

GLOBALISATION AND CRIMES AGAINST WOMEN

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ABSTRACT

Crimes against women are increasing day by day in the present scenario. It is a global issue which is faced all over the world. Women's are being exposed to mainly harassment which includes both physical as well as mental and lot of other issues within their homes and outside their homes which includes the society. It has become the situation that women find it difficult live in the society without fear. Even in the 21st era women's find it very difficult to leave peacefully without fear and earn their livelihood. Even though many women empowerment movements and amendments for protection of the women have happened the condition of the women is still the same. There has not been any change in the crimes that is happening to woman all around the world even though lot of initiatives has been taken. The recent example is that of a veterinary doctor who has been brutally raped and burned to death. Even after the nirbhaya case various amendments was brought to the Code of Criminal Procedure Code and various initiatives have been taken for the protection of the women the harassment and violence against is still continuing and its severity is increasing day by day. In this paper it will be analyzed as to how globalization has led to an increase in crimes against women. How increase in globalization has led to increased crime rates against women and what are the measures that are available to decrease the crime rates or what are the remedies available to reduce the crime rate against women's.

Key words – globalization, privatization, liberalization, crimes, sexual violence, bureaucratic regulations.

INTRODUCTION

The term globalization is not a single term or concept which can be defined very easily. It cannot be defined within a specific framework or a process which can be clearly defined having a beginning and a conclusion. It is changing with the changing aspects in the society. It cannot be given a boundary and it is impossible to limit it. It involves changing and blending of various economic policies and the transfer of policies beyond the borders, the sharing of knowledge, cultural stability, a global phenomenon, a revolution and most importantly the setting up of a global market which is free from all the social and political control.¹ It is a concept which has evolved from the past and it took many years to or its evolution. It has been defined in different aspects

¹ G. Gaburro and E. O'Boyle, "Norms for Evaluating Economic Globalization", International Journal of Social Economics, Vol. 30, No. 1/2, 2003,

over years based on its progress, development, stability integration and cooperation.² The political thinking, status, cultural background, religious and ethnic aspects of an individual and a society play a very important role in defining globalization. Swedish Journalist Thomas Larsson, in his book *The Race to the Top: The Real Story of Globalization* (2001) stated that

*“Globalization is the process of world shrinkage, of distances getting shorter, things moving closer. It pertains to the increasing ease with which somebody on one side of the world can interact, to mutual benefit, with somebody on the other side of the world.”*³

The globalization has its impact and expresses its variety of view points on cultural, social, political and economic aspects of the society. It has made the world to become more interconnected with each other. Exchange of money between countries, increase in the volume of trade, development in the information technology and effective communication are the results of increase in globalization. Some of the eminent scholars identify globalization as the thing that transformed the whole world into a global village. Amartya Sen a Nobel Winner and famous Economist has said about globalization as

“Global interaction, rather than insulated isolation, has been the basis of economic progress in the world. Trade, along with migration, communication, and dissemination of scientific and technical knowledge, has helped to break the dominance of rampant poverty and the pervasiveness of nasty, brutish and short lives that characterized the world. And yet, despite all the progress, life is still severely nasty, brutish and short for a large part of the world population. The great rewards of globalized trade have come to some, but no to others.”

The economic impacts of globalization include the creation of greater number of jobs because of the increase in the growth of the foreign companies. Most of the jobs opportunities created in the private sector are now based on service sector. It also has given more choice to the consumers. So the consumers can have their own discretion during the selection of their goods. It has reduced the production of the agricultural sector and also has increased the health care costs. Socio cultural impact of globalization on society provided for getting more access to education to the people. It also helped in the growth of cities. Globalization has a major impact on India. The government of India's major implementations of its economic policy in 1991 facilitated for the foreign investments in the country. In India the economy got expanded during the nineteenth century because of a crisis in the foreign exchange. The effects of globalization in the Indian economy and industry is that many foreign corporations got established in India mainly in the pharmaceutical, petroleum and many other industries. So they helped in creating great employment opportunities. It also helped in reducing unemployment and also helped in the development of the IT field and also business sector in India.⁴ Globalization is often linked with liberalization and privatization. Liberalization focuses on the disassembling of bureaucratic regulations and control on private enterprises. Privatization includes the process of inclusion

² R. Kilminster, “Globalization as an Emergent Concept”, in Alan Scott (ed.), *The Limits of Globalization: Cases and Arguments* (London: Routledge, 1997)

³ T. Larsson, *The Race to the Top: The Real Story of Globalization* (U.S.: Cato Institute, 2001), p. 9.

⁴ Eddy Lee, Marco Vivarelli, *The Social Impact of Globalization in the Developing Countries*, IZA DP No. 1925, January 2006

of the private sector in the undertaking and working of undertakings which are state owned. This all methods lead to increase in the income of the country, employment in the country, reduction in inequalities. It is not a remote experience nor can it be differentiated from the lives of the ordinary people of India.⁵

INDIAN ECONOMY AFTER GLOBALISATION

Globalization had a huge impact in the Indian economy. When the Indian economy faced a huge crisis a new policy was adopted which was known as the new industrial policy of 1991. The three main components of the policy was the adoption of the concept of liberalization, privatization and globalization. These reforms had made a huge impact on the economy. The government also influenced in deciding the level of income, savings and employment of the people. So the main aspect which stood as a supporting factor in the reform of the economy is the globalization of the economy. The new reform also paved way for new social and economic justice and also tried to put an end to poverty in India. Its motto was to build a new India where “India grows as part of the world economy and not in isolation.”⁶ The economic reforms that took place also made changes in the investment policies in India. Earlier foreign investments were under constrained. But after the implementation of the policy rules and regulations regarding foreign investments were liberalized. It helped in attracting more and more foreign investments to India. The introduction of globalization to the economy has led to an increase in the competition between the world economies. It also paved a way for easy transport of goods and services between the countries. It liberated the domestic policies and market conditions. While adapting to the different policies of other countries India was limited with the options that was available to it. It had to limit its policies within a limited constraint. This led to a decrease of the decision making power of the government.

IMPACT OF GLOBALIZATION ON DIFFERENT SECTORS OF THE ECONOMY

GLOBALIZATION AND INDUSTRY

The major part of the economy that had a huge impact because of globalization was the industrial sector. With the adoption of the new industrial policy the industrial market opened towards new investment opportunities and from the foreign countries. The revolution of globalization in the industrial economy occurred to its various sectors which included steel, pharmaceutical, petroleum, chemicals and textiles. The concept of globalization includes reducing the trade barriers between the countries and also promoting free flow of goods and services and thereby providing an opportunity for easy financial flow in the country. The major factor that led to the advent of the globalization is because of the development in the field of technology and the rise of internet. The advantage of globalization in the Indian industrial sector includes many foreign industries coming to India and setting up here and thereby providing employment opportunity to the people. Also it provided a livelihood to the people thereby helping in reducing poverty in the country. These foreign industries that came to India brought with them various technological advances that played a major role in the development of the country.

⁵ Y Gurappa Naidu, *Globalisation and its impact on Indian society*, The Indian Journal of Political Science, Vol 67, No 1

⁶ K S Thakur, *Indian Economy After Globalisation*, third concept, June 1997

GLOBALIZATION AND FINANCIAL SECTOR

Advancement of the financial sector played a major role in the promoting economic liberalization. The current economic liberalization measures have helped many foreign competitors to enter into the Indian market. This led to the advancement of various regulatory bodies and financial institutions for the overall control and regulation of the financial sector. These institutions have led to the evolution of the financial sector from a traditional one to a dynamic one. There is also a healthy competition between the competitors in the market. Growth in financial services (comprising banking, insurance, real estate and business services), after dipping to 5.6% in 2003-04 bounced back to 8.7% in 2004-05 and 10.9% in 2005-06. The momentum has been maintained with a growth of 11.1% in 2006-07. The present growth rate of the financial sector is 8.5% per annum.⁷ Also RBI has played a major role in the advancement of the financial sector in India.

There are people who support and oppose the idea that the development has taken place through globalization. The supporters say that globalization played a major role for the developing nations by enhancing high growth rate and well as promoting socially. But the people who oppose like Prof Stiglitz puts forward that globalization do not socially impact and also did not provide any contribution in reducing poverty. He contends that it has proved to be harmful to the lives of the poor people and weaker. Various policies introduced by the IMF has led to a great global crisis of the financial sector and this in turn resulted in the loss of employment many people because of the competition of the industries that they face.⁸

GLOBALIZATION AND ITS IMPACT ON WOMEN

Globalization has played a huge impact on women and their lives. Earlier the concept was that women were not supposed to go out of the house in search of jobs. Their duty was to look after the family, husband and kids and find satisfaction in that. Husbands will go out and search for job and earn the livelihood for the family. But with the advent of globalization women became more aware about their rights and that they prefer to go out in search of jobs and earn the livelihood just like that of men. Earlier the women were forced to marry at a very younger age and that they were asked to sacrifice their education for the sake of the family for getting married. Now with the advancement of technology and the thinking of the society women now prefer to go for higher education and jobs rather than getting settled in life. Globalization has also resulted in striving for the equal status of the women with that of men and now they demand of equality of opportunity just like that of men. A woman does not wish to get discriminated on the ground that they are women. It gave the women the courage to fight for equality and to demand for it. With the advent of different multinational companies not only men but women are also getting jobs there. Through such opportunities they are getting the happiness of getting high salary and different opportunity of getting exposed of. It also promotes them with confidence in oneself and helps them to become independent. The Self Employed Women's Association (SEWA) is one such example of how globalization has helped women achieve their goals. SEWA is a union

⁷ <https://www.vskills.in/certification/blog/growth-of-financial-sector-in-india/>

⁸ J S Sodhi, An Analysis of India's Development: Before and after Globalisation, Indian Journal of Industrial Relations, Vol 43, No 3 (Jan 2008) pp 319

consisting of only women labourers who work on the opportunity that comes before them and earn from it. Even though it has many advantages it also has many disadvantages. Even though they work like men and are getting opportunity like that of men the salary that they get are being highly discriminated. According to the estimates from the World Development Indicators “Women work two thirds of the world’s working hours, produce half of the world’s food, but earn only ten per cent of the world’s income, and own less than one per cent of the world’s property.”⁹ They are also being exposed more to sexual harassment and exploitation. Also they face lot of occupational hazards. The best example for sexual exploitation in the workplace is the *Vishaka case*.¹⁰ Following this case the court had made guidelines for protecting women from sexual harassment at their workplace.

GLOBALIZATION AND CRIMES AGAINST WOMEN

With the increase in the impact of globalization the crimes against women has also increased. Many of the crimes go unreported because of variety of reasons. It includes social stigma, distrust in legal mechanisms, and fear of retaliation and so on. These crimes include domestic violence, sexual assault, rape etc. Globalization has a positive as well as negative aspect. It has helped women to go out and search for jobs. It has also helped the women to get empowered through legal reforms, political power, economic, personal autonomy and social mobilization for gender justice. Even though women can earn they are highly facing discrimination and violence.¹¹

CONCEPT OF CRIME AGAINST WOMEN

Crime means something which is a wrong which is done against a person. Women are prone to crimes such as cheating, murder, robbery etc but crimes in which women are particularly and only affected parties are known as crime against women. These crimes are classified under two categories.

i) Crimes under the Indian Penal Code (IPC): It include Seven crimes; i) Rape (Sec. 376 IPC) ii) Kidnapping and Abduction (Sec. 363-373 IPC), iii) Dowry deaths (Sec. 304-B IPC), iv) Torture – Physical and mental (Sec. 498 IPC), v) Molestation (Sec 354 IPC), vi) Sexual harassment (Sec. 509IPC) and VII) Importation of girls (Sec.366-B IPC).

Crimes under Special and Local Laws (SLL): Although all laws are not gender specific the provisions of law affecting women significantly have been reviewed periodically and amendments, carried out to keep pace with the emerging requirements. Some Acts which have special provisions to safeguard women and their interests are: I. The employees’ state insurance Act, 1948 II. The plantation labor Act, 1951 III. The family courts, act, 1954 IV. The special marriage Act, 1954 V. The Hindu Marriage Act, 1955 VI. The succession Act, 1956 VII. Immoral traffic (Prevention) Act, 1956 VIII. The maternity Benefit Act, 1961 (Amendment in 1995) IX.

⁹ Dr Madhumita Deb and Dr Sanjey Sen, Globalization and its impact on women in India: A review, International Journal of Applied Research 2016; 2(7): 336- 340

¹⁰ Vishaka v State of rajasthan AIR 1997 SC 3011

¹¹ Ranjana Kumari, *Globalizing India and Domestic Violence against Women*, January- March, 2010 Volume 11 No 3

Dowry Prohibition Act, 1961 X. The medical termination of pregnancy Act, 1971 XI. The contract labor (Regulation and Abolition) Act, 1976 XII. The equal Remuneration Act, 1976 XIII. The child marriage Restraint (Amendment) Act, 1979 XIV. The criminal law (Amendment) Act, 1983 XV. The Factories (Amendment) Act, 1986 XVI. Indecent Representation of women (Prohibition Act, 1986 XVII. Commission of Sati (Prevention) Act, 1987 XVIII. Domestic Violence Act, 2005.¹² These crimes are recognized by the existing special and local laws enacted on timely basis and are with the aim of protecting the women from the economic and social problems that they are facing in the society. The NCRB also releases data from time to time which specifically shows the crime rates from different states and also at the district level. NCRB has released its current data at 2017 which statically shows the crime rates against the women in India. The Annual Crime in India report which was published by National Crime Records Bureau which clearly states that around 3, 59,849 cases of crimes were reported against women in India. Among them Uttar Pradesh was the state which was having the highest number of crime rate against women with 56,011 and it is followed by Maharashtra with 31,979 cases and West Bengal with 30,002. Out of them most of the cases were like cruelty by husband or by his relatives, outraging the modesty of the women, kidnapping and abduction and most importantly rape. Through this report it was revealed that 3.59 lakh cases were registered in 2017 which show cases that every one and a half minutes crime was being committed to women in India. And the most hilarious part is that those who are caught for such crimes against women are less convicted. In 2016 38, 947 rape cases were reported which was a rise from the rate of 2015 by 12% hike in the percentage. The cases which was reported under “sexual assault, harassment and molestation” was reported to be 84, 746 in India. This comes in the second position after the domestic violence cases. Also the National Family Health Survey (NFHS – 4) puts forward that 30 % of the women community in India between the age group of 15-49 have really experienced physical violence starting from their age of 15. It also reveals that among them about 6% have suffered sexual violence in their lifetime at least once. And about 31% of the married women have also suffered various kinds of emotional, physical and sexual assaults from their spouses.¹³ Among the Union Territories, Delhi had the highest number of cases at 2,874. 8,269 cases of assault, that is, 9.6% of the assaults on women with intent to outrage their modesty happened on girls less than 18 years of age. The conviction rate was 27.8%. Cases registered under the Protection of Children from Sexual Violence (POCSO) Act that had female victims accounted for 8.8% of all crimes against women. The number of cases across India was 31,668. With 5,174 cases, Maharashtra accounted for the highest share, followed by Uttar Pradesh (4,791), and West Bengal (2,106). Delhi accounted for 1,558 cases. The conviction rate was 33.1%. The 19 metropolitan cities across the country accounted for 11.35% of all crimes against women. Delhi had the highest share at 11,542, that is, 28.26% of all crimes against women that took place in metropolitan cities.¹⁴

¹² R N Mangoli, Ganapati M Tarase, *Crime Against Women in India: A statistical Review*, International Journal of Criminology and Sociological Theory, Vol 2 No 2, December 2009

¹³ <https://yourstory.com/socialstory/2019/09/gender-violence-india>

¹⁴ National Crime Records Bureau, Ministry of Corporate Affairs, Annual Crime Report in India 2017 statistics.

IMPACT OF GLOBALIZATION ON CRIMES AGAINST WOMEN IN DIFFERENT COUNTRIES

The exploitation of women and children as sexual slaves is mostly seen in third world countries. The women and children are exploited by selling them by their own family members, kidnapping and false promise of employment. Thailand, Brazil and the Philippines are the most significant centers of sexual slavery. United Nations report estimates that most of women are employed in sex workers in various parts of the world. This report defines traffic in women as occurring “when a woman in a country other than her own is exploited against her will and for financial gain.” This trafficking includes illegal migration, deception and violence. Often, sexual slavery becomes the price for an initially illegal migration, a main form of global organized crime. Gangs kidnap women from their countries of origin and forcibly ship them to others for huge amount of profit. It is now evident that this problem has expanded into the global arena. After Japanese immigration has become stricter the smuggling of women is carried out by other means. Although many international agreements have been implemented in order to restrict such activities, but its enforcement has been not into effect. In Europe, thousands of teenage girls are reported missing every year from cities such as Paris, where authorities believe the young women were kidnapped and taken to Arab countries where they were forced into prostitution. Trafficking in women from Eastern Europe to Western Europe has also increased substantially. The global nature of sexual slavery does not allow for an accurate method of measurement of the degree of its prevalence.¹⁵

The United Nations Office on Drugs and Crime made a statement on the international day for women for taking measures for reducing the crimes against women’s globally. Nearly 60% of the female victims die because of the ill treatment of the family members of the women and her relatives according to the research that they have committed. It also includes online bullying and harassment, relationship abuse and rape as a weapon of war. So with the current increase they have decided to work together with UN partners to develop methods which are women friendly and are beneficial to the women and children who are harassed. Also they have asked the government to make laws and enforce it strictly in their countries so that the violence can be reduced consecutively.¹⁶ It is estimated that of the 87,000 women who were intentionally killed in 2017 globally, more than half (50,000- 58 per cent) were killed by intimate partners or family members, meaning that 137 women across the world are killed by a member of their own family every day. More than a third (30,000) of the women intentionally killed in 2017 were killed by their current or former intimate partner.¹⁷ It is estimated that there are 650 million women and girls in the world today who were married before age 18. During the past decade, the global rate of child marriage has declined. South Asia had the largest decline during this time, from 49 per cent to 30 per cent. Still, 12 million girls under 18 are married each year and in sub-Saharan Africa—where this harmful practice is most common—almost four out of 10 young women were

¹⁵ Edgardo Rotman, The globalization of criminal violence, Cornell Journal of Law and Public Policy, Volume 10 , issue 1 fall 2000

¹⁶ <https://www.unodc.org/unodc/en/press/releases/2019/November/statement-on-international-day-for-the-elimination-of-violence-against-women.html>

¹⁷ United Nations Office on Drugs and Crime (2019). *Global Study on Homicide 2019*, p. 10.

married before their 18th birthday. Child marriage often results in early pregnancy and social isolation, interrupts schooling, limits the girl's opportunities and increases her risk of experiencing domestic violence.¹⁸ One in 10 women in the European Union report having experienced cyber-harassment since the age of 15 (including having received unwanted, offensive sexually explicit emails or SMS messages, or offensive, inappropriate advances on social networking sites). The risk is highest among young women between 18 and 29 years of age¹⁹ In a multi-country study from the Middle East and North Africa, between 40 and 60 per cent of women said they had ever experienced street-based sexual harassment (mainly sexual comments, stalking/following, or staring/ogling), and 31 per cent to 64 per cent of men said they had ever carried out such acts. Younger men, men with more education, and men who experienced violence as children were more likely to engage in street sexual harassment.²⁰ There are lot more cases and surveys conducted by various organizations which show cases that the violence against women are increasing day by day and that there is no cure for it. It is also increasing globally and that it is high time that it should be checked upon to.

CONCLUSION

With the advent of globalization it is clearly understood that globalization has a huge impact on globalization. The statistics of National Crime Records Bureau shows that with the advent of globalization the crimes against women's has increased and atrocities against women has increased. It is evident that globalization has got an impact on the increasing crime rates which is evident from the statistics provided by the NCRB. Most importantly even after the amendment in the Code of Civil Procedure and inclusion of various sections for the protection of the women the cases of violence and atrocities against them is still increasing. The government has to ensure full safety and protection of women and that severe punishment should be given to those who violate the law. But the present situation is that these criminals are getting good treatment in jail and that they do not have any regret for what they have done. It is high time that stringent punishments must be imposed on such criminals. The remedies which are available to reduce the crimes is to provide a better sex education in schools and colleges. Gender equality and justice should be taught them from the school level itself. Police should ensure proper security measures for the safety of the women. In the recent rape case in telangana if the police had acted on time she could have been rescued on time. Her life could have been saved. The government should be more efficient and cautious enough to ensure that law is obeyed by the people and that women can walk whenever they want without any fear of losing their life.

¹⁸ UNICEF (2019). Child marriage around the world- Infographic and UNICEF (2017). Is every child counted? Status of Data for Children in the SDGs, p. 54.

¹⁹ European Union Agency for Fundamental Rights (2014). *Violence against women: an EU-wide survey*, p. 104.

²⁰ Promundo and UN Women (2017). *Understanding Masculinities: Results from the International Men and Gender Equality Survey (IMAGES) – Middle East and North Africa*, p. 16.