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Rape: A Social Vice in India

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ABSTRACT

Rape is a forceful sexual activity against the will of the victim. Rape is a serious offence which has first registered even before the Indian Penal Code, 1860 was drafted. Earlier during those days it was used to protect women below the age of 10 years and later revised to the age of 15 in 1940. According to the statistics released by India's National Crime Records Bureau released in the year 2022 an average of 90 rape cases were registered on a day which is very disheartening to see even in this 21st century. Section 375 of the Indian Penal Code deals with the definition of Rape and Section 376 and its clauses deal with the punishments for rape. The main objective is to study the reasons and effects of rape on the offenders as well as the victims in our society. The research question here is Whether Indian laws are stringent and efficient in preventing rape? The researcher has followed the empirical research method using a convenient sampling method. The sample size of the study is 105. The result observed from the study is that most people are aware of the laws available to the victims of rape and assault and the laws enacted by the government that help make society assault-free. The suggestion of this study is to increase awareness of rape and make people aware of the rules available and educate children from a very young age.

Keywords: Forceful, India, Rape, Sexual Intercourse, Women.

I. INTRODUCTION

India has experienced phenomenal growth in the past few decades but criminal offences against women have not reduced till date. Females almost constitute half of India's population and being a country that worships females is not entirely safe. Every day female children are victims of sexual harassment in every other possible way. Rape is a crime that was recorded even before the drafting of Indian Criminal Laws but still is a well-known topic that even every other human being knows and many are afraid of it.

Also, many people think rape constitutes only forceful sexual intercourse where the man forcefully inserts his penis into the vagina of the woman and but laymen don't even know that rape doesn't only constitute that but also any object in any part of the body of the woman. It is dreadful to say that even educated people don't know about this fact.

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As mentioned earlier India is a harmonious country that believes in the slogan 'Maitri Devo Bhava' which states that women are to be worshipped in our country. Even today many rape cases go unreported which does not mean rape is a smaller offence, many people think that rape is done to a sinner and hence rape victims are often told that rape is done because of their mistake and the offender is mostly not criticised in society.

It is even more depressing to pen down that rape of a female child is not only done by a stranger but also by their family members including fathers, uncles, brothers and more. It should also be noted that not only women face rape but also men face the same but only in rare cases. Rajasthan, Uttar Pradesh and Madhya Pradesh still top the list where rape cases are registered more whereas Sikkim, Nagaland and Goa are the least.

Victims of rape cases being reported these days don't have a proper age scale as even 1 month old is being raped and 70 years is also being raped and the offenders are also minors who are even barely 12 years old. With these, we can see that there is a need to make stringent laws in Juvenile Justice Homes too.

People who assume to be from an orthodox or so-called conservative family still think rape is a factor because of women's dress, which is a highly criticised factor where our constitution being drafted in 1950 itself states about equality. The term 'Equality' and 'Equal Freedom' is often misunderstood it is not something that states women should do everything just like a man should do but gives them the right to do and choosing it entirely lies in the hands of the women. Every woman has equal rights and they have to be treated equally such as equal pay for women.

A Rape victim is not treated equally in society and society blames her, does it mean a child of 2 or 3 years old is a sinner? Whereas the offender even though being a child after serving his punishment returns to lead a normal life, here the offender's parents are the real sufferers in the society who get criticized every single day.

Indian Penal Code is being replaced by the Bharatiya Nyaya Sanhita which will take effect from 1st July 2024 but will it help in reducing the number of rape cases being recorded, Are the punishments stringent enough? At times we will that the punishment given in Gulf countries needs to be implemented for rape offenders who have committed such heinous acts.

(A) Objectives

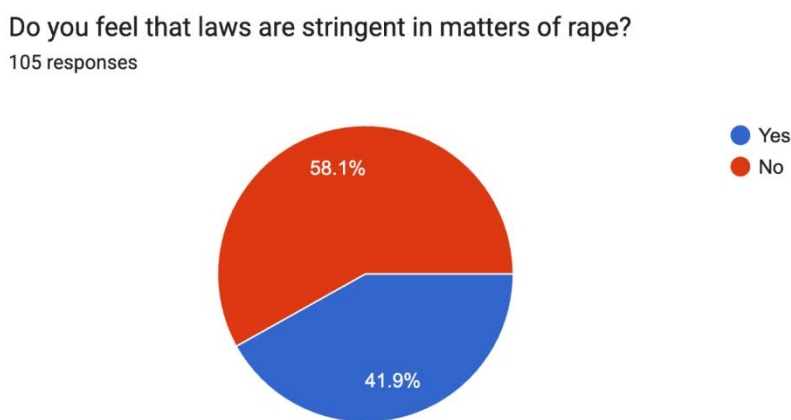
- To study the reasons for Rape in India.
- To know the effects of Rape victims and offenders in India.
- To create awareness and suggest remedial measures to curb Rape in India.

(B) Research Methodology

The research method followed here is empirical research. A total of 105 samples have been collected out of which all samples have been collected through a convenient sampling method. The sample frame taken here is public areas in and around Chennai, Tamil Nadu like Thandalam, Kuthambakkam, Kodambakkam, Nungambakkam, and Valasaravakkam. The statistical tools used here are graphical representations.

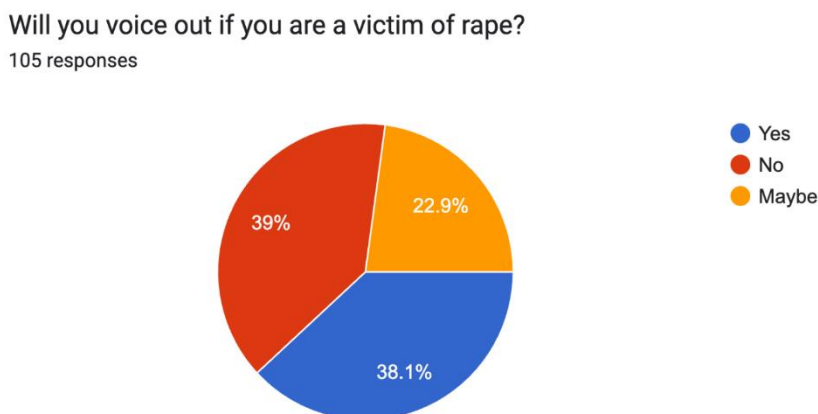
II. ANALYSIS

Figure 1:



Legend: Fig 1 shows the opinion of the respondents on the strictness of law in matters of rape.

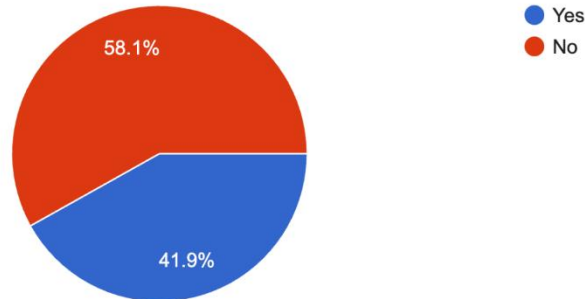
Figure 2:



Legend: Fig 2 shows the opinion of respondents on whether they will voice out if they are a victim of rape?

Figure 3:

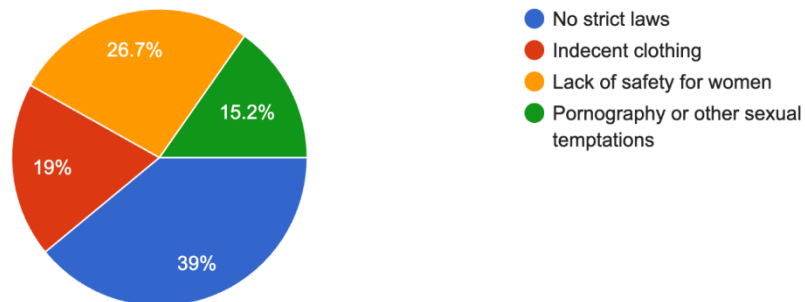
Do women really feel safe in India?
105 responses



Legend: Fig 3 shows the opinion of respondents whether they feel safe in India on matters of rape?

Figure 4:

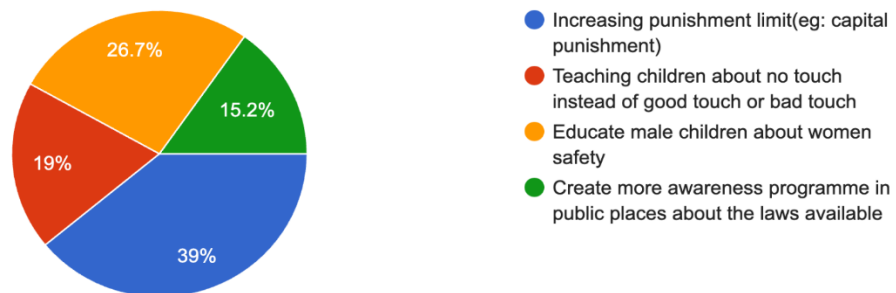
What do you think is a reason for the happenings of rape?
105 responses



Legend: Fig 4 shows the opinion of the respondents on the reasons for the happenings of rape.

Figure 5:

Which among the following will be a suitable preventive measure of rape?
105 responses



Legend: Fig 5 shows the opinion of the respondents which they feel would be a suitable preventive measure of rape.

III. DISCUSSIONS

The study shows whether the respondents agree to the already existing stringent laws on rape where 58.1 people feel that the laws are not stringent enough and 41.9 people feel that the laws are already stringent enough. (Fig1). Also, only 38.1% of people have responded that they will voice out if they become a victim of rape and 39% people have responded that they will remain silent and would not voice out in case of being a rape victim and around 22.9% of the respondents have responded with a maybe answer which shows that they are in a dilemma with other external pressures which are kept in mind while answering(Fig 2). It is unfortunate to state and show that 58.1% of the respondent population feel that India is not safe for women when accounts to rape whereas 41.9% responded that they are safe in India and also have not faced any such situations. (Fig 3). 39% of the respondents feel that the major reason for rape is because of the lack of strict laws governing it, 26.7% of them feel that there is less safety for women, 19% think it is because of the indecent clothing of women and 15.2% people think it is because of pornography and other sexual temptations which is being a reason for rape. (Fig 4). Similarly, 39% of the respondents feel that increasing the punishment for rape is a useful preventive measure and 26.7% of respondents felt that educating male children and 19% felt that teaching children not to touch instead of good touch and bad touch and 15.2% responded that creating public awareness on rape and the laws available to the victims and the punishment for the offenders is a preventive measure to stop rape. (Fig 5)

IV. LIMITATIONS

One of the major limitations of the study is the sample frame. There is a major constraint in the sample frame as it is limited to a small area. Thus, it proves to be difficult to extrapolate it to a larger population. Another area for improvement is the sample size of 105 which cannot be used to assume the thinking of the entire population in a particular country, state, or city. The physical factors have a larger impact, thus, limiting the study.

V. CONCLUSION

Based on the results of the analysis, it has been found that most people are aware of the laws available and governing rape. They also show a considerable amount of support towards the make the laws stringent to eradicate rape which is a serious offence against women. The Government is also conducting more awareness camps and making laws more stringent to

eradicate rape and assault in any form. The suggestion given for this study is to report any rape and abuse occurring around you to legitimate specialists. Teach your companions, family, and local area about the laws available and also about the new laws BNS which will take effect from 1st July 2024, and vow never to be a piece of any occasion that advances any form of harassment.
