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Rising Hate Crime in India: A Gender and Religion Perspective

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ABSTRACT

Hate crime refers to criminal acts that are motivated by prejudice or bias towards a particular group based on factors such as race, religion, ethnicity, gender, or sexual orientation. In recent years, India has witnessed a disturbing trend of increasing hate crime incidents targeting individuals or groups based on their gender or religion. These incidents have serious implications for the affected communities, social cohesion, and the overall well-being of the society. This research paper aims to examine the issue of rising hate crime in India, with a specific focus on the gender and religion perspectives. Hate crimes in India refer to violent or abusive acts committed against individuals or groups based on their identity, such as religion, caste, or gender. These types of crimes are often motivated by a deep-seated prejudice or bias, and can have serious physical, emotional, and social consequences for the victims and their families.

Keywords: Crime; Gender; Caste; Religion; Politics; State Objectives

OBJECTIVES

1. To identify the existing problems
2. To identify the push and pull factors
3. The role of state addressing hate crime in India

PURPOSE OF WRITING THE PAPER

The purpose of this research paper is to shed light on the increasing incidence of hate crime in India, with a focus on the gender and religion aspects. Through a review of relevant literature and analysis of cases from 2018 to 2020, this paper aims to provide a comprehensive understanding of the problem, its causes, and the challenges associated with addressing hate crime in India. By examining hate crime from gender and religion perspectives, this paper seeks to highlight the intersectional nature of hate crime and the unique challenges faced by different groups.

INTRODUCTION

Religious minorities in India, such as Muslims, Christians, and Sikhs, are particularly vulnerable to hate crimes. According to government data, incidents of communal violence targeting religious minorities have been on the rise in recent years, often fuelled by political and religious tensions. Dalits, also known as lower-caste individuals, also face a high risk of hate crimes, including physical violence, sexual assault, and discrimination in employment and education. Women in India are often targets of hate crimes, including rape, acid attacks, and domestic violence, often perpetrated by men who believe they are inferior or undeserving of respect. There are numerous factors that contribute to hate crimes in India, including social and economic inequality, political polarization, and cultural and religious biases. For example, the caste system, which has long been ingrained in Indian society, can lead to

discrimination and violence against lower-caste individuals. Similarly, religious tensions and prejudices can fuel hatred and violence against minority groups.

In India with such a diversity, political tension, religious feuds are very common. This basically comes under the bracket of hate crime. Talking about the recent years 294 cases of hate crimes against Christians, Muslims and Sikhs were recorded in India in 2021. Of these, most crimes (192) were recorded against Muslims, (95) against Christians and seven against Sikhs [1]. Political scientists, leaders of the opposition often claim that states that are governed by the BJP see incidents of hate crimes on a frequent basis. Hate crime is just not confined with religion. It also deals with gender caste. Hate crime based on gender is more common than we think, it has been normalised in our society so much that many times institutions don't even acknowledge it. The main problem because gender related crime is so prevalent in South Asian religion goes many centuries back. Majority of these countries in this religion belongs to a category of least developed countries, when we specifically talk about India in this context we must study every factor, India is quite a new nation with less than a total of 80 years of independence. Patterns of patriarchy that Indian societies follow are way too radical, the way women are portrayed in some of our religious text contributes a lot in shaping minds of people on how they want to see women and how they want to treat them.

This research paper aims to provide a comprehensive analysis of hate crimes in India, with a particular focus on the religion, caste, and gender aspect. Through a careful examination of government reports, media coverage, and victim testimonies, this study seeks to shed light on the complex and multifaceted nature of hate crimes in India, and to identify potential strategies for reducing and preventing such incidents in the future. Ultimately, the goal of this research is to raise awareness about the impact of hate crimes on Indian society and to promote greater understanding, tolerance, and social justice.

REVIEW OF LITERATURE

Several studies have explored the issue of hate crime in India, with a growing body of literature focusing on the gender and religion aspects. For instance, in a study conducted by the Commonwealth Human Rights Initiative (CHRI) in 2019, it was found that hate crimes against women in India, particularly those from marginalized communities, have been on the rise. These crimes often involve sexual violence, including rape, harassment, and assault, and are often driven by factors such as caste, religion, and ethnicity. Similarly, studies have highlighted the increasing incidence of hate crimes against religious minorities, particularly Muslims and Dalits, in India. These crimes often involve violence, vandalism of religious places, and social ostracism.

GENDER PERSPECTIVE OF HATE CRIME IN INDIA

Hate crime against women in India has been a concerning issue. Women, especially those from marginalized communities, face multiple forms of discrimination based on their gender, caste, religion, and economic status, which makes them vulnerable to hate crimes. Cases such as the rape and murder of an eight-year-old girl from the Bakarwal community in Jammu and Kashmir in 2018, and the gang-rape and murder of a Dalit woman in Uttar Pradesh in 2019, highlight the gendered nature of hate crime in India. These incidents not only have severe physical and psychological consequences for the victims but also exacerbate existing social hierarchies and inequalities.

One of the most heinous forms of gender-based hate crimes in India is violence against women, including rape, sexual assault, domestic violence, and harassment. According to the National Crime Records Bureau (NCRB) of India, the number of reported cases of crimes against women has consistently been on the rise. In 2018, there were 3,78,236 cases of crimes against women, and in 2019, the number increased to 4,05,861 cases, marking an increase of 7.4% [2].

NCRB data reveals that hate crimes against women are often motivated by gender bias and discrimination. In many cases, women are targeted because of their gender, and the crimes are perpetrated with the intent to subjugate and intimidate them. For instance, cases of dowry-related violence, acid attacks, and honour killings are frequently reported in India, where women are victimized due to deep-rooted patriarchal norms and discriminatory attitudes towards their gender [2].

Hate crimes against transgender individuals also pose a significant concern in India. Transgender persons face discrimination, harassment, and violence due to their gender identity and expression. According to the NCRB data, in 2018, [3] there were 2,445 reported cases of crimes against transgender individuals, including assault, harassment, and sexual violence. This number increased to 2,913 cases in 2019, indicating a rise of 19.1% [2]. These statistics highlight the vulnerability of transgender persons to hate crimes and the urgent need to address this issue from a gender perspective.

Several high-profile cases have brought attention to the gender perspective of hate crimes in India. For example, the 2012 Delhi gang rape case, also known as the Nirbhaya case, shocked the nation and led to widespread protests demanding justice for the victim and addressing the issue of violence against women. Similarly, the 2020 Hathras gang rape case, where a young Dalit woman was brutally raped and murdered, sparked outrage and calls for action to address caste-based violence against women.

RELIGION PERSPECTIVE OF HATE CRIME IN INDIA

Hate crimes against religious minorities, particularly Muslims, have also witnessed a disturbing rise in India. Cases such as the mob lynching of a Muslim man in Rajasthan in 2018 and the attack on a Muslim family in Haryana in 2019 reflect the religious bias and intolerance prevalent in the society[1]. These incidents are often fuelled by religious polarization, communal tensions, and discriminatory attitudes towards religious minorities. The role of social media in spreading hate speech and misinformation, which further fuels hate crimes, has also been documented in several studies. The relationship between gender and religion is a complex and multifaceted issue that has been the subject of much debate and discussion. Many religions have traditional beliefs and practices that are often based on patriarchal structures, which can lead to the marginalization and discrimination of women and other gender minorities.

In some religious traditions, women are not allowed to hold certain positions of power, participate in certain rituals, or even enter certain spaces. This can limit their ability to fully engage in and contribute to their communities. Additionally, some religious texts and teachings have been interpreted in ways that reinforce gender stereotypes and reinforce gender inequality. However, it's also important to recognize that many religious communities are actively working to address these issues and promote gender equality. Some religious leaders and scholars are advocating for more inclusive interpretations of religious texts and traditions, and many religious organizations are implementing policies and practices that promote gender equity. Ultimately, the relationship between gender and religion is complex and varies widely across different traditions and communities. It's important to engage in respectful dialogue and critical thinking when approaching this issue, and to work towards creating more inclusive and equitable religious communities.

ISSUES FACED BY PEOPLE BECAUSE OF THEIR GENDER AND RELIGION

The problem of gender and religion refers to the challenges and discrimination that women and marginalized genders face based on their religion or religious beliefs. In many societies, religion and cultural practices are intertwined, leading to the subordination of women and marginalized genders. This can manifest in various forms, such as discriminatory laws and policies, violence and harassment, denial of education and employment opportunities, and restrictions on freedom of movement and expression. Some common issues related to gender and religion include unequal access to healthcare and education, child marriage, female genital mutilation, honour killings, forced veiling, and limited political representation. In some cases, religious leaders and institutions have been accused of perpetuating

or condoning these practices, which can make it difficult to address the issue.

Gender and religion issues are not unique to one religion or region, but can be found in many societies around the world. It is important to recognize and address these issues to promote gender equality and social justice. This can involve challenging discriminatory cultural practices, advocating for legal reforms, and promoting education and awareness-raising campaigns to change attitudes towards women and marginalized genders. There are many issues faced by people because of their religion and gender, and the ways in which these issues manifest can vary depending on the specific cultural, social, and political contexts. Here are some examples:

DISCRIMINATION AND PREJUDICE

People of certain religions or genders may face discrimination or prejudice in various aspects of their lives, such as employment, education, housing, and healthcare. For example, women may be paid less than men for the same work, and members of minority religions may be denied jobs or opportunities based on their religious affiliation.

VIOLENCE AND HARASSMENT

People may face physical or verbal violence or harassment because of their religion or gender. For example, women may face sexual harassment or assault, and members of religious minority groups may face hate crimes or violent attacks.

LEGAL AND SOCIAL INEQUALITY

People may face legal or social inequality based on their religion or gender. For example, in some countries, women may not have the same legal rights as men, and members of minority religions may be denied the right to practice their religion freely.

CULTURAL STEREOTYPES AND EXPECTATIONS

People may face cultural stereotypes or expectations based on their religion or gender. For example, women may be expected to be caregivers and not pursue careers, and members of minority religions may be seen as exotic or inferior.

RELIGIOUS CONFLICT AND INTOLERANCE

People may face conflict and intolerance because of their religion or the religion of others. This can lead to social tension and violence, as well as the marginalization and exclusion of certain groups.

CASES

There were several high-profile cases related to gender and religion that took place in India between 2018 and 2020. Here are some examples:

1. **Sabarimala Temple Case:** In 2018, the Supreme Court of India allowed women of all ages to enter the Sabarimala Temple in Kerala, which had previously barred women of menstruating age from entering the temple. This decision was met with protests from traditionalists who argued that it violated their religious beliefs.

2. **Triple Talaq:** In 2019, the Indian parliament passed a law criminalizing instant triple talaq, a practice in which a Muslim man could divorce his wife by saying "talaq" (divorce) three times in quick succession. The law was controversial, with some Muslim groups arguing that it violated their religious freedom.

3. **Hathras Gang Rape Case:** In 2020, a 19-year-old Dalit woman was gang-raped and murdered in Hathras, Uttar Pradesh. The case sparked protests across India and drew attention to the issue of violence against Dalit women. The victim's family accused the police of mishandling the case and suppressing evidence.

4. **Delhi Riots:** In 2020, violent clashes erupted in the northeast district of Delhi between supporters and opponents of India's controversial citizenship law, which fast-tracks Indian citizenship for non-Muslim migrants from neighbouring countries. The riots left over 50 people dead and hundreds injured, with reports of targeted attacks on Muslims and their properties.

5. **Babri Masjid Verdict:** In 2019, the Supreme Court of India ruled that a Hindu temple could be built on the site of the Babri Masjid mosque in Ayodhya, Uttar Pradesh. The mosque had been demolished by Hindu mobs in 1992, sparking religious riots across India. The verdict was celebrated by Hindus but criticized by Muslims and secularists who saw it as a blow to India's secularism.

6. **Discrimination and prejudice:** People of certain religions or genders may face discrimination or prejudice in various aspects of their lives, such as employment, education, housing, and healthcare. For example, women may be paid less than men for the same work, and members of minority religions may be denied jobs or opportunities based on their religious affiliation.

7. **Violence and harassment:** People may face physical or verbal violence or harassment because of their religion or gender. For example, women may face sexual harassment or assault, and members of religious minority groups may face hate crimes or violent attacks.

8. **Legal and social inequality:** People may face legal or social inequality based on their religion or gender. For example, in some countries, women may not have the same legal rights as men, and members of minority religions may be denied the right to practice their religion freely.

9. **Cultural stereotypes and expectations:** People may face cultural stereotypes or expectations based on their religion or gender. For example, women may be expected to be caregivers and not pursue careers, and members of minority religions may be seen as exotic or inferior.

10. **Religious conflict and intolerance:** People may face conflict and intolerance because of their religion or the religion of others. This can lead to social tension and violence, as well as the marginalization and exclusion of certain groups.

ROLE OF STATE

The state plays a crucial role in addressing and preventing hate crimes in India. Hate crimes refer to criminal acts committed against individuals or groups based on their identity, such as religion, caste, ethnicity, gender, or sexual orientation. These crimes can take the form of physical violence, verbal abuse, or property damage. In India, the state has a duty to protect all its citizens and ensure their safety and security. The Indian Penal Code (IPC) has provisions that criminalize hate crimes and prescribe punishment for the offenders. For example, Section 153A of the IPC prohibits promoting enmity between different groups on grounds of religion, race, or language, while Section 295A criminalizes deliberate and malicious acts intended to outrage religious feelings.

The state has also established special laws and institutions to deal with hate crimes. For instance, the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, aims to prevent atrocities against people belonging to these communities. The National Commission for Minorities (NCM) is another institution set up by the state to safeguard the rights of minorities in the country. The police and other law enforcement agencies have a crucial role to play in preventing and investigating hate crimes. The state must ensure that the police are sensitized to the issue of hate crimes and are trained to handle cases of hate crimes effectively. Additionally, the state must ensure that the legal system functions efficiently and delivers justice to the victims of hate crimes. The state has a critical role in preventing and addressing hate crimes in India. It must take proactive measures to ensure the safety and security of all its citizens, regardless of their identity. This involves enacting and implementing laws to criminalize hate crimes, setting up institutions to protect the rights of minorities, and sensitizing law enforcement agencies to the issue of hate crimes.

METHODOLOGY

This section describes the research methodology used in our study, which involved a combination of a questionnaire method followed by qualitative methods to provide a comprehensive understanding of hate crime in the Indian society. This mixed-methods approach allowed us to capture qualitative data, enabling us to explore patterns, trends, and experiences related to the increasing hate crime in India.

QUESTIONNAIRE METHOD

The first phase of the research involved the use of a questionnaire to gather quantitative data from a diverse sample of respondents (n=52) across different regions, religious backgrounds, and demographic groups in India. The questionnaire was designed to measure respondents' attitudes, beliefs, and experiences related to hate crime in India, including their perceptions of religious diversity, tolerance, discrimination, and the role of the government in protecting the human rights. The questionnaire included a mix of closed-ended questions, such as Likert-scale items and multiple-choice questions, and open-ended questions that allowed respondents to provide their perspectives in their own words. The sample was selected using a combination of random sampling and purposive sampling techniques to ensure the representation of diverse religious communities and geographical. Data was collected through online surveys, face-to-face interviews, and telephone interviews, depending on the respondents' preferences and accessibility.

ABOUT THE STUDY

A survey was conducted with about 52 participants in Delhi with various languages, regional identity and cultures. The questionnaire consists of 25 basic questions on the increasing Hate Crime in India and how it impacts the people of the society and India. The responses were varied and vast in nature and gave a generic idea of how people perceive religion and gender especially with the reference to political identity and regional identity.

DISCUSSION

As per the study, 38.5% of the respondents have neutral responses on the identification of 'Weak' and 'Strong' cultural heritage with respect to the Indian culture. The weak and strong identification marks the Majority and Minority cultural groups in India. The majority groups are more in terms of their population and geographical area, where as the minority are lesser in number. A constant rift is seen between the Hindus as the majority as the Muslims as the minority in India. People of India are becoming more ethnocentric to gain the hierarchal power in India, which usually results in communalism, chaos and destruction. Politics plays an
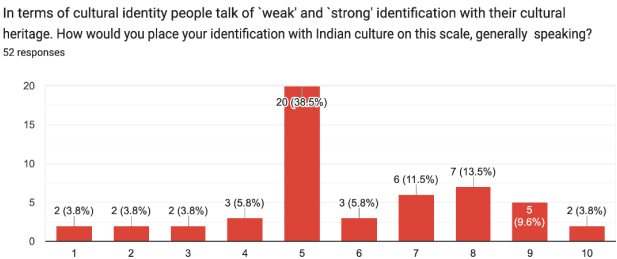

In terms of cultural identity people talk of `weak' and `strong' identification with their cultural heritage. How would you place your identification with Indian culture on this scale, generally speaking?
52 responses

Fig. 1:

important role in highlighting and pushing the rift between the two communities. For examples, movies such as Kashmir files and the Kerala story are referred to as propaganda films for targeting a specific community, which was made tax free by many states.
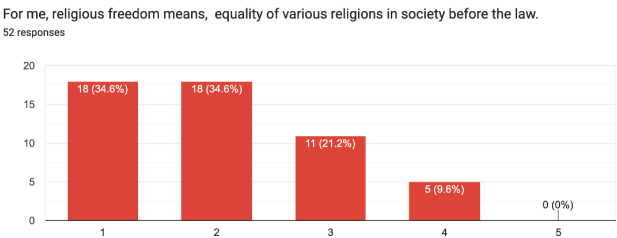

For me, religious freedom means, equality of various religions in society before the law.
52 responses

Fig. 2:

As per the study, 34.6% respondents believe that religious freedom means equality of various religions in society before law. The constitution provides equal Human rights irrespective of their caste, religion, colour, creed. India is a secular, democratic nation as it is mentioned in the preamble of India, thus all religion is equal before the law. Even then we find out the ongoing enmity between different groups which is dividing the nation into various strata. One such example can be seen in the case of the Babari Masjid and the Ayodhya Temple. The pleasure of defeating one's religious place of worship was seen among the citizens of India.

As per the study, 50% of the respondents believe that people have the freedom to wear religious clothes/symbols in public places in India. Wearing symbolic clothes or items have always been an issue in various institution. Whether it is the Hijab (muslim) controversy, Turban (sikh) controversy or women wearing casual clothes in Temples and gurudwaras. If we observe carefully, we are not only trying to dominate a particular religious group but also holding women as minority groups. Such restrictions are only imposed on women, when it comes to religion, for example the Hijab ban in Karnataka Colleges or wearing objectionable clothing items in temples. The society is way

Do you think that you have Freedom to wear religious clothes/symbols in public places?
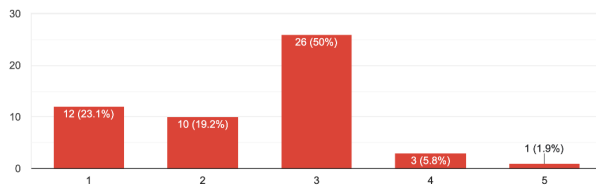52 responses

Fig. 3:

Do you believe that the state should protect women's right to adequate job opportunities ?
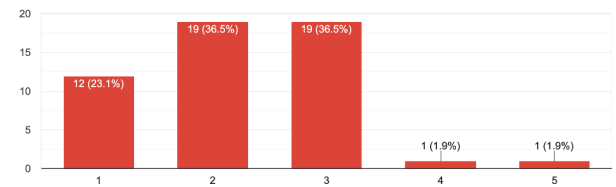52 responses

Fig. 5:

deeper and more complex than we consider it to be, one cannot fully understand and analyse the society.

Do you think that the state should prosecute behavior that discriminates against homosexuals?
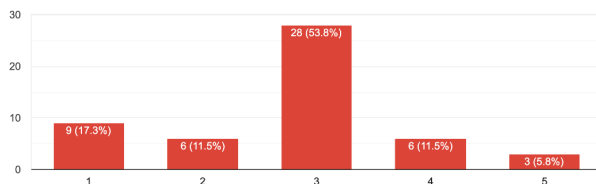52 responses

Fig. 4:

As per the study, 53.8% respondents have neutral opinion on whether the state should prosecute behaviour that discriminates against homosexuals. Homosexuality is a new concept for the people of India, the cultural and traditional shift was not easy to accept the concept of homosexuality. Although we still lack solidarity and complete acceptance of such terms. The LGBTQ community also comes under the minority group along with women, both are equally the victims of patriarchy. The entire month of June is celebrated as the pride month to increase reach and break the shackles of rigid mindset. Countries such as Africa and Singapore have banned Same sex marriage, which means it is illegal to be a gay/lesbians in such countries and they can be put into prison for violating them. In India, no such laws have been made yet, which has emerged as a victory for the LGBTIQQ community.

As per the study, 36.5% of the respondents believe that the state should protect women's rights to adequate job opportunities. Womens voice have been oppressed since the time we knew that society has been established. It was assumed that women will be the caretaker of the family, while men will be the bread earners. Thus, for years women have only been assigned the role of a mother and a wife. Education for women was not compulsory or highly appreciated, since they were expected to be married off at a young age. The suffragette movement bought changes and helped women to fight for their rights. We have seen many female fighters and reformers who have fought for female and human rights. The society is changing but the challenge of patriarchy still exists in the society which restricts women to study or work. Only 33% women in India are into labour sector or employed, which is less than half of the population, which means we are yet to develop in the development sector of women in India.

SOCIAL THEORY ASSOCIATED

Conflict Theory by Karl Marx

One sociological theory that offers valuable insights is the conflict theory, developed by Karl Marx. This theory presents a comprehensive framework for analysing societal divisions and power struggles. Applying the conflict theory to hate crime in India illuminates the interplay between social inequalities and acts of targeted violence. In the context of India, hate crimes predominantly target marginalized communities, including religious minorities, lower castes, and ethnic groups. The conflict theory asserts that such crimes stem from deeply entrenched prejudices and a quest for maintaining social dominance. By perpetrating hate crimes, dominant groups assert their power and reinforce existing social hierarchies, further marginalizing vulnerable communities.

The conflict theory emphasizes the influential role of social institutions in perpetuating hate crimes. Media outlets that portray certain groups negatively, politicians who exploit communal tensions for personal gain, and discriminatory laws all contribute to the proliferation of hate crimes. These institutions, often controlled by the powerful, shape public opinion and compel individuals to engage in acts of violence against targeted communities. Effectively addressing hate crimes necessitates not only addressing individual acts of violence but also dismantling systemic inequalities and power structures. Initiatives that promote social justice, equality, and inclusivity are crucial for combating hate crime and fostering a more harmonious and equitable society in India.

CONCLUSION

In conclusion, this study aimed to explore and address the existing problems related to hate crime in India, identifying the factors contributing to such crimes, and evaluate the role of the state in preventing and addressing hate crimes. The findings shed light on the multifaceted nature of hate crimes in India and the complex web of factors that influence their occurrence. Firstly, by examining the existing problems, this study revealed the alarming prevalence of hate crimes in India, with various communities being targeted based on factors such as religion, caste, ethnicity, and gender. These crimes have significant social, psychological, and economic consequences, undermining social cohesion and fostering an environment of fear and division. Secondly, the identification of push and pull factors highlighted the underlying dynamics contributing to hate crimes. Factors such as socio-economic disparities, political polarization, communal tensions, and misinformation play crucial roles in fuelling hatred and animosity among different groups. Social media platforms and digital spaces have emerged as powerful catalysts in disseminating hate speech and promoting violence. Lastly, the role of the state in addressing hate crimes is of utmost importance. While it is the responsibility of the state to ensure the safety and security of all citizens, this study revealed some gaps in the current approach. Efforts to prevent hate crimes should involve comprehensive legislation, effective law enforcement, and educational initiatives that promote tolerance, diversity, and inclusion. The state should establish specialized hate crime units and allocate resources for the support and rehabilitation of victims. To achieve these objectives, a collaborative approach between the government, civil society organizations, and communities is necessary. It is imperative to foster dialogue, encourage interfaith and intercultural exchanges, and promote empathy and understanding among diverse groups. By addressing the root causes of hate crimes and implementing proactive measures, India can strive towards a society that is inclusive, harmonious, and free from the scourge of hate crimes.

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