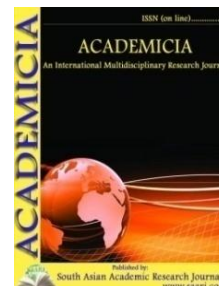




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## CRIME AGAINST THE WOMEN IN INDIA & FEMALE LITERACY RATE

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### ABSTRACT

*During the last two decades violence against women has emerged as the most burning issue throughout the world. Women are targets to extreme forms of violence such as incest, rape, dowry deaths; trafficking etc. One of the wicked incidents was the gang rape of 23-year-old medical student in Delhi. Violence against women is any act of gender-based violence which result in, physical, sexual harassment, trafficking, sexual abuse in the workplace, rape, psychological and sexual abuse by intimate male partners and relatives, forced pregnancies, sexual abuse in the workplace, abuse of widows including property grabbing, allegation of witchcraft, physical and psychological violence by younger family members, differential access to food and medical care.*

### INTRODUCTION

During the last two decades violence against women has emerged as the most burning issue throughout the world. Women are targets to extreme forms of violence such as incest, rape, dowry deaths; trafficking etc. One of the wicked incidents was the gang rape of 23-year-old medical student in Delhi. Violence against women is any act of gender-based violence which result in, physical, sexual harassment, trafficking, sexual abuse in the workplace, rape, psychological and sexual abuse by intimate male partners and relatives, forced pregnancies, sexual abuse in the workplace, abuse of widows including property grabbing, allegation of witchcraft, physical and psychological violence by younger family members, differential access to food and medical care. Violence against women is partly a result of gender relations that assumes men to be superior to women. Given the secondary status to women, to a large extent gender violence is considered normal and enjoys socially acceptable.

Domestic violence that is any act of physical, sexual, or psychological abuse, or the threat of such abuse, inflicted against a woman by a person intimately connected to her through marriage, family relation, or acquaintanceship is universal and has its root in the socio-cultural set up of the society. The perpetrators of domestic violence have often been found to be the males and the victims, their sexual partners. Internationally, one in three women have been beaten, coerced into sex or abused in their lifetime by a member of her own family (Heise et al. 1999).

It is always the women is subjected to unfairness and looked down as an inferior sex. Since from the birth a female is under the control of a male either that is father or husband or the son. The secondary status of women combined with socio cultural norms that are inclined towards patriarchy and masculinity can be considered as an important factor determining the domestic violence.

Further, marriage at a younger age makes women susceptible to domestic violence (Mishra, 2000; Hindin, 2002 and Rao, 1997)

The Protection of Women from Domestic Violence Act 2005 was brought into force by from October 26, 2006. The act was passed by the Parliament of India in August 2005 and assented by the president of India on 13 September 2005.

There are certain rights guaranteed to women under article 14, 15 and 21 of Indian Constitution based on which an act was introduced titled Protection of Women from Domestic Violence Act, 2005.

Domestic violence was recognized as a criminal offence in India in 1983. The offence is chargeable under section 498-A of the Indian Penal Code.

According to this act Domestic violence means any act, omission or commission or conduct of the respondent shall constitute violence if it,

1. Harms or injures or endangers the healthy safety, life, limb or well-being, whether mental or physical of aggrieved person or tends to do so and includes causing physical abuse, sexual abuse, verbal and emotional abuse and economic abuse;
2. Harasses, harms, injuries or endangers the aggrieve person with a view to coerce her or any other person related to her to meet any unlawful demand for any dowry or other property or valuable security;
3. Has the effect of threatening the aggrieved person or nay person related to her by any conduct mentioned in clause (a) or clause (b); or
4. Otherwise injuries or causes harm, whether physical or mental, to be aggrieved person. The forms of violence commonly found are slapping, tearing

The salient features of the Protection from Domestic Violence Act, 2005 are as follows:

- The Act seeks to cover those women who are or have been in a relationship with the abuser where both parties have lived together in a shared household and are related by consanguinity, marriage or a relationship in the nature of marriage, or adoption; in addition relationship with family members living together as a joint family are also included. Even those women who are sisters, widows, mothers, single women, or living with the abuser are entitled to get legal protection under the proposed Act.
- "Domestic violence" includes actual abuse or the threat of abuse that is physical, sexual, verbal, emotional and economic. Harassment by way of unlawful dowry demands to the woman or her relatives would also be covered under this definition.
- One of the most important features of the Act is the woman's right to secure housing. The Act provides for the woman's right to reside in the matrimonial or shared household, whether or not she has any title or rights in the household. This right is secured by a residence order, which is passed by a court. These residence orders cannot be passed against anyone who is a woman.
- The other relief envisaged under the Act is that of the power of the court to pass protection orders that prevent the abuser from aiding or committing an act of domestic violence or any other specified act, entering a workplace or any other place frequented by the abused, attempting to communicate with the abused, isolating any assets used by both the parties and causing violence to the abused, her relatives and others who provide her assistance from the domestic violence.
- The draft Act provides for appointment of Protection Officers and NGOs to provide assistance to the woman w.r.t medical examination, legal aid, safe shelter, etc.
- The Act provides for breach of protection order or interim protection order by the respondent as a cognizable and non-bailable offence punishable with imprisonment for a term which may extend to one year or with fine which may extend to twenty thousand rupees or with both. Similarly, non-compliance or discharge of duties by the Protection Officer is also sought to be made an offence under the Act with similar punishment.

## FORMS OF DOMESTIC VIOLENCE

Family violence refers to physical, psychological violence of women by husband or his relatives. Actually it is breach of trust and abuse of power in relationship.

Rape and Sexual Abuse is another vicious form of violence. The common believe that married women are safe in our society. But if the monster prevails in her own family it would be a hell and very difficult for her to escape. Using abusive words by family members causes mental illness among women.

Demand for dowry The demand of dowry is surely the most common sources of domestic violence in India, where the husband along with his parents and relative tortures his wife for money.

Torture during Pregnancy is one of the in benevolent tortures ever. Whereas during pregnancy a woman needs special care and attention along with nutritious food, she is victimized. It leads the chances of miscarriage, infection, pre mature birth and sometimes death of the baby. Denying the facilities during pregnancy is nothing but a stress for the women to continue to exist to deliver the baby.

Forced Prostitution or other kinds of commercial exploitation by male husband or parents is another kind of violence against women. Women are forced by their husbands and relatives for prostitution to earn money. Even the practice exists in India where young women and girls are donated to serve a temple but sorry to say their lives end up being prostituted.

Table 1 shows total cases of reported incidents of crime against women from 2007 to 2011 and the growth rate of these incidents over the previous years.

**TABLE 1: REPORTED INCIDENTS OF CRIME FROM 2007 TO 2011**

Year	Cases	Growth Rate over the previous year (In Percentage)
2007	1,85,312	----
2008	1,95,856	5.68
2009	2,03,804	4.05
2010	2,13,585	4.79
2011	2,28,650	7.05

Source: National Crime Records Bureau

A total of 2,28,650 incidents of crime against women (both under IPC and SLL) were reported in the country during the year 2011 as compared to 2,13,585 incidences in the year 2010 recording an increase of 7.1% during the year 2011.

## REASONS FOR DOMESTIC VIOLENCE

### CULTURAL

- Gender-specific socialization
- Cultural definitions of appropriate sex roles
- Expectations of roles within relationships

- Belief in the inherent superiority of males
- Values that give men proprietary rights over women and girls
- Notion of the family as the private sphere and under male control
- Customs of marriage (bride price/dowry)
- Acceptability of violence as a means to resolve conflict

### **ECONOMIC**

- Economic dependence on men
- Limited access to cash and credit
- Discriminatory laws regarding inheritance, property rights, use of
- Communal lands, and maintenance after divorce or widowhood
- Limited access to employment in formal and informal sectors
- Limited access to education and training for women

### **LEGAL**

- Lesser legal status of women either by written law and/or by practice
- Laws regarding divorce, child custody, maintenance and inheritance
- Legal definitions of rape and domestic abuse
- Low levels of legal literacy among women
- Insensitive treatment of women and girls by police and judiciary

### **POLITICAL**

- Under-representation of women in power, politics, the media and in the legal and medical professions
- Domestic violence not taken seriously
- Notions of family being private and beyond control of the state
- Risk of challenge to status quo/religious laws

- Limited organization of women

### **CORRELATION BETWEEN FEMALE LITERACY RATE AND THE PERCENTAGE OF CRIMES COMMITTED AGAINST WOMEN IN STATES AND UNION TERRITORIES**

Women illiteracy is a major factor responsible for the crimes committed against women.

Illiterate women are not capable to understand their constitutional rights and their privilege in the society. Illiteracy among women is a main hurdle to obtain social, economic and legal justice to them.

Table 2 shows the Female Literacy Rate (2011 Census) and the Percentage of crimes committed against women in States and Union Territories (U.T.s) during 2011.

**TABLE 2: PERCENTAGE OF CRIME AGAINST WOMEN AND FEMALE LITERACY RATES (2011)**

S.No.	States/UT	Percentage of crime against women (2011)	Female Literacy rate (2011 census)
1	Andaman and Nicobar Islands	0	81.8
2	Andhra Pradesh	12.4	59.7
3	Arunachal Pradesh	0.1	59.6
4	Assam	5.0	67.3
5	Bihar	4.5	53.3
6	Chandigarh	0.1	81.4
7	Chhattisgarh	1.8	60.6
8	Dadra and Nagar Haveli	0	65.9
9	Daman and Diu	0	79.6
10	Delhi	2.3	80.9
11	Goa	0.1	81.8
12	Gujarat	3.9	70.7

13	Haryana	2.4	66.8
14	Himachal Pradesh	0.4	76.6
15	Jammu and Kashmir	1.4	58.0
16	Jharkhand	1.4	56.2
17	Karnataka	4.2	68.1
18	Kerala	4.9	92.0
19	Lakshadweep	0	88.2
20	Madhya Pradesh	7.3	60.0
21	Maharashtra	6.9	75.5
22	Manipur	0.1	73.2
23	Meghalaya	0.1	73.8
24	Mizoram	0.1	89.4
25	Nagaland	0	76.7
26	Orissa	4.1	64.4
27	Pondicherry	0	81.2
28	Punjab	1.2	71.3
29	Rajasthan	8.7	52.7
30	Sikkim	0	76.4
31	Tamil Nadu	3.0	73.9
32	Tripura	0.6	83.1
33	Uttar Pradesh	9.9	59.3
34	Uttarakhand	0.4	70.7
35	West Bengal	12.7	71.2

Source: National Crime Records Bureau & Census 2011

The table shows that the States and UT's having high female literacy rate have lower crime rates against women. The correlation coefficient between female literacy rate and the percentage of crimes committed against women is found to be -0.41958. This negative correlation shows that there is an inverse relationship between female literacy rate and rate of crimes against women. From this analysis, it can be concluded that increasing female literacy rate can reduce the crimes against women. This analysis proves that, illiteracy among women is a major factor responsible for crimes against women.

No doubt besides education, there may be other factors responsible for crimes against women. But education plays an important role in curbing the crimes against women. Educated women are more aware about their constitutional rights and privileges. Educated women can get gainful employment, which strengthens their economic condition in the society. Through proper training and with the provision of finance, educated women can easily be provided self-employment.

Therefore, it can be concluded that with the impart of education to women, the crimes against them may be reduced to a large extent.

### **OTHER SUGGESTIONS**

Besides education to women, some other suggestion for checking crimes against women is given as under:

1. Increasing women's participation in politics is essential to make the political environment more gender-sensitive and democratic and bringing about legislative reform.
2. Support candidates for political office who are committed to the full social, economic and political equality of women. Fight for funding for outreach services and women's shelters. Organize and participate in groups working to end domestic violence and sexism.
3. An independent, efficient, adequately staffed and technically well-equipped police force, rule of law is weakened in a democratic society. The number of police personnel, and the resources at their disposal, are currently woefully inadequate to deal with the challenges they face – both related to crimes against women and for other crimes.
4. The judiciary is working at its limit as well. Of all the positions of judges in the Supreme Court of India and the High Courts, more than one quarter are currently vacant. Court cases often last for ten, twenty or more years. Such delayed court decisions fuel the perception of impunity and lack of justice among perpetrators and victims alike.
5. Make young and adult men aware of the repercussions of violence against women in their own lives and those of other men and to put forward proposals for changing attitudes and behavior towards women.
6. Organize and participate in groups working to end domestic violence and sexism.



7. Don't purchase any magazine, rent any video or buy any music that portrays women in a sexually degrading or violent manner. Protest sexism in the media.
8. Teach boys that strong men respect women and that violence is unacceptable.
9. Challenge men to drop sexist language from their vocabulary. Challenge men who talk lightly or joke about violence against women. Challenge men who engage in violence.
10. Support candidates for political office who are committed to the full social, economic and political equality of women. Fight for funding for outreach services and women's shelters. Organize and participate in groups working to end domestic violence and sexism.
11. Advocate in religious groups, youth groups and men's groups, that violence against women is a crime that must be eliminated.

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