Endangered Femininity- Intensity and Magnitude of Crime Against Girl Child

Abstract

Violence against Woman is one of the most serious breach of human rights that everyone is privileged of due to her being born as an Individual. In recent years there has been alarming increase in the crimes against girl children that cuts across cultures, norms and society. Girls are being killed, sexually abused, assaulted, hacked, being burnt into ashes. With the inception of Feminist discourse at the National and International Forums, the intensity and magnitude of violence against girl children has been widely focused. The focus is mainly upon their sociolegal status, education, malnutrition, female feticide, female infanticide, physical, emotional, psychological violence that ravages the dignity,, modesty, integrity and sanctity of woman of different age groups. The traumatic episode of 'Damini' a Para- Medical student on 16th Dec, 2012 in the NCR Delhi reveals the nightmare for the girls in a so called civil society so far as their mobility and security is concerned. The traumatic episode not only reveals the ugly face of the society but also the inhuman nature of crimes against girls. The Mass mobilization & unprecidented agitation against the system and the sympathy for the deceased undoubtedly gave impetues to the media and the Government to take initiative to curve the menace. The question of debate is- How can the inhuman treatment with the girls be curved? How to frame the law or to devise a system that may prove an effective deterrence to the crime against girls?

Keyword: Incestuous behaviour, Obscurantism, subservient role, docility, Psyco-somatic disorder

Introduction

The Problem- Crimes against Girls and Woman is found in myriad forms that can be attributed mainly to widespread violence, tolerance of it, ignoring it either in the name of social reputation, stereotyped notions of honour or the loss of social prestige. This constitutes the major violation of human rights of girls and woman. Surprisingly such incidents are largely been ignored and unacknowledged as human rights issue. Studies conducted by United Nations reveal-" Woman in great numbers around the world are Murdered, assaulted, sexually abused, humiliated within their own homes and that this behavior does not seem to be uncommon or unusual¹". The 'Damini' episode got the coverage of the media and the public not only for it's nature of being very heinous and inhuman but because of the mass agitation against the Government Machinery. The Media and the News papers focused on hundreds of cases of sexual abuse of minor girls (04-12 years age group) since the heinous incident took place on 16th of Dec 2013. There is an alarming increase in crimes against minor girls who are being victimized by the monstors of humanity. The issue of current discourse is- 'how to frame a system to ensure the equal status to girls ensuring their basic human rights to survive and to live with dignity'?

The research paper intends to focus the intensity and magnitude of crimes against the minor girls that is being witnessed in the form of incest and other types of sexual abuse. **The objectives** of the research paper are-

- To explore the intensity and magnitude of crimes against girl children, it's causes & consequences
- To analyse the problems of girl children who have been victims of incestuous behavior.
- To investigate the level of legal & society's response towards the problems of girl children

Methodology- The research paper is based on the data available from secondary sources. For this purpose the reports of different studies on incest and the reports of NCRB from 2006 onward has been widely



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explored. The data available in the Internet, the news papers and magazines has been widely used.

Description

The crimes against girls and woman is one of the serious threats subjected to obscurantism & neglect by it's being purely a private discourse. This most often leads to policy or system failure in dealing with the matter effectively. The worst aspect of the gendered nature of violence is-

- The family members ignore if the nature of crime is sexual and inflicted by known persons, in the name of family reputation. In most of the cases the victims of such types of violence do not assert.
- The victim ignores if the nature of crime is domestic violence and inflicted by the intimate relatives, driven by the fear of in-secured future of the girls.
- The victim and her kins ignore if the crime is committed outside the premises of the house in the nature of simple sexual harassment like eveteasing, using abusive language and so on considering it of trivial nature. This may provoke further violence of severe nature.
- Some times crimes of severe nature, committed inside the premises of the household or outside too is ignored, either in the name of honour or by the very consideration of not getting adequate redressal or remedy for the grievances.

These are some of the presumptions that shows the ugly face of the crime and human rights violation of girls & women. This pattern sometimes increases the possibility of crime

In September 1998 "an NGO working with victims of incest revealed that almost 76% of women in India have suffered from of sexual abuse and 40% of them at the hands of males in the extended family setting²".

Noeleen Heyzer Quotes – " Globally one in three women will be raped, beaten coerced into sex or otherwise abused in her life time. Violence against women has become as much a pandemic as HIV/ AIDS or Malaria³".

Incest (Rape), is the least discussed sexual violence of all the discourse regarding violence against Girls & women. It is the most secret of all the crimes yet more common than imagined. It is one of the most ghastly and indecent crime. The statistical data regarding incest is not an easy task to collect, all the information available in this regard have been collected from the news papers, NCRB Reports, Internet and journals. The tendency of putting restrictions on girl's movement is found not only in rural areas but also in urban metros. In a survey conducted by India today-AC NELSEN- ORG MARG, it was revealed that- 'Over 50% single women feel unsafe in the city they live in⁵. The survey reported that 'In the capital city Delhi only 4% of the single women feel it safe to go out unescorted after 10 p.m.⁶ One in every three women in the city of Chennai felt unsafe. The survey reported- '85% married women do not feel safe about going out unescorted after 10 P.M. Meanwhile '71% woman feel they cannot wear what they'd like to7. It seems that- For women across

India, fear is a constant companion and rape is a stranger they may have to confront at every corner, on any road, in any public place, at any hour8. Being a single women is not an easy task for the women in the mega cities. To quote Kavita Arora, a business executive Chennai- 'I had trouble finding a place to stay. People weren't comfortable that I was living alone9.' In a survey conducted by an NGO Saheli in Lucknow and Delhi reveals- "All the woman interviewed said that they were at the receiving end of some form of sexual abuse, be it stalking, physical assault or obscene phone calls 10". The prevailing social insecurity curtail the possibility of woman to exercise to exercise the individual rights they are entitled. The laws or the police are no deterrence in protecting the women from this inbuilt terror. 69% female in urban areas reported that - "the current law is no deterrence to rape whereas 62% male were of the same opinion 11,

According to a study of an **NGO RAHI** (recovering and healing from incest) under the title "voices from the silent zone" in July 1997 conducted on 600 women from middle and upper class families in Delhi, Mumbai, Chennai, Kolkata and Goa reveals that 76% of women were sexually abused as children. The study also reveals that – "the cases of incest takes place in highly educated elite society not only in slums ¹²"

Incest is defined as sexual violation of a girl by an intimate persons, close relatives, guests, neighbours and other known persons to the victim. According to the findings of a study of BBC one out of every 10 women reported some kind of sexual abuse during childhood by known persons ranging from father, uncles to doctors and counsellors 13".

Incest is a traumatic and a heinous crime against girls in the sense, it is committed behind the curtain by the people who are expected to be more secure, more pious and descent. The sensational stories of sexual abuses by the family members and intimate relatives are covered by the different news papers, some of the cases of incest (rape) are given for reference.

- April 27,1995, Hindustan times covered a news of an under secretary in union home ministry sexually abusing his 8 years old daughter with his colleagues at Noida. A sixteen year old daughter being raped by her father at Mangolepuri, New Delhi¹⁴". A manager in Iron foundry resident of Preet Vihar charged with raping his 10 year old daughter for last 3 years¹⁵".
- A self proclaimed, shastri, an incarnation was charged with raping his daughter. A 12 year daughter was being raped by a father in Gandhi Nagar Juhggis. A 16 year daughter was being raped by a father continuously for 3 years ^{16"}.
- A leader of Samajvadi Party, resident of Noida was arrested on 'charge of raping and murdering his eight year old daughter on 24 July 1992¹⁷
- 'A 13 year old daughter raped her father became pregnant at 14 years of age with her father's son¹⁸.

- A mother filed a complaint against her husband a Govt. officer for sexually abusing her three daughters and including her 8 year old daughter for oral sex with a group of adults in a hotel at can naught place¹⁹.
- A case was filed against a father having sexual relationship with his daughter before marriage who attempted to outrage her even after marriage²⁰.
- The most astonishing and indecent news of a son having incestuous relationship with his mother at her consent even after marriage²¹.
- A mother filed a report against her husband for raping her three daughters.
- A father charged with abusing his daughter, who brought her from boarding school for the purpose.
- In most of the incidents women had to suffer if they filed any complaint against the in human and indecent sexual abuse by the dominant male members of the family.

A girl aged 8 years was brought to a shelter home and a counseling centre after being brutally raped by her father who was alleged with already having raped her two daughters. The mother kept quite in the earlier instances, driven by the fear of being thrown out of her husband's family; but in case of her third daughter she took bold steps and reported to the counseling centre²².

Similar instance of incest rape was covered by the news paper in which a 20 year girl was raped by her maternal uncle (her mother's brother) at knife point. Her mother lodged an FIR but turned hostile during the trail²³. Turning hostile is a matter of routine in Indian judicial set-up. This is a serious matter of concern for the legal experts in India.

In an incident, A girl of 23 years of age was being regularly raped by her father for the past four years. The father did not marry his daughter, the mother of the girl fully knew the situation but couldn't dare to protest as she was entirely dependent upon her husband²⁴.

A sixteen year girl of Loni village Ghaziabad filed an FIR against her father for raping her at knife point and making her pregnant. Her mother got her two months foetus aborted; when her father attempted to rape her again, her mother resisted; she was beaten and thrown out of her house²⁵.

In other case a man was alleged with having raped her daughter in law in the name of the performance of Tantra Vidya to rescue his son from the evil effects of Mangali²⁶.

A case of molestation was registered by Gosaiganj Police at Lucknow in which a father molested his daughter of 9 years of age²⁷.

A girl student of Jawahar Navodaya vidyalya of district Faizabad U.P. gave birth to a child who had been sexually abused by her real brother²⁸.

A police constable was reported for having raped his 17 years old daughter who became pregnant, the trauma continued even after her abortion even more traumatic was the involvement of her mother who forced her into the indecent sexual relationship with her father²⁹.

These are the few evidence of incestuous behavior which is supposed to occur in every society and in a large no but only a least no of cases reported, most of the cases are subsided in the premises of the household. A mother or the member of the family rarely talks about the serious act of sexual abuse by a father, a sibling or the close relatives. A sense of shame and derision prevails in the minds of the victim; thus the chances of incest being reported in the police succumbs. Members of voluntary organizations said that a mother suppress or wish away the event not only because of the shame and outrage, but also out of fear of reprisals from her husband, son or other relatives. Interestingly husbands filing the case against them would be unheard of 30.

The evidence collected in several studies by most of the experts shows that 85 to 95% of all sexual crimes against children under 18 years of age are committed by someone whom the child knew. 80 to 90% are intra-familial. The perpetrator may be a parent, sibling, grand parent, aunt, uncle and cousin or some one close to the child like the step parents³¹.

A Delhi based NGO Sakshi, a violence intervention centre concluded in an interview of 357 school children that 63% of them have suffered some or the other kinds of sexual abuse, 22% of them suffered serious sexual abuse, 26% of abused were between one and 12 years of age at the time of sexual abuse³². The most traumatic experience of rapes that the media and the News papers have covered in the last few years were the incidents of the minor girls of 4 to 10 years of age, and the crime inflicted against them was of very heinous nature. Incidents of murders of most of the victims after being raped have been the highlights of the News papers in the recent years. World Health Organization has also reported that one in every 10 children is sexually abused. The obscurity of the incidents of incest intensifies the problem of the violation of dignity and sanctity of a girl child. National Crime Reports Bureau (NCRB) 2010 has revealed the no. of cases of incest

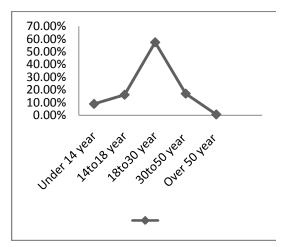
According to NCRB 2010 – "The total cases of rape committed against women were 22,193 in the year 2010 out of which 1,975 (8.9%) were the girls under 14 years of age, 2.57% girl victims of rape were under 10 years of age, which is an evidence of heinous and inhuman treatment towards the girls. 3,570 (16.1%) were teenage girls (14-18 years of age), 12,749 (57.4%) were women in age group 30-50 years, 136 (0.6%) were above 50 years³³".

Age group wise incidence of rape victims (2010)

Age-group wise	Incidents	Percentage
victims		
Under 14 years	1,975	8.9
14-18 years	3,570	16.1
18-30 years	12,749	57.4
30-50 years	3,763	17.0
Over 50	136	0.6
TOTAL	22,193	100

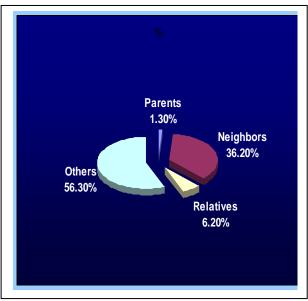
The records of NCRB are an evidence that the women in the age group 18-30 are the prime target for the perpetrators committing rape crimes. The teenage girls are the another target and are often subjected to the crimes of rape. In the total 22,193 cases of sexual abuse including incest reported all over India by NCRB 2010, 8.9% victims were up to 0-14 years of age group, 16.1% were in the age group of 14-18 years, 57.4% were 18-30 years of age, 17.0% were 30-50 years of age & 0.6% victims were of 50+ years of age. In the year 2010 Maharastra reported the highest no. of cases of incest with 15.27% followed by Odisa with the crime % of 12.84 and Rajasthan with 8.3% cases of Incest rapes according to reports of NCRB 2010. UT Delhi reported 7.2% cases of incest. Age group wise distribution of incest is shown in the following diagram-

Graph Showing Age group wise victims of Rape NCRB 2010



Offenders known to the victims

According to NCRB report 2010—"In as many as 21,566 (97.3%) offenders were known to the victims. In 288 cases (1.3%) parents and close family members were involved in the incident. Where as 7,816 (36.2%) cases were committed by the neighbors and in 1,344 cases (6.2%) the offenders were close relatives³⁴". This is the dark side of the coin. The increasing cases of incest puts in question the security mechanism of the girl child and also the poor response of the civil society towards the girls. The most astonishing aspect of the crimes of sexual nature towards the girls is that- In most of the cases the victims were minor girls of 0-05 years of age and the perpetrators were from 18 to more than 50 years of age.

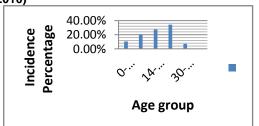


% Of Offenders Of Incest Known To The Victims

Incest is one of the most hidden crimes which is not much reported. The perception behind it is that making such incident public may harm the prestige and may also cause emotional disaster to the victim. Most of the victims consider that they will gain least and loose more in the form of neglect and derision. It has been observed that the victims of incest do not get public sympathy except in few case in which crime committed is too inhuman and barbarious as it was in Damini episode. The victims are questioned about their character & modesty. This is why that the reported cases of incest in NCRB reports are very few in the official records of the states. An analysis of magnitude and intensity of victims of incest and rape in the states are being given in the following table.

In the total 288 cases of incest reported all over India by NCRB 2010, 10.41% victims were up to 0-10 years of age group, 20.49% were in the age group of 10-14 years, 27.43% were in the age group of 14-18 years, 34.37% were 18-30 years of age, 6.94% were 30-50 years of age. A few victims were of 50+ years of age. Maharastra reported the highest no. of cases of incest with 15.27% followed by Odisa with the crime % of 12.84 and Rajasthan with 8.3% cases of Incest rapes according to reports of NCRB 2010. UT Delhi reported 7.2% cases of incest.

Age group wise victims of incest (NCRB 2010)



In the total cases of rapes other than incest 2.25% victims were in the age group of 0-10 years, 6.49% victims were in the age group of 10-14 years, 17.26% were in the age group of 14-18 years, 54.13% victims were in the age group of 18-30 years, 18.44% were in the age group of 30-50 years, 1% of all victims were above 50 years. The following table shows the intensity and magnitude of crimes of rape in the 7 major states and UT Delhi, that accounted for 62.64% of total rape crimes committed at the National level. Incest rape is the most traumatic experience for the victims that some times causes psychological disorder and emotional disaster. Specially the victims who are minors and emotionally attached to the offenders suffer emotional breakdown and sometimes they become isolated from the rest of the

world. The enigma is that such type of incidents are rarely reported.

Age group wise victims of other Rape cases NCRB 2010

INC	KD ZUIU						
S	States	Total	Up to	10-14	14-18	18-30	3
no.		cases	10 years	year	year	year	1
1	Andhra Pradesh	1362	30	133	283	749	
2	Assam	1798	1	9	29	1106	
3	Madhya	3115	51	303	816	1360	
	Pradesh						
4	Maharastra	1555	104	126	502	657	
5	Rajasthan	1547	35	70	271	795	
6	Uttar Pradesh	1559	43	161	244	861	
7	West Bengal	2307	0	21	51	1777	
8	Delhi (UT)	486	45	68	171	167	

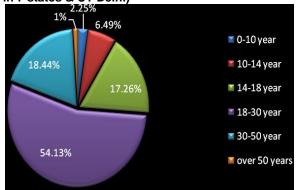
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1345 3491 19650

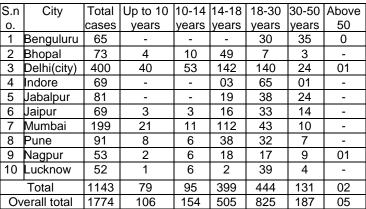
The age-group wise rape victims (NCRB 2010 data in 7 states & UT Delhi)

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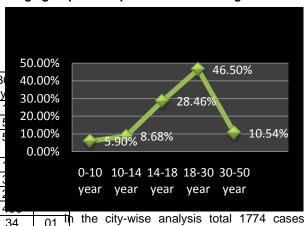
All India Total



Age group wise rape victims (other than Incest) in the cities



Age group wise rape victims in the Mega cities



374 et 13pp rted, out of which top ten mega cities (Benguluru, Bhopal, Dilhi, Indore, Jabalpur, Jaipur, Mumbai, Pune, Nagpur, Lucknow) accounted for the maximum no. of 1143 (64.43%) incidents of rapes (other than incest) according to NCRB 2010. Delhi ranked 1st with 400 (22.54%) cases of such victims, followed by Mumbai with 11.10% cases. In Madhya Pradesh, Jabalpur ranked 1st with 81 (4.5%) of such cases followed by Bhopal with 4.11% cases and Indore with 3.8% cases of such nature. The ten mega cities are notorious so far as the atrocities against women regarding sexual violation of their rights is concerned. It is also revealed that the maximum no. of victims who were subjected to sexual violence were the women in the age-group of 18-30 years followed by the girls of 14-18 years who were the target next to the women in the age group of 18-30.

The worst and the most heinous aspect of sexual violence against is the involvement of those who are considered to be in a very pious relation to the victim, like father, brother, uncle and most intimate friends. The most astonishing and traumatic fact about the crimes committed against woman and girls are the crimes against minor girls of 5 to 10 years of age. It is perceived that the minor girls are the soft targets for the victims to seduce and lure them. Most of the girls cannot guess what the intention of the perpetrator is? even after the heinous crime against her has taken place. It is not more than a psychological disorder of the perpetrator who commits

such crimes. It has also been revealed that the mega cities have reported the more no. of cases against minor girls. In such the perpetrators easily escape the crimes as In most of the cases these victim minor cannot reveal in the court about the heinous incident against her. The data regarding the offenders in intimate relations is being given in the following table.

The traumatic effect of Incest

Incest (Rape) is a heinous type of violence that ravages the sprite, moral, dignity and inner, confidence of a victim specially the girls of minor age or teenage. They may be overshadowed by deep depression or isolation may cause hatered to their own body. In actual sense they can not over come the trauma throughout the rest of their life.

The NGO RAHI (Recovering and healing from incest), revealed in it's study that "survivors of incest who came for counseling suffered from depression, frustration, low self-esteem, sexual mal adjustment, feeling isolation, anxiety and so on. These incidents have long lasting impact on their personal life; their inter-personal relations, They may suffer with personality disorder. The behavioural scientists have identified it as a state of 'Post-traumatic disorder that can cripple a person emotionally and become almost permanent if not dealt with³⁵". Such incidents are curse to the dignity of a girl child or a woman. In most of the cases molested girl feels that it was sheer bad luck that brought her the distress-

The probable consequence of this trauma may be-

- · Permanent fear of insecurity and helplessness,
- Mental distress and psychological disorder,
- Depression and low self-esteem,
- Traumatic effect on conjugal life,
- Hatred to their own life that may enforce them sometimes to suicide,
- Obscurantism and isolation,
- Psychological deprivation.

In most of the cases the victims conceals the incident of sexual assault, and thus becomes cursed to suffer the repeated threats of the incident. She is left with no option except to accept the incident as a nightmare. Such incidents shake the confidence of the victims badly. Ashwini Ailawadi of RAHI reveals that-"quilt and confusion are powerful emotions that engulf the child owing to the dichotomy between the biological response of the body and mental conflict³⁶" In cases of sexual abuse, depression overcomes a victim and often results in hatered for conjugal or marital relations when they grow up. Minor victims upto 7 years of age become emotionally wreck for entire life and remain under 'obsessive compulsive neurosis'- a state where they even hate their own bodies and fail in normal marital life.

"There is a suicidal risk and lack of confidence due to depression, which restricts them to express their trauma after they have to get hypnotized to get the facts says Dr. Tulsi centre for mentally disturbed children³⁷". Victims of sexual violence suffer from a sense of shame, self-guilt, fear and feel humiliated, abandoned, traumatized and stigmatized.

In case of domestic violence offences were committed in the premises of home by a person on whom the woman was emotionally and economically dependent. Moreover even though she was a victim she was compelled to live with the assaulter as she had no other alternative. Thus the victim's agony and torture is multiplied, there is no other way except to live in anticipation of a constant fear or repeated threats sexual exploitation. This is like dying several times before their death. The crucial societal mechanism enforces women to be in sub-ordinate position and gives impetus to perpetual violence against women.

"The trauma often restricts the girls and the family to make the incidents public causing psychological deprivation. The victim who requires sympathy and support is kept isolated in the family 38".

The enigma of sexual violence against children and women is –

- The poor reporting of offences for fear of harassment, shame and social disapproval.
- Poor judicial representation, the changes of sexual assault, molestation, obscene gestures, indecent representation is not proved and dropped without prosecution.

The crime against girls and woman is a greater social enigma and the institutional have proved a poor deterrence in such cases. The mass agitation on "Damini" reveals the society's concern on the menace of such nature but fails to check the increasing intensity of crimes in the society. The question is- How can law and the Police prove to be an effective deterrence to the menace of sexual violence against girl children. To quote Martin Luthar King- Law can change the heart but not the heartless. The Damini episode witnessed mass agitation and mobilization of the society but the monsters of humanity didn't restrain from committing the heinious crimes against the minor girls. A number of crimes were reported by the News papers and the Media and they didn't get the same focus as the "Damini" episode. For instance a few cases can be mentioned. In a case an eleven year girl was sexually abused by the two youths of Sekar, Rajasthan on Aug, 20 2012, who is still on the death bed in a nursing home 39. A 19 year girl was abducted, drudged from Bilaspur passenger train between Jabalpur and Katni Railway Station on 22nd Dec⁴⁰. In a remote village of Patiala Distt. of Punjab, a gang rape minor victim ends her life due to police apathy. The police was reported of having taken 14 days in registering the case, it was also reported that the police pressurized to withdraw the case⁴¹. A minor dalit girl was gang raped in Patna⁴². In the Chincholi Taluka of Distt. Gulbarga an 11 year girl was raped by two youths on 20 Dec 17 year class 10 student immolated herself being constantly harassed by a few boys in Ranchi⁴⁴. A man was arrested in Mohammadi town Lakhimpur Khiri on sunday 23rd Dec⁴⁵. An 11 year old girl child, a student of class 4 was raped by two teenaged Neighbours in Nagapattanam Distt. on 23rd Dec. 2012⁴⁶. Two minors gang raped a minor girl in Jabalpur region on 22nd Dec 2012⁴⁷. On Dec. 20

2012 A woman was gang raped at the bus stand in Distt. Mau, $\mathrm{U.P}^{\mathrm{48}}.$

According to NCRB 2011, Madhya Pradesh registered 3406 rape cases accounting for 14.1% of total crimes of such nature in all over India, whereas 15.5% cases of eve teasing were reported in M.P. Since last two years 3176 female children were raped in Madhya Pradesh (Dainik Bhaskar 23 Dec. 2012) M.P. ranked 1st in sexual abuse against minor girls. The deplorable situation of girl child in India is alarming, and a question mark on the civil society that is in need of gender sensitization. The enforcement mechanism of law needs a review & the police should be trained in efficient delivery of service. In maximum no. of cases the perpetrators escape punishment due to weak enforcement of law and the indifferent attitude of the police.

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