

Gender victimization in contemporary world the cauldron of crime



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The article presents a victimological analysis of crime victims on the basis of their gender - victimization process of the teenage girls, working women, other females and also of gays, lesbians and transgender. The article progresses by tracing and analysing the female experience as being women: as child bearers, sexual objects for men, and nurturers. This paper tends to highlight various forms of victimization perpetrated on women like domestic violence, genital mutilation, rape, sexual assault, stalking, trafficking for sexual exploitation, honour killings and female infanticides, and showing that the situation of legal and social protection of abused females is critical. Further moving on to lesbians, gays, bisexuals or transgender a whole array of forms of victimization have been explained which include verbal abuse, degradation in their social status, abandonment by family members and relatives, physical/violent attacks some of which might lead them to commit suicides. Thus all these forms of victimization inflicted upon the weak and vulnerable sex would be analysed elaborately in this paper and various reasons that lead to their victimization have also been explored. The paper would also highlight the impact of victimization on these people by looking at its various consequences over financial, personal, mental, psychological and social aspects of the victim's life and also assessing the nexus of the position of victim with the crime which affect the extent of their vulnerability to crime. The paper tends to emanate possible solutions from within the ambit of criminology and victimology that would help understand the position of a victim and the offender in a better way which in turn would help implement various recommendations made in this paper for eradicating all kind of gender victimization.

Introduction

The path of development of law from ancient period till the 21st century has always been complex and challenging with ever changing perspectives of the society. Throughout this period, crime and criminology has shaped up the overall facet of law as what it stands today. There has been a profound effect of crime on the society and its law in each era. However, the perspective of society towards crime has generally been narrow and one-sided, as the only concentration of criminology stands on the crime perpetrators, their behaviour, their characteristics and the penalties and punishments imposed on them. Criminology has failed to recognise the other side of the crime i. e. the victims and their role in crime which has now gained prominence owing to the serious repercussions of crime on society as a whole. This contemporary concept of studying the behaviour of victims before and after crime has become an important part of the study of crime falling under victimology. Thus victimology has helped us segregate various types of crime perpetrated on victims, the reason why particular victims fall prey to the offenders, the effect of crime on victims and many more. In this detailed analysis we also see that at many occasions crimes perpetrated are gender based and are concentrated against vulnerable section of females like teenage girls, married women, divorced women, girl child, mothers and the trans-genders or gays or lesbians become an easy target for this. There are a plethora of reasons which make them vulnerable to crime namely, physical attributes, social status, ideologies, orientation and the impact of criminal victimization is affected by factors like: sex of the victim, age, a victim's prior history of victimization or that of persons known to the victim, overall perceptions of crime, the type and severity of crime experienced, and <https://assignbuster.com/gender-victimization-in-contemporary-world-the-cauldron-of-crime/>

the relationship between the victim and the offender.[1]The discussion about gender based victimization also encompasses various types of crimes perpetrated on females and trans-genders which include sexual victimization, physical victimization, emotional victimization and sexual orientation victimization in case of gays and lesbians. Thus this paper aptly traces the trajectory of gender based victimization from various dimensions focussing on the aftermath of victimization from the victim's as well as society's perspective.

The cruel forms of gender victimization

Gender based victimization is something which has always been there, but was hardly condemned owing to the patriarchal society dominated by men. However, with various social reforms according the equal status to women, there has been a significant shift in the ideology of society which has started paying attention to the issues related to women. Thus in this scenario the moot-able point that demands a lot of discussion and debate is that why is there so much of gender based victimization? And how the females, trans-genders, gays or lesbians are victimized in the open daylight, within four walls of their homes, offices etc.? To find an answer to these questions we will now look into various forms of crime perpetrated against women and other vulnerable groups of the society. New terms to describe forms of violence concentrated on women include domestic terrorism, marital rape, date rape, acquaintanceship rape, degrees of sexual assault, wife abuse, wife battering, intimate-partner violence, emotional abuse, stalking, sexual harassment, and gender harassment.

Stalking

The degree and intensity of stalking vary from situation to situation. Usually, stalking implies harassing or threatening behaviour often reiterated by an individual, like continuously following a person, secretly appearing at a person's home or place of work, making blank phone calls to harass, putting written messages or objects, or damaging the objects or property of a person. Thus any unknown or known but unwanted contact between two people that directly or indirectly create a threat or put the victim in fear can be regarded as stalking.

Anyone can be a stalker, just as anyone can be a stalking victim.

Stalking is a crime that can have serious after-effects on anyone, unaffected by gender, race, sexual orientation, socioeconomic status, geographic location, or personal associations. However, if we follow the general pattern of stalking it's the female sex that generally falls prey to the stalking.

According to the statistics of stalking in United States of America every year 1, 006, 970 women and 370, 990 men are stalked. These figures show that stalking incidents are magnanimously higher when it comes to female sex. Most stalkers of these females are young to middle-aged men with above-average intelligence and many a times from very respectable families and background. Most of the stalking cases crop up from some previous personal or romantic relationship between the stalker and the victim. In such situations, stalkers try to dominate over every aspect of the victims' life. Gradually, the victim becomes the stalker's source of self-esteem, and the loss of this contact takes up the shape of greatest fear for stalker. This

dynamic makes a stalker dangerous where he can go to any extent to keep contact with.

Unfortunately, the stalking of a female leaves her depressed and puts her in the situation of paranoia where she finds it difficult to come to the social terms out of continuous fear in her mind. To aggrandize the situation some stalkers feel obsessed for another person with whom they have no personal relationship and when the victim does not reciprocate this, the stalker tries to abuse and threaten the victim and some stalkers may even turn to violence. Thus stalking today has become a very common form of victimization of college girls, working women, teenage girls and it pose a great risk to their mental as well as physical health .

Domestic violence

Moving on to other forms of victimization, domestic violence is also one of the most common forms in which the victim bears the brunt not of strangers but of their own family members. Domestic violence is one of the crimes against women which are linked to their disadvantageous position in the society. Domestic violence refers to violence against women especially in matrimonial homes. Domestic Violence can be described as when one adult in a relationship misuses power to control another. It is the establishment of control and fear in a relationship through violence and other forms of abuse. The violence may involve physical abuse, sexual assault and threats.

Sometimes it's more subtle, like making someone feel worthless, not letting them have any money, or not allowing them to leave the home. Social isolation and emotional abuse can have long-lasting effects as well as

physical violence. Therefore domestic violence is recognized as the <https://assignbuster.com/gender-victimization-in-contemporary-world-the-cauldron-of-crime/>

significant barriers of the empowerment of women, with consequences of women's health, their health-seeking behaviour and their adoption of small family norm. Many studies are of the view that violence by intimate partner most likely undermines the sexual and reproductive health of the women. This extensive violence has significant harmful effects like unwanted pregnancy, gynaecological disorders and physical injuries to private parts besides large-scale mental health impacts. Again, many of the commonly associated disorders/problems are found to be inadequately addressed. Violence by husbands against wife should not be seen as a break down in the social order rather than an affirmation to patriarchal social order. Similarly, is of the view that not only wife beating is deeply entrenched, but also people justify it. Thus, domestic violence is simply not a personal abnormality but rather it roots in the cultural norms of the family and the society.

Rape/ sexual assault

“ Rape is an assertion of power and not an act of lust”. Violence on women is an extension of ‘ patriarchy’, which means ‘ male rule’. The two main features of patriarchy are sexual power and supremacy. By rape it is asserted that “ dominance is the male temperament and subordination the women's”. Rape is a conscious process of intimidation by which man keeps woman in a state of fear in the confidence that the victim will not reveal the event to others. It is not like murder to him, though in actuality he murders the life of a woman. Rape can occur when the offender and victim have a pre-existing relationship (sometimes called “ date rape”), or even when the offender is the victim's spouse (called “ marital rape”).

However, the scene just doesn't end here as rape victims face serious after-effects of rape which include psychological trauma, depression, physical injuries. The plight of rape victims is also aggravated by various myths attached to rape which further victimizes the victim. These include statements like ' Rape is rarely a casual encounter; women ask for it and they get it' by their own acquaintances. If women stay at home, where they belong, they would not get raped. The victim's behaviour contributes towards her own victimisation. Most rapes are false accusations filed by women who are trying to " get even" with some men. Women who get raped are somehow morally corrupt, they are considered to be of loose character and even their tradition is like that. People try to find fault with the victim rather than the culprit. These are a few myths which significantly contribute in the agony of a rape victim. In any case, a traumatized rape victim finds it tough to stand up to the court's scrutiny. When such a vulnerable person is further exposed to a battery of embarrassing personal questions, she would naturally feel psychologically disadvantaged. That's the reason why we have such few convictions in rape cases in India. Most victims either end up withdrawing their cases or reaching an out-of-court settlement. It does not only victimise her, but it also leaves a lifelong stigma on the character and dignity of a woman, causing her and her relatives, pain and agony. The mental torture is so deep that it hardly heals and if it heals at all, it takes a very long time to heal. " The woman generally suffers in silence and endures in shame".

Gender inequality: Abandonment/ abortion of girl child

Around the world, a number of different practices result in physical and emotional harms to girls. In several countries, girl children are viewed as a drain on family resources, and having one or more sons and few or no daughters is valued. Thus, in China and India, girls are abandoned in public places or may be neglected as infants and therefore die; women in South Korea often abort a foetus that is known to be female.

Usually, an unbalanced sex ratio of boys to girls is used to indicate selective abortion of girls or neglect that result in their death. An unexpectedly low ratio of girls to boys is referred to as the problem of missing girls. Female-selective abortion is primarily but not exclusively practiced in China, Taiwan, South Korea, Pakistan, and India; it also is not uncommon for Asian immigrant populations, including those in the United States and

Canada. Abortion, life-threatening neglect, and abandonment to ensure that a daughter is not added to the family is related to cultural beliefs and to gender inequality. Countries with the greatest number of missing girls are those having the most patriarchal gender arrangements, according to which males control property, have the only inheritance rights, and have better employment options. Complementary cultural beliefs about sons support sex-related abortion in countries with resources to detect sex during pregnancy and for people who can pay for detection and abortions, as well as neglect or abandonment of newborn girls in countries with less advanced economies and technologies. Thus these practices of gender inequality affect not only one single female child but the whole female community. This leads to further degradation in the status of women in society which victimizes the <https://assignbuster.com/gender-victimization-in-contemporary-world-the-cauldron-of-crime/>

whole community in terms of equal opportunities or equal treatment at home and at workplaces.

Female Genital mutilation

Girls who are born and who survive can be reminded of their inferior status through the practice of female genital mutilation (FGM). Specific beliefs and norms that promote the practice of FGM vary between countries, but in general the notion that women must be submissive to their husbands provides the rationale for continuing the practice. Women in regions of Africa where the practice is common believe that without the procedure, girls will “be wanton and will not remain a virgin before marriage or faithful afterward,” and that FGM will protect them because they will not “seek sexual relations for pleasure, so their bodies belong totally to the men who marry them”. Women support their male family members’ requirement of FGM both out of concerns that their daughters will be married, which in some places is the only way that a female can survive economically or socially, and also to avoid their own ostracism by being shamed, thrown out of the house, or divorced. Thus this is another form of gender based victimization which cripples many societies

Trafficking for sexual exploitation

Human Trafficking, which involves the secret transport of people across local or national borders for the sole motive of sexually exploiting them, is a heinous crime that in most circumstances victimizes girls and women.

Women, teenage girls, and sometimes boys are duped or forced into relocating to another area of their country, generally from rural to urban

areas, or to other nations, where they are entrapped and swindled to engage
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in prostitution. In worse situations some poor families living below poverty line sell their female children to traffickers. According to the international data available on trafficking around 1 million people are trafficked for sexual exploitation throughout the world each year. International trafficking of women gained full pace after the collapse of the economic system of erstwhile Soviet Union and other African and Asian nations, as the situation was perfect for prohibited illegal opportunities and the demand for prostitutes and the hefty profits that could be made from them, along with minimum risk compared to drug and arms trafficking, accentuated the steep rise in trafficking.

Although gender-related poverty is an element that makes trafficking possible, it is an influence only when it is coupled with two other things: motivated traffickers, usually operating in organized criminal groups, and countries or cities that are large sex industry centres where prostitution is tolerated or is legal. The recruiters (sometimes women allowed to escape their work as prostitutes), the pimps, and the traffickers, plus the international inequalities in chances for survival and a good future, are the essential influences on the movement of large numbers of women to settings where they are subjected to abuse and forced to prostitute themselves. For example, in India moneylenders or their agents will visit areas that are affected by desperate poverty. Moneylenders may own brothels, where they place the girls and women to work. In other cases, they may supply the women and girls to brothel keepers for a fee, and then require them to work until the fee is paid off. Once involved in prostitution, women are forced, in various ways, to continue. Asian-Indian women have reported to researchers

that despite desires to stop, they continued prostitution because of illiteracy, beatings, starvation, rape by family members, and sexual exploitation in alternative jobs that paid less than prostitution, and that therefore created the reality that prostitution provided a higher rate of pay for sexual acts that they would have been forced into regardless of not working as a prostitute. Thus in this way forced prostitution is the face of horrendous monster haunting women who are in desperate need of financial help and renders them victimized both sexually and psychologically.

Sexual orientation-motivated crime

The victimization of lesbian and gay men, through either verbal harassment or varying degrees of physical assault, is the most common kind of bias related violence. More than half of the lesbian and gay male adult population have been estimated to have encountered some form of verbal harassment or violence in their lives. The victimization of gays, lesbians and trans-genders may be in varied forms which might include hate crimes directed against their whole community or in some countries like India abandonment by own relatives and family members. The ideology of various societies is intolerable towards this concept of differently sexually oriented people and thus people punish gays, lesbians and trans-genders for not being the same as they are. This is very ironic that people fail to appreciate one's own preferences about life and try to impose upon them such conditions which are considered as ideal in a society. This in itself is that facet of victimization of such people who feel neglected, unwanted at the hands of stereotypes in society. Victimization of lesbians, gays and bisexual youth compromises with their mental health as an impact of assault on youth. Thus those youths who

are open about their sexual orientation must not only cope with difficult personal matters but must also deal with negative reactions of family and friends. As a result of these cumulative stresses lesbians, gays and bisexual youths may be particularly at high risk for suicide. Thus this depicts that extreme cases of victimization of bisexuals and homosexuals might even lead them into the dark lanes where they end their lives out of depression.

Impact of victimization

Gender-related and sexual orientation-related victimization can be particularly traumatic because potential victims are at risk by virtue of gender, which for women and girls is readily apparent, and because it can be motivated by misogyny, dislike of gay and lesbian individuals, and other forms of hate directed at the very identity of a person. For women and girls, because victimization is so often within the family or circle of acquaintances, there is the additional disquietude introduced by violation of trust and the potential for continued contact with the victimizer.

Psychological trauma

Various researches across the globe have demonstrated severe and complex effects of gender-related victimization. In addition to physical injury and in some cases disability, battering can result in depression, anxiety, and PTSD. A report sponsored by the World Bank concluded that throughout the world, wife abuse is a serious threat to health and quality of life, results in injury or death, and has negative spill-over effects on children, the workplace, and the broader community. As a result of this larger percentage of victims become subject to ongoing emotional and psychological abuse, a form of violence that many battered women consider worse than physical abuse.

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Domestic violence also has psychological effects that include “fear, anxiety, fatigue, and post-traumatic stress disorder”. Some victims of incest and other forms of child sexual abuse, wife battering, and stalking are traumatized over a lengthy period. Compared to women who are infrequently stalked, those who are relentlessly stalked over a period of time not only are at greater risk for physical, sexual, and emotional abuse but also suffered more depression and PTSD. Repeated victimization can produce long-term changes in how survivors regulate their emotions, self-perceptions, and relationships with other people, and the meanings they attach to actions and events. The term complex posttraumatic syndrome refers to these sorts of long-term changes.

Coming to homosexuals and bisexuals, gay and lesbian survivors of hate crimes are more depressed, angry, anxious, and stressed; they also have more crime-related fears and more often describe personal setbacks that resulted from attacks. Victimized gay and lesbian youths from both rural and urban areas reported high rates of suicide attempts. Many victims of sexual orientation-motivated hate crimes are afraid to report their victimization, and some turn their feelings inward and feel shame or guilt about their identities.

Financial loss

The economic effects of gender-related victimization could be profound.

Many people who are battered in intimate relationships, stalked, raped, and exploited by people who benefit financially from their prostitution are economically marginalized by their victimization. If they are physically or psychologically traumatized, they may be unable to work in legitimate

settings. Whether or not individuals simultaneously hold the statuses of <https://assignbuster.com/gender-victimization-in-contemporary-world-the-cauldron-of-crime/>

victim and offender, the economic impact of gender-related victimization can result in immediate loss of financial resources and long-term declines in quality of life if it is necessary to live in less desirable neighbourhoods.

System Abuse

The suffering endured by crime victims does not end when their attacker leaves the scene of the crime. They may suffer more victimization by the justice system. While the crime is still fresh in their minds, victims may find that the police interview following the crime is handled callously, with innuendos or insinuations that they were somehow at fault. They have difficulty learning what is going on in the case; property is often kept for a long time as evidence and may never be returned. Some sexual assault victims report that the treatment they receive from legal, medical, and mental health services is so destructive that they can't help feeling " re-victimized." Victims may also suffer economic hardship because of wages lost while they testify in court and find that authorities are indifferent to their fear of retaliation if they cooperate in the offenders' prosecution.

Long-Term Stress

Victims may suffer stress and anxiety long after the incident is over and the justice process has been forgotten. For example, girls who were psychologically, sexually, or physically abused as children are more likely to have lower self-esteem and be more suicidal as adults than those who were not abused. Children who are victimized in the home are more likely to run away to escape their environment, which puts them at risk for juvenile arrest and involvement with the justice system.

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Stress does not end in childhood. Spousal abuse victims suffer an extremely high prevalence of depression, post-traumatic stress disorder (an emotional disturbance following exposure to stresses outside the range of normal human experience), anxiety disorder, and obsessive-compulsive disorder (an extreme preoccupation with certain thoughts and compulsive performance of certain behaviours). One reason may be that abusive spouses are as likely to abuse their victims psychologically with threats and intimidation as they are to use physical force; psychological abuse can lead to depression and other long term disabilities.

Some victims are physically disabled as a result of serious wounds sustained during episodes of random violence, including a growing number that suffer paralyzing spinal cord injuries. And if victims do not have adequate insurance coverage, the long-term effects of the crime may have devastating financial as well as emotional and physical consequences.

Fear

People who have suffered crime victimization remain fearful long after their wounds have healed. Even if they have escaped attack themselves, hearing about another's victimization may make people timid and cautious. For example, women who are being abused by their partner may be fearful of reporting the abuse to authorities, especially when they read media reports about women who have been stalked and murdered by their partners following disclosure of the abuse to police. Victims of violent crime are the most deeply affected, fearing a repeat of their attack. There may be a spillover effect in which victims become fearful of other forms of crime they

have not yet experienced; people who have been assaulted develop fears that their house will be burglarized. Many go through a fundamental life change, viewing the world more suspiciously and less as a safe, controllable, and meaningful place. These people are more likely to suffer psychological stress for extended periods of time.

Antisocial Behaviour

There is growing evidence that crime victims are more likely to commit crime themselves. Being abused or neglected as a child increases the odds of being arrested, both as a juvenile and as an adult. Young people, especially those who were physically or sexually abused, are much more likely to smoke, drink, take drugs, and become involved in criminal activities than are non abused youth. Incarcerated offenders report significant amounts of post-traumatic stress disorder as a result of prior victimization, which may in part explain their violent and criminal behaviours.

Some Progressive developments in India

In the recent past there has been an upsurge in rape cases Apart from above solutions, there has been a remarkable improvement in the Indian scenario where many progressive developments have been made by judiciary to protect the interests of victims affected by sexual assault, rape, domestic violence and other manifestations of male dominated society. Thus in the wake of current discussion it becomes important to put some light on one of the most remarkable judgement delivered by Supreme Court of India in the case of Delhi Domestic Working Women's Forum Vs. Union of India, which

laid down various guidelines for protecting the dignity and integrity of rape victims and sexual assault victims.

The complainants of sexual assault cases should be provided with legal representatives who are well acquainted with the criminal justice system. The victim's advocate must also provide her guidance to go for mind counselling or medical assistance whenever needed.

Legal assistance will have to be provided at the police station since the victim of sexual assault might very well be in a distressed state upon arrival at the police station.

The police should be under a duty to inform the victim of her right to representation before any questions were asked of her.

In pursuance of the directive principles contained under A. 38(1) of the constitution of India to set up Criminal Injuries Compensation Board whether or not a conviction has taken place.

The court also held that in cases where fines and compensation orders were given together, the payment of compensation should take priority over the fine. These developments signified a major shift in penology thinking, reflecting the growing importance attached to restitution and reparation over the more narrowly retributive aims of conventional punishment.

The Supreme Court in recent times has thus advocated the need for a scheme which would help all the victims of gender victimization and thus the social organisations, government authorities have set out to look for such programmes and policies. In order to give concrete base to these ideas the <https://assignbuster.com/gender-victimization-in-contemporary-world-the-cauldron-of-crime/>

next section of the paper highlights some measures that can be taken in this regard to reduce the agony of victims.

Solutions for diminishing the aftermath of victimization on victims

THE ROLE OF THE VICTIM ITSELF: Depending on other correlates of social location-for example, poverty and race-girls and women, to varying degrees, have a sense that they need to alter their lives to manage violence that is disproportionately directed against females. Gay, lesbian, and bisexual individuals also emotionally respond to and manage potential gender-related violence through routines and choices in everyday life. Fear of crime influences quality of life and reproduces social inequalities, creating and reinforcing exclusion from particular places and from some social interactions and restricting a person's actions. Individuals' beliefs that they need to adjust their lives to avoid gender-related victimization are a manifestation of their oppression.

Everyday violence results in " measures to guarantee our safety-such as staying alert on the street, resisting arguments with our intimates because their bad tempers might lead to a beating, or avoiding certain public places that make us feel uneasy". Consistent with the notion of everyday violence, fear of crime is most accurately indicated by the " wide range of emotional and practical responses to crime and disorder made by individuals and communities" or, more generally, " the impact of people's concerns about crime on everyday social life".

THE ROLE OF SOCIAL AGENCIES: Helping the victim to cope is the responsibility of all of society. Law enforcement agencies, courts, and correctional and human service systems have come to realize that due process and human rights exist not only for the criminal defendant but also for the victim of criminal behaviour.

VICTIM COMPENSATION One of the goals of victim advocates has been to lobby for legislation creating crime victim compensation programs. As a result of such legislation, victims may apply to regional level agencies to receive financial compensation for expenses incurred as a consequence of injuries or death resulting from a criminal offence. Compensation may be provided for medical bills, loss of wages, loss of future earnings, and counselling. In the case of death, the victim's survivors may receive burial expenses and aid for loss of support. Personal and household property losses are not normally compensated.

COURT SERVICES Among the victim services that need to be provided through the court system, victim witness assistance programs (VWAP) might play a key role in providing information, assistance, and support to victims and witnesses of crime. VWAP programs provide a range of services, including crisis intervention/counselling, referrals to community agencies, emotional support, information about the progress of the case, he