

AN EMPIRICAL INVESTIGATION OF THE CRIMES AGAINST WOMEN IN INDIA



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Abstract:

Violation of women rights, their safety, integrity and dignity have been the key features of the Indian society for the past two decades. Women, who form nearly 48% of the population of India (Census 2011), are the victims of major form of crimes. Crime against women in India is linked to their disadvantageous position in the society. Where women empowerment is a key to sustainable development and prolonged economic growth, crime against women act as a significant barrier to their growth and development. Therefore, an attempt has been made to empirically investigate the relationship between growth and women rights at all India level with some of the most severe form of crimes against women (rape, kidnapping and abduction, outrage of women's modesty, cruelty by husband, dowry deaths, and insult to the modesty of women). The two dominant explanatory variables of growth and women rights being GDP and literacy ratio. The paper also focuses on inter-state variations of per female crime against women. The investigation has been done for the period 2001-2014. The data has been retrieved from National Crime Records Bureau, Central Statistical Organization and Census of India.

Keywords: *Advertisement, Gender, Objectification, Patriarchy, Stereotyping.*

Women form 48.5% of the population of India, but are still oppressed and suppressed in various spheres and are the victims of major form of crimes. Various developing societies with gender discrimination, such as of India, face obstruction in socio-economic progress of the nation, in turn, hindering the development of the nation in fields of poverty eradication, labour force participation, education and skill development, job creation, health etc. (Anant, 2015) Social evils such as violence against women and non-accessibility to the judicial system are hurdles for a nation to achieve the path of self reliance. Crime against women add to their disadvantageous position in the society, further acting as a significant barrier to their as well as to the country's growth. (Tjaden & Thoennes,

1998) crime against women came to be viewed as a serious problem because of re-emergence of Women's Movement. (UNIFEM, 2003) Secretary General of United Nations, view violence against women as universal and the most shameful representation of human rights. Violation of women rights, their safety and integrity have been the key features of the Indian society for the past two decades. (Heise et al., 1999) one woman in every three around the world has been beaten, forced to sex or abused in her life. Crimes against women in India are increasing at startling rate. An increase of 1, 94,127 cases of total crimes against women were reported at All India level in 2001 over 2014.

Much of the literature from fields of philosophy, law, sociology has examined



violence against women in the context of feminist ideology. Despite outnumbered research in the dimension of crime against women particularly in the areas of domestic violence and rape, many of the areas are yet to be explored. One reason for lack of research in this domain might be the paucity of data for criminal activity.

Crime against women in India:

Crime or violence against women is recognised as a major health concern affecting her mental and physical health. Violence against women includes sexual, physical, psychological and economic abuse. Patriarchal society as one of India where culture have beliefs and norms that perpetuate violence against women, is on the verge of becoming demographic dividend power, where a crime against women is recorded every 1.7 minute; every 16 minutes a rape case is recorded and every 4.4 minutes a girl or a woman is subjected to domestic violence (FCRA). Although women are victims of general crimes such as murder, theft, cheating etc., yet the crimes directed specifically to women are known as crime against women (National Crime Records Bureau). Crime in India is an annual publication by National Crime Records bureau. Under the criminal procedure code crime is differentiated in two heads: cognizable and non-cognizable crimes. Cognizable crimes are the ones where police investigates without the permission of magistrate and arrests without warrant. Cognizable crimes are further divided into Indian penal code (IPC) and Special and local laws (SLL). Non-cognizable crimes are the one where parties affected are dealt in court and the police needs permission of the magistrate for investigation. This paper explores different types of crimes against women under the IPC section, namely; rape, kidnapping and abduction, assault on women with intent to outrage her modesty, insult to the modesty of a woman, dowry deaths, cruelty by husband or his relatives and total crimes against women.

The All India crime rate under crime against women i.e., number of crimes per lakh population, increased by 42.3 crimes from 2001 to 2014. Mizoram reported the highest crime rate of 23.7 crimes followed by New Delhi at 23.2 crimes. This increase in crime rate brings out a gloomy and abused picture of Indian women. Until now, empirical estimation on the relationship between crimes against women and economic growth and development has been scarce. Therefore, the paper makes an attempt to study the relationship between various types of crimes against women and economic growth and development. Gross domestic product and literacy ratio are the key proxy variables for economic growth and development respectively. The investigation has been done for the period 2001-2014. The data has been retrieved from National Crime Records Bureau, National Sample Survey Organisation, Census of India and Central Statistical Organisation.

Trends in crime against women for the period 2001-2014 (Figures are presented in Appendix section):

This section deals with trend analysis of various crimes against women along with their conceptualisation. The crime head wise details of crime against women from 2001 to 2014 are as follows:

- i. Rape (Section 376, IPC): A man is said to commit a rape who has sexual intercourse with a woman under the following circumstances:
 - (a) Against her will
 - (b) Without her consent
 - (c) With her consent, consent obtained by putting her or any person in fear of death or hurt whom she is interested in
 - (d) With or without her consent when she is under 16 years of age



The “Nirbhaya” incident of 2012 which shook the country brought out the stark reality of crime against women. Yet, the incidence of rapes has been increasing in the country. (Singh & Sandeepa, 2014) there are three aspects of major crime against women one being Rape. An over alarming trend is seen in number of rapes being committed from 2001-2014. There has been an increase of 129% in the incidence of rape. Despite various actions taken by the government to protect women, the incidence of rapes has not stopped yet has increased far further. Looking at the inter-state variations 14% of the cases were reported in Madhya Pradesh followed by Rajasthan, Uttar Pradesh and Maharashtra (NCRB). These states accounted for 49% of the total rape cases.

- ii. Dowry Deaths (Section 304B, IPC): Dowry death refers to death of a woman caused by any burns or bodily injury occurs within seven years of marriage and it is shown soon before her death she was subjected to any demand for dowry. (Sanghavi et.al,2001) suggested burns are an important public health concern and estimated 106000 out of 163000 fire related deaths occurred in women. Despite the Dowry Prohibition Act, 1961 and various other penalties imposed for demanding or taking dowry. There has been an increase of 29% in the number of dowry deaths from 2001-2014. The highest number of cases of dowry was reported in Uttar Pradesh, which comprise of 29.2% followed by Bihar.
- iii. Kidnapping and Abduction (Section 366, IPC): Whoever kidnaps or abducts any woman with intent that she will be forced to marry against her will or she may be forced to illicit intercourse, shall be punished with imprisonment.

incidence of kidnapping and abduction of women during the past thirteen years. If we see in absolute numbers at All India level the number of kidnapping and abduction cases has increased by 42,666 crimes. Looking at the inter-state variation, Uttar Pradesh accounts for 10,628 cases (NCRB).

- iv. Assault on women to outrage her modesty (Section 354): Whoever assault or uses criminal force to any woman intending to outrage her modesty shall be punished with imprisonment.

The incidence of assault on women to outrage her modesty has increased by 141% from 2001 to 2014. In absolute numbers the crime accounted for an increase of 48,111 cases for the period. Inter-state variations reveal that Maharashtra has the highest number of incidences followed by Madhya Pradesh and Uttar Pradesh. Delhi (UT) has the highest crime rate (47.9) of assault on women outraging her modesty.

- v. Insult to the modesty of women (Section 509): Anyone intending to insult the modesty of any woman by uttering any word or making any gesture or sound, or anything which intrudes the privacy of a woman, shall be punished with imprisonment.

There has been a positive change in the incidence of insult to the modesty of women crimes, and the cases have been reduced by 0.11%. The crime cases have been reduced by 29.3% as compared to the previous year, 2013. However, the inter-state variations report that Andhra Pradesh followed by Maharashtra have the highest incidences of such crime. Most of the cases of this nature took place at places of work and of public transport.

It is a very disturbing picture to see that there has been an increase of 291% in the



vi. Cruelty by husband or his relatives (Section 498a, IPC): Whoever being the husband or relative of the husband of woman, subjects such woman to cruelty, where cruelty meaning harassment of woman or any wilful conduct driving the woman to commit suicide or to cause any injury or danger to life, limb and health shall be punished with imprisonment.

(Krantz & Moreno, 2005) estimated that 40%-52% of women in USA and Mexico experience physical violence by an intimate partner and have also been sexually coerced. (Jeyaseelan et.al, 2007) carried a survey of 9938 women in India, and found that quarter of women reported experience of violent physical behaviour by the husband. An increase of 150% is seen for the defined period in cases of cruelty by husband or relatives. Highest number of cases was reported in West Bengal, Rajasthan, Uttar Pradesh and Assam.

vii. The total crimes against women under the Indian Penal code have increased by 135% for the period 2001 to 2014. This increase in crime against women sets a worrying situation in a developing nation like India. If the crimes against women continue to grow at such a riding phase then the

Data analysis:

Crime in India deals with various types of crime against women under Indian Penal Code. Seven set of equations were estimated at all India level which covers specific crime against women in all Indian states as well as total crime against women in all the states. The section raises the question whether crime against women in India can be explained by the growth rate, literacy rate of all of the population and sex ratio. In order to examine this hypothesis we estimated, using all India level data, seven econometric

equations whose dependent variables were, respectively, the number of crime against women at all India level: (1) rape; (2) kidnapping and abduction; (3) assault on women to outrage her modesty; (4) cruelty by husband or his relatives; (5) insult to the modesty of women; (6) dowry deaths and (7) total crime against women. The equations were estimated as a system of (Zellner, 1962) Seemingly Unrelated Regression Equations (SURE).

A. Crime as a function:

The hypothesis is that crimes against women depend upon socio-economic variables. The variables are structured as follows:

- (a) Economic Growth: Gross domestic product at constant prices (2004-05) published by CSO has been used in this paper as a measure of economic growth. (Kumar, 2013) establishes the causality between crime rates and economic growth. The Global Peace Index Report 2013 ranks India in the category of 25 most violent countries that loses 4 percent of its GDP due to criminal activity in 2012.
- (b) Education: education attainment increases the success ratio of entering into labour market, by learning various skills. Education therefore, (Freeman, 1991; Groger, 1995) increases the opportunity cost of criminal activity. Literacy rate of population is used in this paper as a proxy for education attainment available at Census of India.
- (c) Sex Ratio: criminal activity especially against women increases on account of higher male to female ratio. This ratio explains inequality present in the society. Therefore, sex ratio that is number of females per 1000 males has been used as an indicator of inequality.

**B. Crime as a model:**

The SURE model which we have used comprises of M multiple regression equations:

$$y_{ti} = \sum_{j=1}^{K_i} x_{tij} \beta_{ij} + u_{ti}$$

Where y_{ti} is the t^{th} observation on the i^{th} dependent variable; x_{tij} is the t^{th} observation on the j^{th} explanatory variable appearing on the i^{th} equation; β_{ij} is the coefficient associated with x_{tij} at each observation and u_{ti} is the t^{th} value of the random disturbance term associated with the i^{th} equation of the model.

In matrix notation, this model is expressed as:

$$y_i = X_i \beta_i + u_i \quad (i = 1, \dots, M)$$

Writing this equation as:

$$\begin{bmatrix} y_1 \\ y_2 \\ y_M \end{bmatrix} = \begin{bmatrix} X_1 & 0 & 0 \\ 0 & X_2 & 0 \\ 0 & 0 & X_M \end{bmatrix} \begin{bmatrix} \beta_1 \\ \beta_2 \\ \beta_M \end{bmatrix} + \begin{bmatrix} u_1 \\ u_2 \\ u_M \end{bmatrix}$$

The results of the analysis are shown in Table 1.

The present analysis reveals that there is an increase in crimes related to rape, kidnapping and abduction, dowry deaths, assault on women to outrage her modesty and cruelty by husband or his relatives in India during 2001-2014. Inter-state variations reveal that majority of the crimes occurred in north western parts of India viz., Uttar Pradesh, Rajasthan, Madhya Pradesh and Maharashtra.

The regression analysis indicates that rape, kidnapping and abduction, assault on women to outrage her modesty have an inverse relationship with GDP, since all three

coefficients are negative. This implies that as the economy prospers or grows the crimes will decrease. That is, if GDP increases these three crimes in numbers will decrease. Insult to the modesty of women has an inverse relationship with literacy rates, implying, the more educated members in a society the lesser the crime related to insult of a woman's modesty. Cruelty by husband or relatives and insult to the modesty of women have an inverse relationship with sex ratio, as the number of females rise per 1000 males these two crimes will fall. Looking at all the seven regression equations the results related to significance of the variables can be summed up as follows:

- Rape: literacy rate is found to be significant to 95% confidence level. The amount of variance in the data which is shown by R^2 is found to be very low at 33.8%.
- Kidnapping and Abduction: literacy rate is statistically significant at 1% level of significance. The variance shown by the equation is 50%. That is half of the variance in the data, i.e.; the influence on crime is described in the regression equation.
- Assault on women to outrage her modesty: all the explanatory variables are found to insignificant. The variance explained by the regression equation is very low at 25%
- Cruelty by husband or relatives: literacy rate is found to be highly significant at 1% level of confidence. The amount of variance shown in the regression equation is 58%, which is a good sign. This implies, around 60% of the changes in this crime can be influence by all the three explanatory variables. The regression equation is also found to be significant within a 95% confidence level in the F test.
- Dowry Deaths: GDP stands out to be statistically significant within 95% level



of confidence and the variable literacy rate significant within 90% level of confidence. 66.5% level of variation is shown in the regression equation. The equation is also found to be significant within a 99% level in the F test.

- (f) Insult to the modesty of a woman: the explanatory variables are insignificant at all the three confidence interval with level of variation shown in the regression equation very low at 33%.
- (g) Total crimes against women: the variance shown by the equation 41%. That is 60 per cent of the variance in the data i.e., the influence on crime is not describes in the regression equation. Only literacy rate is found to be significant within 95% level of confidence.

The coefficient of GDP is found to be statistically insignificant for most of the crimes except Dowry deaths and for sex ratio insignificant associations is seen for all the crimes. The value of R^2 is very low for rape, assault on women with intent to outrage her modesty, insult to the modesty of women and total crimes against women suggesting that important independent variables were not included in the regression equation. This leads us to questioning the validity of the data. Confounding factors, such as under reporting may be distorting the analysis. The data for crime against women cannot be expected to truly signify the prevalence of violence against women in India. Much of the data goes unreported due to lack of knowledge, voice and support. The general public tolerance is also a factor contributing to the data being under reported. Thus, it is not at all surprising to see that the regression results for most of the crimes against women across India yield insignificant results.

The results, therefore, show that economic growth and development has an important effect on crime against women across India. It does not; however rule out the possibility of including other important explanatory factors such as crime cases solved by police,

age of women and other economic, legal and social factors of macroeconomic as well as microeconomic nature in determining crime against women. the evidence presented, induces to take steps and formulate policies for curbing violence against women; such as; changing our attitude towards violence against women, improving transport facilities for women, reservation of seats for women in police force, centres for women affected by violence etc. (Kumar & Kumar, 2013) an effective measure to control crime is to ensure increase in density of police and per capita availability of police. Moreover, an economic and social inclusive development prevents the occurrence of crime against women. Kerala has the least number of crime against women as it has highest female to male ratio.

Conclusion:

Violence against women is a complex economic and social problem. Much of the literature worldwide is focussing on this issue as how to address crime against women. Addressing the issue requires coordination between nations, communities and different development sectors of the economy such as education, health to challenge the customs and norms that lead to rising inequalities and violence against women. The results from our all level India analysis provide strong evidence in favour robust economic growth and strong educational base for curbing crime against women. The results show that increase in GDP, literacy rate and sex ratio will decrease crime against women. Thus, there is a need for coming up with policies to establish a system to change the attitudes of criminals through education or imparting vocational training. Nothing works better than self help, women, therefore, must get training in self prevention at institutional as well as at individual level.

Result of this paper show that economic development gauged by literacy rate, in particular, is an important determinant of



crime rates. The reform process has led to spur in the growth and development process, yet, there is a need for a participatory approach in combating crimes against women.

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