

Response of Youth towards Female Criminality in Kashmir

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Abstract

Female criminality is a recent phenomenon and is being widely discussed. It was believed till a few decades ago that crime is predominately a male phenomenon and the world of crime is only a man's world. The criminal behaviour of women has been studied less than that of men in Kashmir. This is partly because women commit fewer crimes than men. In a particular cultural context, females are not expected to adopt criminality because of their unique role to play in the society. This paper highlights the perspective of young students towards this emerging behaviour of females in Kashmir and how it affects the fibre of the society.

Key words: female criminality, Kashmir, response of youth

INTRODUCTION

In modern era we talk about gender equality in terms of rights, independence and employment opportunities. Today women are no lesser than men. In fact there are many women who have left men behind in different fields. The role of women especially in Indian culture has under gone considerable change since two decades leading to a more prominent speculation in criminal activities by them. The more empowerment of women means to have access to more opportunities and less social control. In other words, more knowledge of technology and advanced means of communication have increased the sense of women. When they are more aware of their rights means

more frustration because of the lack of all the avenues and monetary control. Because of all these reasons, more and more are entering into the field of criminality. The term female criminality refers to the involvement of females in criminal behaviour. In other words, those kinds of crime which are committed only by females is female criminality.

CRIME IN KASHMIR

It is generally believed that the traditional Kashmiri society of 100 years back was nearly a crime free society. It follows that crimes were neither committed in an organized way in that society nor were reported by people at large. The dominant majority of people in that situation lived a peaceful non violent life in which they witnessed or heard about any major crime. In reality, there existed a non violent social ethos in the extreme form and any kind of violent or criminal act was considered undesirable and condemnable¹. But today's Kashmir is a different Kashmir with both traditional and modern crimes comprising of murders, rapes, kidnapping, Acid attacks, eve-teasing, dowry deaths, economic crimes like corruption, drug trafficking, smuggling, wild life trafficking, crime against women and children etc. the National Crime Record Bureau in its 2019 report has revealed that 25,608 crimes have been committed in State of Jammu and Kashmir till the end of 2018. These include the offences committed by both males and females.

However, in a particular cultural context like Kashmir females are not expected to commit crime. There are certain features which are unique to them. Females are acknowledged in their capability to establish and maintain family relationships. They are known as preservers of social norms and are considered as non-violent members of the society. Usually in Kashmiri culture that the role of female is confined to home, she commits her life in serving all the members of family. The family framework in Kashmir is man centric in nature. Oldest male part heads the family. Family is distinguished by the family name or for the sake of leader of the family. Females have a subordinate and supporting position to men in the family. As a young lady she is secured by father, as a spouse by the husband and

¹ Dabla Bashir Ahmad, *Social Impact of Militancy in Kashmir*, Gyan Publications: (2011)

as an old individual by the child. If the section of society which is socially expected to behave more in conformity displays criminal behaviour, consequences will be more severe than when it is committed by other sections of the same society. Socially, female offences are considered more serious in comparison to the same offences committed by the males. This differentiation depends upon the position which the woman occupies in society. The pivotal role that the woman plays as a mother, as a wife, and as a central figure in the family i.e., in the basic unit of social organisation, is recognised by all the societies implicitly or explicitly. This central position makes female offences more dysfunctional than male offences because the former will have greater consequences on the social structure than the latter. The recognition of the importance of the female role in society is reflected in the degree of umbrage that results towards the criminal behaviour of the females.

But the news published in newspapers about the Nowgam murder case where wife was arrested for committing murder of her husband² and Baramulla step daughter murder case³ where step mother had killed her step daughter, has surprised the Kashmiris about the fact of criminality among the females as well.

In the backdrop of this scenario, the researcher gained interest in knowing the perception of people especially young students at university level with regard to the emerging trend of female criminality in Kashmir.

METHODOLOGY

A sample comprising of 94 students were selected randomly from Department of Law, University of Kashmir and Department of Law, Central University of Kashmir based on the convenience of researcher. The selected respondents included both males and females. The researcher has made the use of structured schedule technique to know the perception of the students.

² Reported by *Kashmir Life* Available at <https://kashmirlife.net/police-arrests-wife-local-molvi-for-killing-nowgam-property-dealer-175934/>

³ Reported by *Kashmir monitor* Available at <https://www.thekashmirmonitor.net/uri-girls-was-gang-raped-axed-to-death-stepmother-stepbrother-3-other-accused-arrested/>

INTERPRETATION OF COLLECTED DATA

1. All the respondents unanimously hold the opinion that Crime has nothing to do with gender. Crime is innate. Females do have a tendency to commit crimes. They can indulge in any form of crime and the gravity of crimes committed by females is more than that of males because the consequences can ruin the entire family of the offender. To give pulse to few instincts, they commit such acts.

2. 86% of students viewed that females commit all types of crime, although to a much lesser extent than men, particularly with regard to violent crime. The nature of crime can be major or minor, cognizable or non-cognizable. They can either be actual offenders or act as accomplice with men.

3. 62% of respondents opined that married females have higher tendency to commit crimes than unmarried ones because most of the marriages take place without taking into consideration the couples' wishes. The unhappy married females in order give vent to their frustration lead to criminality.

4. 71% of respondents viewed that illiterate females commit more offences because they cannot earn and thereby supplement family income. Education enables a person to earn more and also lead a law abiding life. Working females avail opportunities and are busy always. Illiterate females having no source, they feel insufficiency and commit crime. However 29% of students felt that educated females commit. They employ sophisticated means and indulge in such crimes which ordinary female cannot do like in case of cyber offences.

5. 74% respondents stated that the concept of women empowerment has instigated the females to take risks and challenges. With the result, they are competing with men in every field including criminality.

6. All the respondents viewed that females are usually first time offenders. In Kashmir there is no record of female second time offender. The possibility is that, they might have committed criminal act because of the pressure of situation.

CAUSES OF FEMALE CRIMINALITY

86% respondents opined that following are the main causes which compel females to commit crimes even in Kashmir:

- i. The important and leading cause of female crime has been financial or economic hardships. Offences committed by women are the result of family and economic compulsions. A large segment of female population faces greater economic insecurity and adversity which increases the pressure to commit consumer based crimes such as shop lifting, check fraud, theft of services and welfare fraud.
- ii. Illiteracy and Unemployment among women and child care expenses force women to commit petty crimes.
- iii. Females feel neglected either at home or outside. This compels them to prove their calibre and they get involved even in crimes. Circumstances compel them to commit crimes.
- iv. Females don't get justice from the legal system so they feel dejected and take part in crimes
- v. Due to familial and social constraints, they take the risk of even committing crimes.
- vi. Social causes like rising rate of divorce, illegitimacy, and female headed households, lack of love, unhappy married life, extramarital affairs, broken families are responsible for increasing female criminality.
- vii. Victimization and torture of married females by in-laws could be a factor which leads to crimes by women.
- viii. Fear and insecurity often lead to crime. New born babies are killed because of fear and shame related to an illegitimate baby.
- ix. Patience has decreased among women. Revenge, Animosity, Jealousy, Risk taking spirit, emotional instability, insecurity, rejection even the concept of women empowerment compels them to commit crime.
- x. High level of Stress among females primarily due to blocked opportunities, and the conflicting message of motherhood versus work is also a cause for female criminality. Females are afraid to express anger because it could alienate those around them. So they bottle up their feelings until it finally explodes in fatal violence. Depression and frustration are the additional reasons for such behaviour.
- xi. The development of media has brought a huge negative impact. Presently, the social media especially the Internet has much scrap cultures such as pornography, violence, and terror

and murder. These junk cultures have a profound impact on part of female with the dependent psychology.

- xii. Last but not least, the imitation of western culture by females is an alarming cause for their deviant behaviour.

FORMS OF CRIMES COMMITTED BY FEMALES

93% respondents unanimously were of the opinion that the offences a female can commit may vary in range and degrees. Nevertheless following are some common crimes committed by them:

- i. Prostitution
- ii. Murder
- iii. Attempt to Murder
- iv. Theft
- v. Shop lifting
- vi. Drug abuse
- vii. Criminal conspiracy
- viii. Hurt
- ix. Defamation
- x. stalking
- xi. Abetment to suicide
- xii. Dowry related crimes like bride killing where females commit atrocities on females
- xiii. Human trafficking
- xiv. Property crimes
- xv. Cheating
- xvi. Most recent the cyber crimes
- xvii. Nowadays, the females have started a new trend in Kashmir by falsely implicating men in harassment cases. Females also harass men at workplaces and in private premises.

CONCLUSION

Society tends to view the problem of female criminality with greater concern and anxiety. This problem has been created because of the rapid transformation of a traditional society to modernity. Today, there are discrepancies between the cultural goals and the institutional means prescribed by the social structure to achieve them. The gap between the two creates frustration and aggression

among the individuals, which leads to deviant behaviour. Female arrests are less because society feels they can do no harm. They are considered as homemakers not home breakers. But we cannot close our eyes on this aspect that the females can plan the things and execute them even criminal in nature. Female crime may be considered a crucial problem because of its impact on the upbringing of children and, the overall fabric of society.