

Rising crime against women in india

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‘ Rising crime against women’ , a phrase we hear or read around in our everyday lives to a extent of it becoming normalised in its appearance, resulting in the ignorance of the severity of the fact that it is increasing at an alarming rate, despite the prevalence of several laws , rules and regulations to ensure the safety of women. Here the striking question is that when the state has installed ‘ necessary’ mechanisms or machinery to protect or ensure the safety and rights of women, why crime inflicted against a particular gender is on the rise, questioning its effectiveness.

Major reasons for this can be seen in the lack of implementation of the legislation in the local practice and more over the treatment of women as social objects whether in social relationship or social institution. Apart from this many of them are not aware of their rights and those who are do not have the courage to approach the police and law enforcement authority. Almost six years after Delhi rape case, two of the recent rape cases in Kathua and Unnao , shook the nation to its core reflecting a decay in working of various state apparatuses and violation to the ‘ Right to live with dignity’ as states the Article 15 of the Indian Constitution.

The gang rape and murder of an 8 year old girl in Kathua , J&K, belonging to Bakarwal Muslim Community as a part of ‘ communal cleansing’ of the area occupied by this minority group and the rape and semantic exploitation of an 18 year old, dalit girl and her family in Unnao , Uttar Pradesh have put at rest not only the idea of ‘ CIVILISATIONAL SUPERIORITY’ but show political elites and administrators choose to help the perpetrators and shun efforts to secure justice for the victims reflecting deep decay and loopholes in state institution, lawyers and bureaucracy and strategies adopted by various

political parties to seek voters mandate by playing the game of ' identity politics' broadening the already existing communal and caste lines making these cases interplay politics, based on religion and caste.

In the Kathua case the apathetic involvement by the police and the lawyers tried to prevent the filing of the charge sheet and the Hindu interest groups came out in support of the accused, giving the case communal colouring , while that of Unnao is clearly indicative of political supremacy and power, granting impunity to ministers , even if they are accused of committing atrocious crimes. Sexual harassment in particular , rape, being the only crime in India associated with victim shaming and blaming , inflicting trauma and mental pressure as the honour of a family and community is largely linked to the women's chastity, servility and virginity and thereby women becoming a means to attack the ' other' in lieu of seeking revenge and maintain the hierarchal social order. Thus, Rape and threat of rape is a way in which women's sexuality is dominated through an invocation of ' shame' and ' honour'(basin)

As Mona Eltahway has rightly stated: " What happens is that our bodies as women become battlefields. Proxy battlefields, and sometimes direct battlefields in which the regime attacks me to emasculate the men, and the men must then feel that they must defend me to get back at the regime. And where am I in this equation? I don't want to be attacked or protected. I want to be an equal part of what is going on, and it is my right to dismantle that regime."

The latest NCRB reports show the year 2016-2017 was all about crimes inflicted on women in India , with a significant increase in the number of rapes in 10 years approximately 12-15% compared to other crimes which have risen at a rate of 3-5%, with highest number cases coming from Madhya Pradesh. One should also be careful about the paucity of data from rural and semi urban areas making it difficult to account for actual degree of crimes being committed further relying on this statics is problematic as the states with lower rape count could be due to sever underreporting of crimes against women, Runjana Kumari, one of India's leading women's rights activists and director of the New Delhi NGO Center for Social Research, points out that while national figures are much lower than the real picture, more women are stepping up to report cases of violence As in both these cases various other cases pertaining to sexual harassment, the police is reluctant to take any serious step against the accused leading to delay in the judicial procedure , it is estimated that 70% of the crimes against the women go unreported due to social stigma and fear that goes with public complain , thereby eroding the faith of the people in the mechanism and institution established by the state which results in not addressing these issues with sincerity both on the part of people and the state machinery and little confidence offered by political groups and local judicial system to the women or her family to report and seek justice aggravates the scenario.

Taking into considerations cases like these, it can be inferred that all the kinds of violence against women is form of political device, a political act of oppression exercised by members of a powerful class on members of a powerless class and recent statistics of conviction in rape cases of women

and minor in India is done to only one in four cases therefore posing a serious question on the credibility and legitimacy of the institution in charge , with regard to safety and security of women.

Though the agitation sparked off by the Mathura case led to significant changes in the Evidence Act, the Criminal Procedure Code and the Indian Penal Code, including the introduction of a category of custodial rape, the changes introduced were not sufficient. The concept of power rape was resisted and has only recently been admitted through an amendment in the Civil Rights Act. Significant loopholes nevertheless remain, both with regard to the law and its implementation. The definition of rape does not extend to marital rape and anomalies exist between the Child Marriage Restraint Act and the rape law in that consent is not required for intercourse in marriage before the age of 18.

Apart from all this there is the inability and unwillingness of the state machinery to act in a manner as to collect evidence in order to prove rape. As has been highlighted in the case of rape of nuns in Gujraula, UP, the law leaves sufficient loopholes for agencies such as the concerned police and medical personnel to not act, with perfect impunity. Of late, the movement is emphasising the rising trend in child rape, and demanding new legislation to combat the trend.(agnitori) (reparse later).