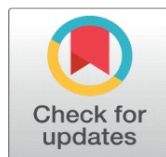
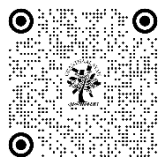


CRIMES PERPETRATED AGAINST WOMEN IN A CITY OF NORTH INDIA

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DOI

[10.29121/shodhkosh.v5.i6.2024.4022](https://doi.org/10.29121/shodhkosh.v5.i6.2024.4022)

Funding: This research received no specific grant from any funding agency in the public, commercial, or not-for-profit sectors.

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ABSTRACT

This study investigates the patterns and prevalence of crimes perpetrated against women in Srinagar, a city in Kashmir, Northern India, where socio-political conflicts and gender-based violence are deeply intertwined. It explores various forms of violence, including domestic violence, sexual assault, honour killings, and harassment, amidst the backdrop of Kashmir's complex socio-political landscape. Using data from the Women's Harassment Cell in Srinagar, the study presents a quantitative analysis of 136 cases of violence against women, focusing on the socio-demographic characteristics and types of crimes. The results highlight that domestic violence is the most prevalent crime (50%), followed by drug abuse-related violence (25%). The study also sheds light on the socio-economic challenges faced by women, with a significant number of victims coming from lower socio-economic backgrounds. Key findings suggest a correlation between violence and cultural, legal, and psychological factors exacerbated by the region's prolonged conflict. The research aims to enhance understanding of the systemic inequalities faced by women in Kashmir and calls for comprehensive legal and social reforms to address these pervasive issues.

Keywords: Crimes Against Women, Kashmir, Gender-Based Violence, Domestic Violence, Honor Killings, Sexual Violence, Socio-Economic Factors, Women's Rights, Srinagar, Conflict Zones, Mental Health, Social Stigma, Legal Challenges, Women Empowerment, Gender Equality



1. INTRODUCTION

Kashmir, situated in the northern part of the Indian subcontinent, is a region characterized by its scenic beauty, cultural richness, and complex socio-political dynamics.¹ The region's history is marked by a series of political upheavals, including periods of independence, foreign invasions, and conflicts over sovereignty.² Instances of offences committed against women in a region of Kashmir, North India, depict a troubling narrative of gender-based violence and systemic inequalities. These instances encompass a spectrum of crimes, ranging from domestic violence, dowry harassment, and sexual assault to honor-based violence, acid attacks, and cyber harassment.³ Delving into the intricate fabric of societal dynamics, this study embarks on a journey to unravel the multifaceted patterns of offences perpetrated against women in a city nestled within the serene valleys of Kashmir, North India's.⁴ Historically, Kashmir has been a melting pot of cultures, influenced by various civilizations and dynasties over the centuries. Its strategic location in the Himalayas has not only made it a coveted territory but has also contributed to its cultural diversity and geopolitical significance.⁵ The Kashmir conflict, rooted in competing territorial claims and aspirations for self-determination, has had far-reaching implications for the region's inhabitants, shaping their identity, aspirations, and everyday realities.⁶ Beyond its geopolitical significance, Kashmir holds cultural and religious significance for millions of people worldwide. It is revered

by Hindus, Muslims, and Buddhists alike, with sacred sites and pilgrimage routes scattered throughout the region. This cultural tapestry, woven with the threads of diverse traditions and beliefs, contributes to Kashmir's unique identity and allure.⁷The background and context of Kashmir are shaped by its diverse cultural heritage, tumultuous history, and complex socio-political dynamics. Understanding these factors is essential for comprehending the challenges faced by the region and its people, including issues related to gender-based violence and women's rights.⁸A comparative look at the data over five-years from the National Family Health Survey (NFHS5) for Jammu and Kashmir (J&K) reveals that crimes against women have increased more in Kashmir as compared to Jammu and Ladakh. (Instances of offences committed against women in Kashmir violence against women (VAW) in JK). In the same time as Kashmir registered 1756 cases of violence against women, Jammu registered 1570 and Ladakh registered only 50. Ten percent of women in the age group 18-49 experienced physical violence in the period 2019-20 (The Jammu and Kashmir Reorganisation act of 2019) reconstituted the territory of Jammu and Kashmir into two Indian administered Union territories- 'Jammu and Kashmir', and 'Ladakh'. while there has been a 0.2% increase in domestic violence from five years. Since the coronavirus pandemic lockdowns, the situation has worsened.⁹

Sexual Violence

Sexual violence has been a major issue in Kashmir, mostly during periods of intensified conflict. Allegations of sexual harassment by security forces, rebels and other parties have been reported. The infamous KunanPoshpora Mass Rape (1991) is a notable and devastating example where around women were allegedly raped by Indian Army during a search operation.

Domestic Violence

Domestic violence remains a notable matter in Kashmir. Traditional autocratic standards, social stigma, and limited access to support facilities make it tough for women to report abuse or seek justice. Women in Kashmir have faced physical, emotional, and psychological abuse at their houses, heightened by the tension of the continued conflict, replacement and social pressure.

Honor Killings and Forced Marriages:

Honor killings are reported in Kashmir particularly at rural places, where women who are recognized to have disgraced their families may face violent retaliation to the extent of murder. the control of women's personal choices have been manipulated. These practices of control and manipulation often go disregarded or not reported due to family and social pressures.

Trauma and Mental Health Issues

The ongoing conflict in Kashmir with the prevalence of gender based violence has led to extensive Psychological trauma. Most women in Kashmir suffer from mental health issues like anxiety, depression and (PTSD) post traumatic stress disorder due to the regular fear of violence, loss of family members, and the disruption of their daily lives.

Impact of Security Forces

There are numerous reports of women being mistreated, tortured and harassed by security forces during search operations or curfew time. The infamous Chattisinghpura massacre (2000), where around 35 Sikhs were murdered also reportedly involved the assault on women during the search or investigative operations.

Social Stigma and Cultural suppression:

Women who share their experiences of any type of gender based violence often face isolation as well as stigma. Some parts of Kashmiri society remain reluctant to address these issues and victims are often pressurized to stay silent to protect family's glory. Moreover, the conflict has encouraged the traditional gender norms which makes it difficult for women to seek justice.

Social and Legal Challenges:

Impunity (freedom from punishment) and Lack of Accountability(responsibility): instances of gender based violence in Kashmir remain unpenalized mostly due to the lack of responsibility from security forces and armed groups involved. Laws like the Armed Forces Special Powers Act (AFSPA) have provided resistance to military making it hard for victims to seek justice.

Limited Access to Justice: Women often face barriers in accessing justice due to the unpredictability of the volatile situation of valley and long ongoing judicial processes and delay in legal process.

2. BACKGROUND AND CONTEXT

Kashmir, situated in the northern part of the Indian subcontinent, is a region characterized by its scenic beauty, cultural richness, and complex socio-political dynamics. Historically, Kashmir has been a melting pot of cultures, influenced by various civilizations and dynasties over the centuries. Its strategic location in the Himalayas has not only made it a coveted territory but has also contributed to its cultural diversity and geopolitical significance.¹⁰ The region's history is marked by a series of political upheavals, including periods of independence, foreign invasions, and conflicts over sovereignty. In the modern era, Kashmir's status as a disputed territory has been a source of contention between India, Pakistan, and China, leading to ongoing tensions and periodic outbreaks of violence. The Kashmir conflict, rooted in competing territorial claims and aspirations for self-determination, has had far-reaching implications for the region's inhabitants, shaping their identity, aspirations, and everyday realities.¹¹

Beyond its geopolitical significance, Kashmir holds cultural and religious significance for millions of people worldwide. It is revered by Hindus, Muslims, and Buddhists alike, with sacred sites and pilgrimage routes scattered throughout the region. This cultural tapestry, woven with the threads of diverse traditions and beliefs, contributes to Kashmir's unique identity and allure.¹²

The background and context of Kashmir are shaped by its diverse cultural heritage, tumultuous history, and complex socio-political dynamics. Understanding these factors is essential for comprehending the challenges faced by the region and its people, including issues related to gender-based violence and women's rights.¹³

3. OBJECTIVES

- 1) To assess the pattern of crimes committed against women in Srinagar City
- 2) To study socio economic profile of female violence victims.

4. METHODOLOGY

After seeking permission from the concerned authority, the study was conducted in a women harassment cell, Srinagar, where cases of violence against women in district Srinagar are registered. Quantitative methods involving a predesigned questionnaire was used to assess the frequency and spatial distribution of violence against women in the city of Srinagar chosen by using random sampling techniques.

5. RESULTS

A total of 136 cases fulfilling the inclusion criteria were considered in our study. **Table 1.** reveals the socio demographic characteristics of women violence victims from district Srinagar. Out of 136 cases registered a large proportion (63) belonged to the age group of 19-40 years which was followed by 34 cases belonging to the age group of 41-60 years.

Modified B.G.Prasad's scale (2023) was used for socio economic classification. Maximum (45) cases belonged to the socioeconomic class of V indicating preponderance of violence in lower socioeconomic set up which was followed by 44 cases belonging to the socioeconomic class IV.

Table 1. also reveals the education status of violence survivors. Of total 136 cases reported, around 45 cases were illiterate followed by 37 cases having educational status upto secondary level.

As far as marital status of the cases is concerned, around 87 cases were married as compared to 24 cases who were either divorced or separated.

Table No. 1 Socio demographic characteristics of violence survivors. (n=136)

Socio demographic characteristics	Number (%)
<i>Age group(years)</i>	
<18	20

19-40	63
41-60	34
61 and above	19
<i>Socio economic status</i>	
I	32
II	5
III	10
IV	44
V	45
<i>Education</i>	
Illiterate	45
Primary	22
Secondary	37
Higher	32
<i>Religion</i>	
Hindu	22
Muslim	93
Others	21
<i>Marital Status</i>	
Married	87
Unmarried	15
Divorced/ Separated	24
Widow/ Widower	10

Table. 2 reveals that majority (68) of the crimes committed against women were of the nature of domestic violence and the second major violence committed against women was committed by a person under the influence of drug abuse (34), followed by desertion (13), online scam (11) and poverty reasons (10).

Table 2. Types of crimes perpetrated against women

Types	Number	Percentage (%)
Domestic violence	68	50
Desertion	13	10
Online scam	11	8
Poverty reasons	10	7
Drug abuse	34	25
Total	136	100

CONFLICT OF INTERESTS

None.

ACKNOWLEDGMENTS

None.

REFERENCES

- Sumantra Bose, *Kashmir: Roots of Conflict, Paths to Peace* 91 (Harvard University Press, 1st Edition, 2003).
- Aili Mari Tripp, Myra Marx Ferree, and Christina Ewig (Eds.), *Gender, Violence, and Human Security: Critical Feminist Perspectives* 135 (NYU Press, 1st Edition, 2013).
- Amrita Basu, *Women's Movements in the Global Era: The Power of Local Feminisms* 195 (Westview Press, 1st Edition, 2010).
- Garcia-Moreno, Claudia et al. "Gender-Based Violence and Health: Systematic Review of Population- Based Studies." 393 *The Lancet* 1165 (2019).
- Sumantra Bose, *Kashmir: Roots of Conflict, Paths to Peace* 91 (Harvard University Press, 1st Edition, 2003).
- Aili Mari Tripp, Myra Marx Ferree, and Christina Ewig (Eds.), *Gender, Violence, and Human Security: Critical Feminist Perspectives* 135 (NYU Press, 1st Edition, 2013).
- Bowleg, Lisa. "Exploring the Intersection of Race, Gender, and Violence: The Impact on Women's Health." 31 *Journal of Ethnic & Cultural Diversity in Social Work* 35 (2019).
- Sylvia Walby and Jude Towers (Eds.), *Gender-Based Violence: Concepts, Methods, and Findings* 247 (Oxford University Press, 1st Edition, 2018).
- IIPS, IFC, East-west Institute, 2019-2020 National Family health survey Jammu and Kashmir (2021), available at https://dhsprogram.com/pubs/pdf/FR375/FR375_II.pdf. (Accessed 16 Nov 2024)
- Sumantra Bose, *Kashmir: Roots of Conflict, Paths to Peace* 91 (Harvard University Press, 1st Edition, 2003).
- Aili Mari Tripp, Myra Marx Ferree, and Christina Ewig (Eds.), *Gender, Violence, and Human Security: Critical Feminist Perspectives* 135 (NYU Press, 1st Edition, 2013).
- Bowleg, Lisa. "Exploring the Intersection of Race, Gender, and Violence: The Impact on Women's Health." 31 *Journal of Ethnic & Cultural Diversity in Social Work* 35 (2019).
- Sylvia Walby and Jude Towers (Eds.), *Gender-Based Violence: Concepts, Methods, and Findings* 247 (Oxford University Press, 1st Edition, 2018).