

A Comparative Study on Increasing Cases of Child Rape with a Reference of Karnataka and Uttar Pradesh

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Abstract – Rape remains one of the world's most underreported crimes for various reasons such as shame, fear of retribution from the abuser, lack of remedies for the victim's condition, fear of skepticism, and social stigmatization. Rape has received significant attention as the number of victims is rising exponentially & rape is expected to be a critical social issue. The definition of rape vary as time and place, however rape is recognized as a crime that typically is committed by a male forcing another person to have sexual intercourse against their will, intercourse by force. The study is confined to Varanasi district of U.P. State. The current study is by nature exploratory. It has different levels of methodological strategies which helped me arrive nearer to the reality of rape as a phenomenon. In the present study we have gathered the facts both from the primary and the secondary sources.

Keywords – Gender, Rape, Victim, Prevention of Rape

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INTRODUCTION

People are social creatures. They are conceived and brought up in support of the adoration, care and friendship of the family; in the glow of their children and their families. Be it as it can, sadly, not all of us are respected. UNICEF (United Nations Children's Fund) reports that there are around 160 million and 210 million vagrants worldwide. In India, the vagrant emergency is astounding with more than 11 million deserted children in the nation (90 percent of whom are youngsters). Kids are the wonderful gift of God, yet they are not freed from the cloudy side of our general public. For them, the truth of life is not ruddy on occasion. Children are the foundation of our way of existence. They are the possible ages of the planet that should be sustained, accommodated, helped and secured. The safety of children's privileges is incredibly basic, as one thinks that they make up 33 per cent of the human population in the world and that ensuring that they have a chance is an obligation that every country owes to the ages to come. Women & children are the most powerful and helpless divisions of culture, and their plight through inwardly disturbing pressures, violence, and hardships like circumstances. One of the problems confronting today 's culture is the preservation of young people 's core human rights. For eg, the most blameless period of human life, puberty, is not liberated from such wrongdoings. Evaluation by the Ministry of Women & Child Development in 2007 showed that out of 12,447 youth across 13 States India, 20.9% of children surveyed had

witnessed seven improvements in sexual harassment, including abusive behaviour. Rape is India's fastest-growing pandemic, but it remains unreported. As government figures indicate, there were 33,707 rape episodes in 2013 in general. That was an raise of 35.2 percent over 2012. Although the law forbids the kid from becoming violent, it has continued around the board in classrooms and social environments. The government has failed to adequately advise the general population against sexual violence or law enforcement. [13,766 incidents of young rape recorded in 2014]. The number of youngsters raped has increased over the last few years. This somber reality was exposed by the perspectives of the Center on 7 August 2015. The Association Minister for Women & Child Development, Maneka Gandhi, told Lok Sabha that a total of 8,541 cases (in 2012), 12,363 cases (2013) and 13,766 cases (2014) of child rape have been reported. Around the same period, the announcement of POCSO in 2012 and the Criminal Law (Amendment) Act in 2013 is influential in further documenting youth sex — however specifically involved teenagers remain still at danger of sexual activity being deemed abuse.

Gender violence can vary in different degrees, and rape is one such behavior. Where the perpetrators are predominantly women as they are stripped of social standing The victims and the criminals are mainly men. Rape as one over the centuries. Forms of abuse aimed against women have been

part of daily experience. It's culture. This has become a type of abuse that abuses the dignity of the body of women. Rape as a man Subject consists not only of an actual physical act, but also, with such an act, of factors Laws and traditions, social and political activities, and so forth. With the time of what The violence has been untouched regardless of the actual nature and the way men are. Conceive the crime of violence, the rules of the country and the concepts connected with it have shifted.

'Rape is a encounter that destroys the soul of the citizens in question. It has had an effect on others, undermining their capacity to create social associations, shifting their attitudes and beliefs, and causing terror "(Wright, 1996).

Rape is a national tragedy

- (a) Every general public (purported 'made' or 'in reverse') rape is an unchecked and violent fact.
- (b) Every space frames a neighbor's own home, any open or private space rape is widespread.
- (c) Every defense, assessment, legal system, preliminary procedure, disciplinary structure is that wrongdoings, such as abuse, are past discouragement, i.e., like a debacle, sexual offenses are almost supreme.

Indeed, also nations such as the United States , the United Kingdom, whose judicial system is regarded to be one of the most qualified, are displaying an exceptionally low rate of prosecution (below 10%) with respect to crimes, for example abuse.

- (d) Recent statistics around the globe indicate that inbreeding breaches are on the increase, for example, their own families would usually be perpetrators in particular situations. What's more, such incidents are on the increase. That's why it's now a global disaster.

Causes and Consequences of Rape in India

Rape has a lasting effect on the victims ' lives. In most cases, however, it is not only the victim who has the terrible consequences of sexual violence. In a patriarchal society like India, where women have very low status, people who are closely linked to the victim are also affected, in particular family members, by negative social reactions (Karmen 2010: 269).

Gang rape is a common type of sexual violence in India, and victims who have been raped by multiple attackers (gang rape) are more seriously affected than victims who have been raped by a single attacker. Gang rape victims mostly avoid revealing

the issue to authorities that fear retaliation from criminals and social stigma (Karmen 2010: 269). In India, gang rape occurs mostly when women are seen in a sphere dominated by men, particularly in certain places where men consider their territory (such as a bar). If women are raped in this situation, even if women have the right to enter the territory, society is to blame for being partly or completely responsible for the crime (Peters and Wolper 1995: 16). Women are accused of provoking sexual violence because male sexuality is regarded as masculinity, which means power or aggression, and men would never deny sexual opportunities when presented (Anderson and Doherty 2008: 06). The victim, who blames or stigmatizes the victim by society, motivates the victim mostly to commit suicide. According to Williams (1984), "society and community are also criminals "by showing unbearable behavior (Williams ctd. Doherty and Anderson 2008: 10).

Rape is often followed by excessive brutality or abuse, so sexual inactivity or desire does not frustrate the victims in these situations, but rape may often be induced by displaced actions of hostility. Displaced violence is when someone is upset with a person or situation whose rage is directed against another unknown person or situation. In most cases , people tend not to direct aggression to the source of frustration, in which case the aggression could be directed to another available victim. This is mainly due to the fact that the odds of the target of the displaced aggression getting retaliated are less common than the original source of frustration. Displacement can occur in long chains and is typically seen in minority communities (Coon 2006). In India, on the one side, with expanded opportunities for women in education and employment, modern women are entering a strong position in which conventional men respond with violence (The Hindu, 19 Dec 2012). The the concentration of wealth, on the other hand, due to the changing situation of the country's socio-economic environment and the government's fixation with prosperity, generates inequalities between the rich and the rest. People from the lower sections of society, mainly slum dwellers, either unemployed or underpaid, raped women for vengeance or jealousy (Blau and Moncada, 2005).

In fact, victims of sexual abuse have a wide range of physical and psychological problems. Rape victims may suffer from serious reproductive health problems and chronic diseases, and may also be at high risk of HIV / AIDS or STI infection, especially when sexually assaulted by strangers. Psychologically, the victim may experience fear , anxiety and low esteem, which may also lead to problems of social adaptation. Depression and post-traumatic stress disorder (PTSD) are the most common long-term problems. Poor health and even

pregnancy will affect the victim (Mcanulty and Burnette 2006: 102-104).

REPORTING OF CASES BY VICTIMS

- Maximum victims of rape confirmed the matter to their parents first.
- 33.1 per cent of the total rape victims recorded the event to the first person within a day, while 66.9 per cent of the total rape victims disclosed the event after a delay of two days.
- 33.8% of the total rape victims reported the incident late because they were outside Delhi.
- 28.4 per cent of people became friendly and sympathetic to the victims of rape when they reported the incident.
- 98.4 per cent of perpetrators of rape were told to go to the police department by their parents.
- All victims of rape were assisted by anyone on their way to the police station.
- 33% of the cumulative perpetrators of rape disclosed the crime to the police immediately after the attack.
- 93.1 per cent of the victims of rape said that the authorities had promptly reported the FIR.
- 82.3 per cent of the total victims of rape found the behavior of the police to be very normal. All the victims reported everything from the beginning to the end of the rape incident.
- 42.3 per cent of the victims of rape said they had received a copy of FIR.
- 70.7 per cent of the victims of rape said they had been caught.
- 46.9% of the rape victim claimed that the perpetrator had been caught by the police shortly after the incident.
- 73% of the victims of rape were called to the police station to recognize the faces of the accused. All the victims of the rape said that their FIR was not registered in the presence of the magistrate, which means that Sec.164 was not used at all.

ROLE OF MASS MEDIA IN THE PREVENTION OF RAPE INCIDENTS

- 30% media personnel said that factors responsible for the rape incidents are that sexual materials are explicitly shown in the media, lack of political will to combat such crimes, societal norms and values have become weak, low conviction in all cases etc.
- 20% media personnel said that the factors such as to sensitize people, that the news should not be provocative in nature and victim's identity should be concealed, precaution regarding the rape case and alerts about bad elements prevailing in the society are considered for the presentation of the rape case in the newspapers/ news channels.
- 30% of the media personnel said that all future prospects of the rape victim are hindered.
- 30% media personnel said that police is easily influenced by other source.
- 25% Media personnel said that the family members start to worry about their female
- Members when any rape case is highlighted by media and take proper precautions against such cases. Media personnel said that the criminal justice system is less media friendly.
- 35% Media personnel said that rape should be subjected to strict punishment so that the Other prospective offenders can take lessons from the previous convictions and in this way we can control the increase in rape incidents.

LITERATURE REVIEW

Ramaiah et al. (2011), on the basis of provisional data of Census 2011, NFHS-I, II, III and Sample Registration System, conclude that the child sex ratio has declined to the lowest level since Independence. Declining sex ratio at birth (SRB) and excess female mortality over males are significant factors behind deteriorating child sex ratio in India. Both indicators have been recorded very poor in these states where the child sex ratio has declined to very low level.

Lin and Adsera (2012) explore the association between son preference and the larger gender gap in the hours of housework done by children in India. By using the data of NFHS-3, they constructed an index for son preference based on mothers' opinion on the ideal proportion of sons.

Their study concludes that in the family where son preference is high, girls have to play domestic deeds more than their male siblings. Son preference is correlated with an increase in girls' relative burden of housework that is around 2.5 more hours than boys. This association has been found statistically significant across the family size. The study observes that parents train their daughters according to the norms that are considered to be socially fit and engage girls in additional household responsibilities. Boys do less work (around 0.15 weekly hours) than girls in families where son preference is found high, whereas, in the family where there is no son preference, girls work only around 0.7 more hours.

Toppo et al. (2012), on the basis of the primary survey, conclude that if the previous child is a female, there is a great possibility of masculinization of the child sex ratio in subsequent birth orders because people want at least one male child in the family. Strong son preference is the primary cause which decides the couple's attitude towards daughters and provokes them to abort the female foetus from the womb. In these circumstances, education and high income act as stimulators to use sex selection techniques because the study observes that educated and wealthy mothers have strong desire to get sons.

Dreze and Sen (2013) argue that one of the major problems in India is the higher incidences of mortality of female children over male children. This difference in mortality arises not only due to female infanticide and deliberate killing but also largely due to the neglect concerning basic needs of female children. A regional level analysis shows that excess female mortality is found prevalent in north and north-west while it is not much intense in the south.

Iyer (2014) says that genocide of girl children (foeticide and infanticide) is increasing in all the states, classes, castes and communities in India. Several social, economic and legal factors have played a role in rising cases of foeticide and infanticide. In the result, the child sex ratio has declined very fast in the country. If the problem persists for a long time, it may lead to the social disaster. So there is a need to introduce multi-pronged strategies to save the country from the social disaster.

Meenu (2014) focuses on the social, ethical and legal aspects of female foeticide. She says that social evils like dowry, the crime against women, small family norms, the problem of security of girls, traditional thoughts, and lack of political will and failure of effective implementation of PC & PNDT Act have increased the magnitude of female foeticide.

Kumari and Kajal (2014) argue that there are enough and effective rules and regulation to check the sex determination in India. But Indian society uses sex selective techniques, not as an exception rather as a

general rule. They regard that in Indian patriarchal society, sons are perceived more valuable than daughters. They justify their argument on the basis of religious scriptures that a son is necessary for salvation because he alone can light the funeral pyre and perform other death-related rituals and rights.

OBJECTIVES OF THE STUDY:

- To find out the reasons behind increasing rate of crime such as rape in India.
- To critically evaluate the fact that crime against women may be largely attributed to the patriarchy and social formation.
- To investigate whether rape is a deviant act or it's a consequence of gender subordination
- To analyze the social and cultural responses to Rape in India.

RESEARCH METHODOLOGY

All progress is born from the investigation. Doubt is often better than overconfidence, because it leads to investigation, and investigation leads to the invention of the famous Hudson Maxim in the context of the importance of research. Analysis techniques are the various processes, schemes and algorithms used in science. The techniques used by a researcher in the course of a research study are referred to as research methods. They are essentially prepared, science and value-neutral. Those comprise analytical methods, laboratory experiments, computational systems, mathematical strategies among others. Research methods help us to collect samples, data to find a solution to the problem.

It is also defined as the study of the methods by which knowledge is acquired. The goal is to lay out the study work schedule.

RESEARCH DESIGN

It's a way to solve the research problem systematically. It can be understood as a science of studying how scientific research is done. In it, we study the various steps that are generally taken by a researcher to study his research problem along with the logic behind it (Kothari, 1985). Essentially, the techniques by which researchers carry out their task in identifying, interpreting and forecasting anomalies are called the science technique. It is crucial for the investigators to learn not only the methods / techniques of analysis, as well as the methodology. Researchers require not just to continue developing certain indices or tests, how and when to calculate the mean, mode, median or standard deviation or chi-square, how to implement

specific research techniques, but also to understand whichever of these methods or techniques are relevant & which are not, and what they would mean and indicate, and why.

Scientists will have to consider the principles next to specific methods, so they need to know the parameters variables which they will evaluate whether certain strategies should be relevant to certain situations and not to others. All this means it is important for the researcher to devise his method for his case, as it may vary from issue to issues. As we speak about research methodology, we not only think about research methods but also understand the rationale behind the methods that we use in our research study and clarify why we use a particular method or technique and why we do not use another so that the results of the research can be tested either by the researcher himself or by others that were initially intended to perform the research. My awareness of the different types of abuse (such as gang rape, jail rape, war rape, etc.), the different actors and the different responses to cases led me to examine multiple cases in order to see whether there is a common thread in India. The thesis examines three different cases of rape and torture in India in order to understand the role and reaction of systemic (government institutions) and culture (citizens).

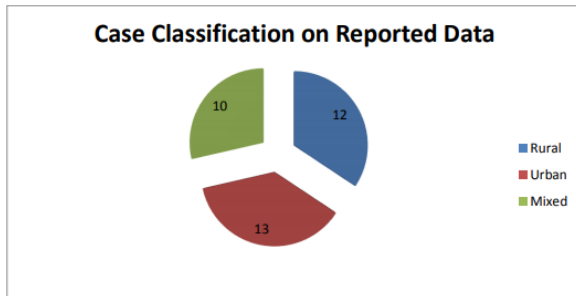
Since the topic of the study is very sensitive, I faced lot of problems to have an access to reality in regards to rape in our society. None of the methodological tools available for the research was found to be suitable to know about the all dimensions related to rape. Therefore, the challenges before me were to decide the methodological strategies and techniques which can enlighten me for this research. To start with I tried almost all of the techniques such as feminist's methodology, nonparticipatory observation even the direct interview with those who were the victims and also those who were the perpetrators of this sexual crime but fail to gain substantive and relevant information regarding rape incidents in the area of study.

Moreover, I also tried to approach the police stations where behavior of police officers at the police stations in the beginning disappointed me a lot but as the research progressed further they went upon to help. Finally, I came across an advocate in the court of Varanasi who got me a lot of cases which were pending in the court. Apart from this source I also salvaged lot of relevant materials from the newspaper, reports, and electronic media coverage. The present study is by nature exploratory. It has different levels of methodological strategies which helped me arrived nearer to the reality of rape as a phenomenon. In the present study we have gather the facts both from the primary and the secondary sources the victims of rape are placed in the context of caste, age, place, gender, marital status, urban and rural area of Varanasi district provided the universe of the study. The study involves the multi-stages. At the first stage of research we have done

the content analysis of unstructured information available in the various national and local newspapers, reports of NGOs, and also the cases of the rapes available both subjudist finally trialled court cases of rape. We have gathered some of the case studies containing the opinions and feelings of victims as well as the criminals responsible for crime of rape. While selecting the court cases and the case study our focus always remained on gender- caste-class relationship. The method chosen for this study is the case study approach to understand real-life phenomena using multiple cases. Although all designs can lead to successful case studies, multiple case designs can be preferred over single case designs because the chances of carrying out a good case study are better because it is difficult to generalize from one case (Victor 2006: 20).

According to Tim May, a researcher must interpret the significance of an event, so that values are unavoidable. I did not consider conducting interviews because of the difficulty in finding the appropriate candidates in the region and the validity of the interviews may be affected if the person who can inform about a variety of aspects of the study is not interviewed. In this study, however, survey studies can not be assumed to be reliable because the method is based on a questionnaire (May 2001: 97, 133). As a human rights researcher, it is important to be aware of the constraints and to try to increase the credibility of the study by confirming the validity and reliability criteria. A library providing both primary and secondary sources will, however, be accessed since the analysis of field materials forms the special feature of a case study apart from the use of other reliable materials for the study (May 2011: 77, 238). I have used administrative documents and other event or case reports, relevant books and UN documents, news clippings and articles in the mass media, journals or the Internet. Reliable organizations such as Amnesty International, Human Rights Watch, the United Nations including various United Nations agencies such as UNFEM, WHO and other relevant regional institutions have also been used to interpret and understand the various cases. These materials or documents provide details, including context, of rape cases. In the human rights perspective, I have examined both regional and international legal instruments to understand the violations.

District	Total Number of reported cases from district	Number of cases from rural areas	Number of selected cases from urban area	Number of selected cases from mixed population Areas
Varanasi	35	12	13	10



In the second stage twelve cases from rural settings and thirteen from Varanasi city and ten from mixed population areas were selected. The selection is based on purposive sampling method. At times snowball sampling was also used because this method of recruiting participants gives us suitable way of approaching appropriate individuals within a specific field especially when the researcher would otherwise find difficult to make direct contact with appropriate individuals or when response rate is expected to be very effective in terms of resolving issues of access as it was in this study, it may result in the finding privileging the views of life minded individuals rather than those of the relevant population of the as whole. The selection of interviewees based on recommendation of other participants commonly creates a sample similar experienced perspective. However, as the sample included stockholders in very different professionals' roles for example police officer's vs staff from women NGOs, advocates vs. media persons a diverse interview was explored.

Thus, the sample is probably as representative as possible given the difficulties were not both in accessing suitable participants and in persuading them to contribute to time consuming interview research. Before focus group discussion participants were given information about research and were asked to signed consent from this stated that the respondents could withdraw from the study at any time without explanation. All the representatives of women organization involve in this study were asked if the name of their organization could be used in the report. All consented despite the fact that as several of the organizations are small and have a limited number of staff. The unstructured schedule and the series of open ended questions were developed to ensure that interviews explore key cases in depth. The focus group discussions were conceived as semi structured to allow for topics raised by the respondents to be explored even if this took the interviewees beyond the scope of the schedule as a result FGD represented a mixture of conversations embedded question with schedules used flexibility the guide rather than control discussant. This approach first within the tradition of interpretative constructivist thinking. Responsive discussion aims to recognize that both the researcher and the discussant bring their own feeling, personality, interest and experiences to the discussion situation.

During the FGD a dynamic relationship was created that may challenge both the researcher's and discussant's understanding of issues being discussed, thus FGD settings provided an arena for dialogue and conversation that was used to create to the depth of understandings rather than breadth. A strategy of engagement of the part of the discussant instead of more traditional approach that privileges this engagement and distance is a vital aspect of many feminist methodologies within emphasize the connection between knowledge, theory, language and experience.

CONCLUSION

This study was an attempt to break and explore this silence. The hardest part was to "meet" and "talk" with rape victims. The difficulty of tracking and ultimately talking to victims of rape proves the difficulty of studying a phenomenon like rape. This difficulty forced me to redefine my original research in order to investigate rape victims. Field work was not carried out in a limited area of study, such as a village study or a slum study or a mill. The attempt was "thematic." What bound the study was the rape phenomenon. It was, however, mostly confined to Varanasi. I talked to the victim in Varanasi in the case of the rape.

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