

The Problem of Rape in India: A Multi-Dimensional Analysis

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ABSTRACT- Though there are several viewpoints on rape and associated crimes, most studies are fragmented, necessitating a holistic approach to better understand the causes and repercussions of rape. Sexual assaults and murders are extremely horrific crimes that cause bodily harm, mental distress, and even death to victims. Sexual assault is one of the most prevalent yet unreported crimes, with the WHO estimating that 150 million girls and 73 million boys underneath the age of 18 were victims in 2002. Vaginal-fingering, anal-fingering, vaginal and/or anal penetration, psychiatric viewing of genital parts, voyeurism, and pornography are all sexual practices that kids under the age of 18 are exposed to. The current investigation, which will be based on root cause analysis, aims to bring together a diverse range of viewpoints while also imagining a macro lens of research and multidimensional understanding for the rape incidence. Psychological theories were used to study and define the conduct of the victim, demonstrators, and criminals engaged in the gang rape that occurred on December 16, 2012 in India.

KEYWORDS- Crimes, Criminals, Genital, Rape, Womens.

I. INTRODUCTION

“On some position, cowardice ask the question “Is it safe?”

Expediency ask question “Is it polite?”

And vanity come along and ask question “Is it popular?”

But conscience asks question “Is it right?”

And there comes a time when one must take a position

That is neither safe, nor politic, nor popular,

But he must do it because conscience tells him it is right”.

Dr. Martin Luther King, Jr.'s quote above invites us to consider what is most essential to us, both individually and socially. Raped, sexually assaulted, and verbally abused women of all ages and socioeconomic groups have become all too prevalent in India. As a consequence of these crimes, thousands of women are upset and their safety is jeopardized. The research looks at 'Rape' and its occurrence in India from a range of micro and macro perspectives, including institutional, sociological, and psychological theories. It provides recommendations for correcting the problem. The article gives a Root Cause Analysis of a rape case that happened on December 16, 2012 in New Delhi and received national and worldwide attention due to its severity[1][2].

A. The Incident:

The rape event in New Delhi, India's capital, on December 16, 2012, shocked the whole nation. Six guys gang raped a 23-year-old lady on a moving bus. At around 9.30 p.m., the lady, a psychotherapy student, and her male companion were returning home from a movie in Saket, a popular area in South Delhi. They assumed it was a public bus until they entered a premium luxury whites bus to their destination. Five guys and the bus driver were the sole passengers on the bus. The bus was diverted from its regular route to a remote area, and the doors were shut behind them without their knowledge. The woman and her buddy were harassed by the driver and the five males. When the companion objected, he was hit in the head and knocked out. They carried the woman to the driver's cabin and assaulted her while the bus was moving. The two were thrown off the moving bus and found sprawled on the road by Delhi Police. The pair was taken to the hospital by police, where the lady was treated[1][3][4].

B. The Aftermath:

The perpetrators were brought into custody by police within 24 hours of the event, according to reports. Five of the males arrested were between the ages of 19 and 35 and were inebriated; the sixth offender was a child. Because they were not authorized to pick up passengers, the guys were driving the bus unlawfully. Prior to the rape, the group reportedly robbed another passenger, a carpenter, who'd already boarded the bus believing it to be a legitimate bus, and then fled. According to medical sources, the woman sustained serious injuries as a result of the assault. The woman fought the assailants courageously, but was outnumbered, according to the police. In a New Delhi hospital, the lady, who was in serious state, got the best medical care possible. Her condition remained severe. It was eventually agreed to send her to a Singapore-based sophisticated multi-organ transplant specialty facility[5][6][7].

The woman struggled for her life there, but her condition worsened, and on December 28, 2012, she died of cerebral edoema. Her corpse was repatriated to India on December 30, 2012, and cremated in Delhi under tight security. The use of audio-visual, print, and social media in commemorating and reporting the event, and also responses and perspectives from individuals from all walks of life throughout the country, were all important. This not only raised awareness, but it also made them angry, resulting in unprecedented social assistance in the form of popular movements encompassing corporate organizations, school / university students (both boys and girls), working professionals, housewives, as well as the

common man in different areas of the country through candle marches, slogan shouting, and demands for immediate action against the assailants through candle marches, slogan shouting, and demands for immediate action against the assailants through candle marches, slogan shouting, and demands for immediate Sections 307 (attempt to kill), 201 (destruction of evidence), 365 (kidnapping or abducting), 376 (2) (g) (gang rape), 377 (unnatural crimes), 391 (hurting in the course of robbery), and 34 of the Indian Penal Code were used to prosecute the six individuals (common purpose)[1–3][8].

C. Analysis of the Problem:

Root Cause Analysis is a technique for identifying the root reasons of a problem's occurrence. This method attempts to understand the why of an issue in addition to the "what" and "how" of a problem in order to give solutions for preventing its recurrence. It is defined as "a organised inquiry aimed at identifying the real source of an issue and the activities required to solve it". This method of analysis is flexible and typically requires a series of stages that may be identified. This research uses a five-step approach to conduct an investigation on the issue of rape in India. The first stage entails explaining the nature and symptoms of the condition under examination. The second phase produces proof that the first-stage problem is worth investigating. Before looking for the root of the problem, the researcher must thoroughly investigate the circumstance. Examining the factors that enable the issue to occur is the third step. It also searches for other problems that may be contributing to the present problem. The fourth step comprises determining the underlying reasons, or the actual explanation for the problem, in order to go further into the issue. Finally, recommendations based on the fundamental reasons are provided in the fifth step. For instance, how could such events be avoided in the future? Who will be in charge of putting the solutions into action? How can the solutions be put into action?[9][10]

C.i. Step one: Defining Rape:

Rape comes from a Latino term that means "to seize." Rape is described as "sexual assault, generally including sexual intercourse, perpetrated by one or more individuals against the other person without all of that person's permission." Section 375 of the Indian Penal Code defines rape as "intentional, illegal sexual intercourse with a woman against her consent." This is a relatively restricted definition, and it has been questioned for not including other types of sexual assaults on occasion. The problem of rape in India includes a socio-cultural component. Rape not only causes bodily harm to the victim, but it also degrades and tarnishes the victim's spirit, having a catastrophic effect on the victim. Rape may take many forms, including affair rape, stranger rape, gang rape, statutory rape, and spousal rape, to mention a few. When the victim is unable to identify the culprit, stranger rape occurs; gang rape, which includes many offenders assaulting the victim, is the most brutal and revolting kind of rape. Statutory rape is defined as having sexual intercourse with a minor under the age of 18 (below the age of legal consent); marital rape is defined as having sexual intercourse with a spouse[8][11][12].

C.ii. Step 2: The Scope of the Issue in India:

In order to discover the possible causative components that contribute to the issue, this section of the article explores both macro and micro level aspects, such as societal structure, social beliefs, laws, and the like, as well as the assailant's goal and mentality. A close examination of table 2 indicates an alarming rise in rape occurrences in India between 2007 and 2008. However, 2009 saw a little decline followed by a steady climb, with a 9.2 percent gain from 2010 to 2011. Rape is most common in the north, followed by the central, eastern, and southern regions. The West has recorded the fewest instances, followed by the North East of India[3][13–15].

C.iii. Step 3: Identifying the possible causal:

Attacks against women are on the rise in India, a country where several female gods are revered. The questions are: 'How does a rape happen?' and 'How does a rape happen?' and 'How does a rape occur?' 'What drives a person to rape?' "What factors contribute to it?" is a question that has no clear answers. Nonetheless, investigating these concerns is vital in order to develop a crime-prevention plan. This portion of the article investigates both macro and micro level elements, such as societal structure, social beliefs, laws, and the like, and the assailant's purpose and psyche, in order to determine the likely causative factors that contribute to the problem[2][8][11][15].

II. LITERATURE REVIEW

Although the specific nature of these links is still unknown, IcekAjzen's research examines attitudes, subjective norms, and perceived behaviour control that are proved to be connected to appropriate sets of salient behavioral, normative, and controlling views about the activity. In dealing with these relationships, expectancy-value formulas are only partly helpful. As a way of dealing with measurement restrictions, optimal rescaling of expectation and value assessments is presented. Finally, the inclusion of previous behavior in the predicted values is shown to provide a means for assessing the theory's appropriateness, which is another unresolved challenge. In contrary to the ceiling imposed by behavioral dependability, the little evidence available on this topic reveals that the theory is highly good at predicting behavior[16].

Maryam Kouchaki explores the idea of offering unique empirical research, theory development, meta-analysis, and methodological advances related to the journal's substantive disciplines in her research. The journal covers subjects such as perception, cognition, judgment, attitudes, emotion, well-being, motivation, decision-making, and performance. We're searching for pieces that examine these issues from the eyes of people, couples, organizations, and other social groups. In each topic, papers that offer basic and significant advances in our knowledge of psychological processes related to human attitudes, cognitions, and behavior in companies are given priority[15] [17][16].

A two-wave, multilevel study of hospital workers confirms that the efficiency of selfishness on social trying to undermine actions thru the deviance is greater once employees have poor social affiliation with colleagues, and a four-wave, multilevel study of student teams reveals that

the indirect effects of envy on social destabilization via ethical climate are stronger in teams with low team identification, and a four-wave, multilevel study of student athletes reveals that the.[12][18][19][17].

III. DISCUSSION

A. Erik Erikson Identity Theory:

Erik Erikson's psychological theory sheds light on the defendants in the gang rape case, particularly the youngster. Erikson is credited with proposing the first eight-stage model of human development. Each stage displays a character dealing with a range of issues, referred to as crises, that must be resolved adequately before going on to the next. "In a developmental sense, crisis denotes a turning point, a key time of higher vulnerability and heightened potential, rather than a threat of calamity." Erikson (1968, p.96) said. According to Erik Erikson's developmental paradigm, the sixth accused juvenile is in the fifth stage of development[20][21][22][23].

The accused, particularly the adolescents in the gang rape case, benefit from Erik Erikson's psychological theory. Erikson is recognized with being the first one to propose an eight-stage human development model. Each stage depicts a character who is coping with a variety of problems, known as crises, that can only be satisfactorily overcome before moving on to the next. "In a developmental sense, crisis denotes a turning point, a key time of higher vulnerability and heightened potential, rather than a threat of calamity." In his instance, the sexuality and identity problem had not yet been addressed due to his economic condition and demographic profile. This unsolved problem and quest for identity may have led him to do this heinous deed. It's possible that this was his first contact with sexuality, and his interest and need for it fueled his savagery. Although the entire characteristics of the other accused are not available, sexual deprivation as well as an unknown identification in an urban setting may have played a part in their choice to conduct this crime[2][3][12-14].

B. Rational Choice Theory (RCT):

The Rational Choice Hypothesis is another theory that might explain the perpetrators' actions in the case (RCT). RCT was created in the field of economics, but has since been used to a wide range of fields. The theory looks at the impact of incentives and restrictions on behaviour. Beccaria adapted this idea to the realm of criminology (Hayward, 2007), claiming that offenders intentionally assess the potential dangers vs the rewards before deciding whether or not to commit the crime. The accused must have evaluated the danger involved in the leisure activity and judged that it was not only minimal, but also that they could get away with it(24)(20). This is because rape conviction rates in India are very low, owing to poor case reporting and the societal shame associated with the crime, which prevents victims from filing a complaint[1][3][4][14].

C. Social Disorganization Theory:

Social Disorganization Theory (SDT), which provides another viewpoint for interpreting this phenomenon.. "Crime and deviance represent conditions that jeopardize local communities' integrity and weaken the regulating

power of social norms," according to the theory (Baron and Straus, 1987). Some of the causes for criminal activity include migration, separation from family, and marital difficulties (Blau and Blau, 1982). According to their profiles, three of the defendants were residents of neighboring states who had migrated to New Delhi for job. It also implies that, with the exception of one, they were all working away from their spouses. Society's control relaxed as a result of a loss of family life, security, and concealment, prompting the accused to commit such a heinous crime[1-3][8][13][14].

D. Strain Theory:

Strain theory, according to Agnew (1992), may be utilised to examine how people cope with unpleasant emotions by engaging in criminal behaviour. This idea proposes that when people are unable to attain their goals through legal methods, they turn to illegal measures, such as crime. The defendants in just this case come from low-income families and work jobs that struggle to pay for their two daily meals. They did a range of wicked things to gratify their desires. They took INR 8000 from a passenger who was persuaded to enter the car illegally. They would have most certainly spent that money on whiskey to have a good time on the pleasure ride. It's conceivable that they committed more rape crimes in order to satisfy their physical demands and display their manhood[8][11][25].

IV. CONCLUSION

Regardless of the fact that rape is considered a horrific and illegal conduct, the number of victims and the severity of the crime has increased. This crime is on the increase in all civilizations, whether prosperous or impoverished, educated or uneducated, open or closed. The study examines the recent Delhi Gang Rape case from a range of theoretical viewpoints, revealing the issue of rape from social, cultural, institutional, environmental, and individual aspects. Both theoretically and practically, the book contributes to a little-studied problem of rape as a kind of crime against women. A multi-faceted examination into the rape claim might provide a number of advantages. A greater understanding of the circumstances surrounding the rape would almost certainly lead to the introduction of preventative measures. In their examinations, prosecutions, and rehabilitation of criminals, law enforcement organizations might benefit from the theoretical foundations presented in the case study.

Furthermore, rules might be enacted based on more rational and non-emotional factors. Finally, the rape victim's ability to cope with the social and psychological stress resulting from the rape would be aided. After a nine-month court trial, the decision in the Delhi Rape case was launched in November 2013. The four surviving gang rape culprits were sentenced to death by the court (the first accused committed a suicide while he was in police custody and the sixth one was a juvenile).

This case was designated the rarest of the rare by the court. Other provisions of the Indian Penal Code were also changed to include the death sentence in select rape cases. After being left out before, sexual harassment, voyeurism, acid assaults, and stalking were all added in the Act. All of this was done in order to strengthen the country's anti-rape laws and avoid future catastrophes. Although

there are various perspectives on rape and associated crimes, these investigations are fragmented, necessitating a holistic approach to better comprehend the causes and consequences of rape. The goal of this research is to

develop a new lens of inquiry and a comprehensive perspective of rape as a crime against women, and to also bring together many perspectives[2][8][11][12].

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