal of information on crimes in India. Therefore, this study is a preliminary attempt to analyse the data on major forms of crimes against women.

The main concern and the objective of the paper is to explore the links between various types of IPC crimes against women viz., rape, kidnapping and abduction, dowry deaths, molestation, sexual harassment, cruelty by husband or his relatives and total crimes against women as a whole and socio-economic variables such as GDP, urbanisation, literacy rate and sex ratio, before and after the liberalisation phase.

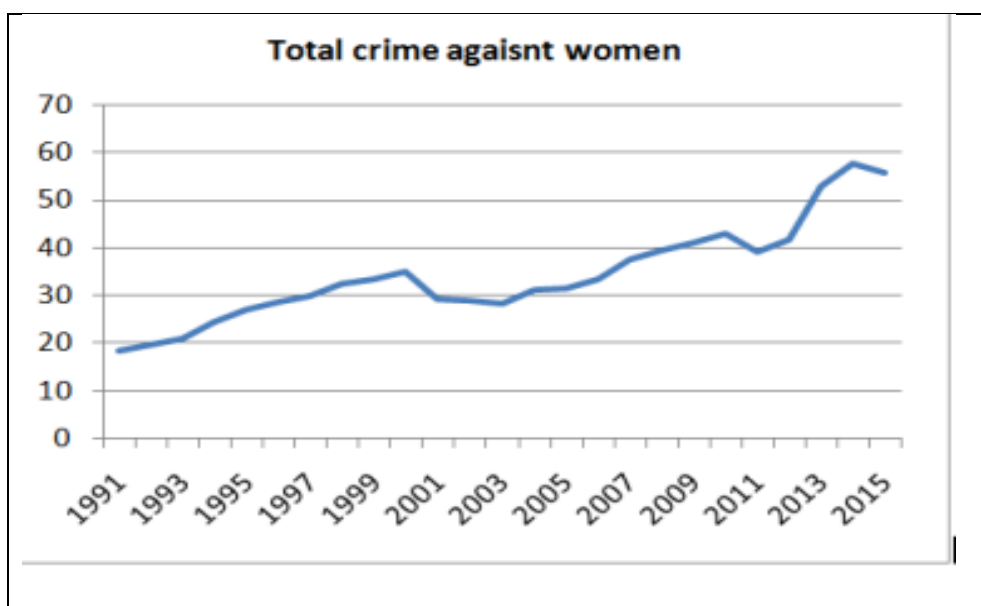
DATA SOURCES AND METHODOLOGY

Crime in India is an annual publication of National Crime Records Bureau. Crime in India is divided under two heads Cognizable and Non-cognizable crimes by Criminal Procedure Code. The police are directly in charge of cognizable crimes, they may investigate without the permission of magistrate and effect arrest without warrant. Cognizable crimes are further divided into Indian Penal Code (IPC) and Special and Local Laws (SLL). Non-cognizable crimes, on the other hand, are left to be pursued by the affected parties in courts; the police cannot investigate without the permission of magistrate.

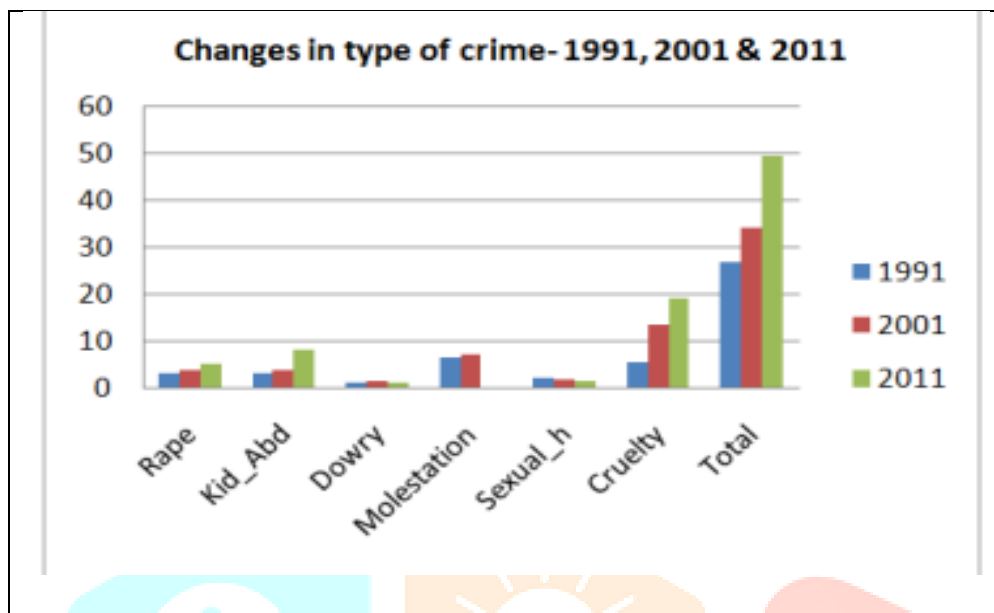
Following the past studies, the paper only considers crimes under Indian Penal Code (IPC). The probable reason being different mechanisation involved in the enforcement of IPC and SLL crimes. The paper explores various types of 'Crimes Against Women' under the IPC section, namely Rape, Kidnapping and Abduction, Dowry Deaths, Molestation, Sexual harassment, Cruelty by husband or his relatives and Total crimes against women. The incidences of various crimes against women are given in absolute numbers. The paper however, investigates the crime rates per female population as an absolute measurement is deceptive.

The period for which investigation has been done comprises of two phases, Phase I that is pre liberalisation Phase (1991-200) and Phase II that is post liberalisation phase (2001-2015). Data for the study has been retrieved from National Crime Records Bureau, Census of India, Ministry of Statistics and Programme Implementation.

An analysis of crimes against women per female population over the study period reveals an overall increasing trend with a sudden fall in the year of 2015. There has been an immoderate increase in the crime rate¹ by 37.6% during 1991-2015. This represents an an The period for which investigation has been done comprises of two phases, Phase I that is pre liberalisation Phase (1991-200) and Phase II that is post liberalisation phase (2001-2015). Data for the study has been retrieved from National Crime Records Bureau, Census of India, Ministry of Statistics and Programme Implementation. An analysis of crimes against women per female population over the study period reveals an overall increasing trend with a sudden fall in the year of 2015. There has been an immoderate increase in the crime rate¹ by 37.6% during 1991-2015. This represents an annual increase of 1.5% nual increase of 1.



Over the years, the nature of crime has not changed drastically. A comparison of the major share of crime against women in 1991, 2001 and 2011 shows marginal differences in dowry deaths and sexual harassment. However, major differences are seen in rape, kidnapping and abduction, cruelty by husband or his relatives and total crimes against women



A trend analysis of all the crimes against women at specific crime level shows that a major increasing trend is seen in the case of Cruelty by husband or his relatives. There has been an increase of 12.33% during the study period. Reasons behind this increase can be household poverty, ownership of assets or land by wife, greater autonomy exercised by females (Martin et al, 1999; Panda & Agarwal, 2005). Kidnapping and abduction shows an overall increase of 7.07% during the study period. The rate shoots up by 2.3% from 2012 to 2013 and increases further. Crime rate of rape has increased up to 3.5% with a sharp increase in 2014 by 0.5%. With reference to the crime rates of molestation, sexual harassment and dowry deaths have increased by 3.5%, 1.5% and 0.5% respectively. (Heise et.al, 1999) one woman in every three women around the world has been beaten, forced to sex or abused. There has been an increase of 37.5% in total crime rate against women. This brings a gloomy and frightening picture of Indian economy. the increase in crimes against women is mainly due to our attitudes towards violence against women followed by low levels of literacy, low sex ratio, prevalence of poverty etc.

Crime Function

The hypothesis of this paper is that crime rates depends upon the socio-economic structure. The structure can be decomposed into the following variables:

1. Economic growth: (Kumar, 2013) examines the causality between crime rates and economic growth using state level data; (Fleisher, 1966) and (Ehrlich, 1973) economic growth as a proxy for economic prosperity; (Bennett, 1991) rate of growth is important as it leads to generation of economic opportunities. Figures of gross domestic product (at constant prices 2004-2005) publishes by Mospi has been used in this paper as a measure of economic growth.

2. Education: higher levels of educational attainment raises the abilities and skills and opens up gateway to enter into labour market, (Freeman, 1991; Groger 1995) which increases the opportunity cost of criminal activity. (Kumar, 2000) education moderates criminal activity. (Koeing et al, 2006) low levels of education determinants of domestic violence in India. This paper considers the education attainment up to middle level available from NSSO.

3. Urbanisation: the structural transformation of an economy from rural based to urban based, caused by multiple forces may lead to increase in crime rates. (Fisher, 1987) migration from rural to urban areas may stimulate an increase in criminal activities as a result of modernisation. (Dreze&Khera, 2000) urbanisation is significant activity leading to increase in crime rates for murder. (United Nations, 2005) social tension caused by urbanisation in an economy characterised by diversity leads to eruption of criminal activity and also leads to disruption in socio-religious norms causing gender based crimes.

4. Sex ratio: (South et al, 2014) higher male to female sex ratio leads to increased harassment of women. Criminal activities take place due to inequalities, these inequalities in turn affect sex ratio. Therefore, the paper uses female to male sex ratio as a proxy for inequality.

Determinants and consequences of victimization

Women victimization is a serious concern among activists, NGOs, and the criminal justice system as well; but it has also received tremendous attention from sociologists and criminologists alike. Women victimization impedes gender equality as well as human and fundamental rights (United Nations, 1993). Studies so far conducted on how crimes committed against women/girls affect them have highlighted myriad devastating consequential effects from the victimization perspective and severity of violence also (Johnson, 2006; Vaillancourt, 2010; Johnson and Dawson, 2011). Women generally tend to have higher levels of fear of crimes especially in cases of non-spousal familial violence (Ferraro, 1995; 1996). They suffer from sudden physical and psychological impacts coupled with disruptions in daily lives; their quality of life is negatively

Shaped for the rest of life which gradually highly influences their participation in various spheres of intra-familial and inter-familial life (Johnson, Ollus and Nevala, 2008). These are in addition to other social effects associated with health care (Johnson and Dawson, 2011). Women who encounter spousal violence are likely to remain silent (Storkey, 2018; Hattery & Smith, 2019); they are agonized and suffer emotional breakdown following the occurrence of crime and encounter suicidal tendencies (Morewitz, 2019). After the first attempts of spousal violence, they likely leave their spousal house (Wright, 2011; Hattery & Smith, 2019; Morewitz, 2019; Mallicoat, 2019) and prefer instead living an independent life; though some studies claim that victims prefer not to leave their partners house for the fear of homelessness and financial hitches (Segrave, 2018; Storkey, 2018). Given these odds, I will categorize its consequential effects on four fronts: psychological, physical, financial, and social.

DISCUSSION

The national crime records bureau data of crimes against women is not a survey which exhibits the structure and development of human society nor it is a study related with humankind, the survey is a mere representation of number of crimes reported and recorded by the Indian police related with development

Conclusion

Studies such as this often pose a rather exploratory question as to what it suggests about the crimes against women. Obviously it would not be justified if answered in a word or two since the subject is a diverse one which has elicited positive and negative responses at the same time and at same places. But the common observation does remain the same that women had in the past and are still experiencing discrimination and violence at various paths of their lives. A glimpse of conceptual and theoretical aspects as well as the severity of the crimes coupled with knowledge of both reasons of and consequences therein for crimes against women will serve as a starting point to design mechanisms to counter the problem of violence against women. There is need for development policies to reassure women that any kind of violence/crime against them is unacceptable and no woman deserves to be the recipient of harsh treatment. It is to be suggested that the appalling toll of crime against women will not be eased without the intervention of various stakeholders such as civil society, state institutions and other national and international legal agencies.

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