CHAPTER - I

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Crime is as old as the human civilization itself. With the creation of human groupings, laws were made to control human behaviour. Most of them have been abiding while few have been violating them disturbing men’s living together. As society finds such violations disturbing and bothersome, they attract social intervention or punishment. Nevertheless, crime has always disturbed the peace and tranquility of a society and there is no society that is completely free from it.

Despite the fact that crime has been with us from the very beginning, there is little consensus in regard to what it means. Owing to the lack of consensus, a kind of mixed socio-legal definition of crime appears to have been adopted.

The legal definition of crime should be examined first because official statistics are based on it and the system of criminal justice is perceived from a legal point of view. The legal definition of crime is that it is a behavior or an activity in violation of the legal code.¹ Paul Tappan has defined crime as “an intentional act or

omission (omitting legal duty) in violation of the criminal law committed without defence or justification and sanctioned by the state for punishment as a felony or a misdemeanour”.^2

Lawmakers, while defining crime, have considered six essential elements of crime. These are: (i) an actor; (ii) with a guilty mind; (iii) who causes harm; (iv) sufficient cause; (v) in a particular way or setting; and (vi) a lawmaker who has decreed that these circumstances expose the actor for the imposition of fine, imprisonment or death as a penalty. An attempt has been made to explain these elements.

Conduct: The most essential element of crime is the actor who commits the act. The act should be actually committed or it should be an omission of a legal duty (as different from moral duty) i.e. a person cannot be punished for his/her thoughts.

Mental Element: Most crimes involve conscious disregard for the legal rights of others, as and when a person intentionally wrongs another, that is, acts with awareness that his conduct is likely to have such effect.

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**Consequences:** Often the crime is basically the harm done, not in the means by which it is accomplished.

**Causation:** There must be sufficient cause behind the commitment of crime.

**Circumstances:** The circumstances often determine the existence of crime or its gravity. The situational requirement for crime to occur must be fulfilled. For example, bribery requires involvement of a public servant.

**Penalty:** The act should be such for which the state has imposed penalties such as imprisonment, death, fine, etc.³

Crime has also been defined in social or non-legal terms. The social definition of crime is that it usually refers to those activities that bring general disapproval from members of a society. Actions are only deviant in relation to the norms and values of a particular society at a particular time in its history.⁴

What is it that causes crime? Various scholars have attempted to build different theories to explain crime systematically. The two main theories are physiological and psychological. The first

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type of theory argues that crime is caused because of some organic
defect which they were born with. This influences their behaviour that
may lead to deviation. The second theory argues that crime is caused
because of psychological imbalances found in certain human beings
due to some emotional disturbances. These imbalances influenced
their behaviour that may not be as per expected behaviour.\textsuperscript{5}

Cesare Lombroso proposed a \textit{Biological Theory of Criminality} in 1876 by hypothesizing that atavistic physical feature
characterized criminals. According to Lombroso, the physical
characteristics of criminals resembled with that of apes: both had
protruding jaws, receding foreheads and chins and asymmetrical facial
features. However, subsequent empirical researches invalidated
Lombroso's hypothesis that the atavistic features he described as
unique to criminals were also frequently characteristics of non-
criminals.

William Sheldon associated crime with physiological
make-up. He classified individuals on the basis of their physique (or
body types) into three groups: \textit{endomorphic}, \textit{ectomorphic} and
\textit{mesomorphic}. Individuals with the third type of physique (with strong

\textsuperscript{5} Herman Mannheim, \textit{Comparative Criminology}, Vol. II, Routledge and Kegan Paul, London,
muscles and bones, heavy chest and large wrists and hands) are active, dynamic, assertive and aggressive. Sheldon argued that there is a relationship between delinquent behaviour and body-types and those delinquents are somewhat more mesomorphic in body structure than that of the non-delinquents. However, Sheldon’s hypothesis has not been convincingly proved.

The work of Clifford Shaw and Henry McKay provides an appropriate introduction to modern Sociological thinking about crime. They approached their subject from the point of view of the ecology. They observed that delinquency rates were highest in the zone surrounding the central business district and declined systematically as one moved outward to the suburbs. These ecological phenomena, they concluded, were natural products of urban growth. A high rate of population turnover prevents the formation of a stable community and results in ‘social disorganization’.6

Emile Durkheim argues that crime is an inevitable and normal aspect of social life; it is an integral part of all healthy societies.7 Merton explained that crime is due to discrepancy between

the legitimate goal that a society sets for its members and the legitimate means that it provides for its attaining them.⁸

The female is far behind the male in committing crime in all societies. The subject begins with the question as to: Why women who are considered traditionally plaintiff indulge in anti-social activities violating rules promulgated and enforced by the government? Criminologists, Psychologists and Sociologists are concerned with the causes for the violation of law by normal women and find out ways and means of checking the women crimes and resocialising and treating the women convicts both within and outside the prisons.⁹

Writings before the 1970’s preferred to characterize women offenders as subservient and as working under the direction and guidance of men. However, in the 1970’s and after it, women offenders were seen to be participating in violent crimes. It was claimed that the type and nature of crimes were changing and that a

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new breed of female criminal are emerging who are more active, more aggressive and more fearless than her sisters in the past.\(^\text{10}\)

Crime is thus committed by both the sexes and is a part of every society. Hence, it is the duty of the society to control this type of behaviour in order to enable its members to lead a stable and normal life. Every society has its own mechanism to meet out such challenges. The criminal justice system bears the explicit responsibility for preventing and controlling crime in society.\(^\text{11}\)

The criminal justice system recognizes that the efficiency of the legal machinery depends basically upon the quality of the initial work done by the police. A criminal can be sentenced or punished adequately or equitably only on the basis of a fair trial, which in turn has to be enacted around irrefutable documentary evidences and witnesses. Naturally, if the police organization has officers of skill, talent and sincerity, much of the trial and sentencing is a confirmation of investigation findings of the policemen.\(^\text{12}\) Thus, the attitude of the police towards offenders, their motivation for joining police services,
their educational background and the nature and type of training that
they receive are of great relevance in maintaining peace and order in
the society.

Hence, in this study a humble effort has been made to
study female criminality and the attitude of the police towards women
offenders and vice-versa. It is expected that the findings of the study
would contribute towards effective policy making.

**REVIEW OF LITERATURE**

It is common for the textbooks on crime and criminology
to have very little material relating to female criminality. In the
absence of material about female criminality, the courses of
criminology that are based on these textbooks also neglect this area. In
a paper presented at the *American Society of Criminology* in 1983,
Moyer opined that only 21 percent of American four-year study
programmes on *Criminology and Criminal Justice* had courses that
were concerned in any way with women and crime. The same would
be true in India and other countries of the world. Textbooks and
courses talk about criminality in general and do not focus specifically
on female criminality. These textbooks refer to terms such as ‘people’,
‘criminals’, ‘defendants’ and ‘prisoners’, etc. But these terms talk
about criminality in general and pay no attention specifically towards female criminality.

Criminology, like most academic discipline, has been concerned with the activities and interests of men. The reason for this is fairly obvious because historically it reflects the interests of its founding fathers and until recently it was almost completely a male profession.¹³

Female criminality is least studied and most misunderstood phenomena. A casual attention has been given to it. Most of the criminological theories rarely make any specific reference to gender specific crimes. Since texts contain little or nothing on female criminality thus courses also do not include them. This neglect has been manifested in the works of Shaw and McKay, Miller, Merton and many others. Shaw and McKay stressed that the area of residence had a strong impact on the behaviour of the individual. The criminal behaviour was due to the nature of the area of residence and not because of the nature of the individual. They however, elaborated their idea explicitly in male terms. Only a few pages in their book

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have been devoted to female delinquents. Miller believed that men become involved in delinquency in order to satisfy certain value such as toughness, smartness, excitement, fate, trouble and autonomy. His work focused only on male delinquency and neglected female delinquents. Merton recognized class inequality responsible for deviant behaviour. He, however, discusses ‘deviant behaviour’ in general terms without specifying on female deviance.

The researcher, while reviewing literature relating to her study, observed this trend of neglecting female criminality in criminological texts. Most of the criminological texts are generic in nature and rarely make any specific reference to gender-specific criminality. Perhaps it is due to the assumption that crime is sex-neutral.

Although female criminality has been casually treated in criminological texts but it has not been neglected altogether. It was observed that criminological interest in women offenders can be traced back as far as Lombroso, and in addition, there has been a

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recent, quite prominent revival of interest directed at women law-breakers.

The first scientist to enquire into female criminality was the Belgian mathematician and astronomer Adolphe Quetelet (1796-1874) who argued that the physical strength of women was half that of men and that female violent criminality was consequently about half that of male violent criminality.\textsuperscript{17} Although Quetelet made the initial scientific observation, most criminologists would probably date the beginning of the "scientific" study of female crime to 1900 with Lombroso’s work. He viewed female deviance as rooted in the biological make up.\textsuperscript{17} He studied the physiological characteristics and followed a school of thought that involved taking cranial measurements and related it with criminality. For instance, Lombroso found that receding foreheads were more prevalent among prostitutes than in other criminals and normal women. Female criminals were observed by him to be more terrible than the male criminals because her cruelty was much more sophisticated.\textsuperscript{18} Most of Lombroso’s

conclusions have been rejected today. Even in the present survey none of the respondents possess atavistic characteristic as mentioned by Lombroso. In continuation with Lombroso’s view Cowie and Eliot Slater observed that chromosomal abnormality are to some extent responsible for a woman’s delinquent behaviour. Like Lombroso, these two spent time measuring heights, weights and comparing other biological features of female delinquents with other girls. The authors’ conclusion was similar to that of Lombroso, that female delinquents are physiologically different from the normal females.  

After Lombroso, a number of new theories emerged which explained the role of female physiological traits in the creation of a specific type of psychology that led to female deviance.  

Freud was the first to discuss this aspect of female deviance. He maintains that law breaking in females is an evidence of masculinity complex that some women are unable to internalise. They grew up envious and thirsting for revenge and these feelings were some times channeled into feminist movements or intellectual pursuits. But more often, because they lacked education or professional training or because their family depended on them for

economic support, women’s resentments were manifested in more anti-social forms of rebellion and aggression.\(^20\)

Konopka made a psychological study of a large number of girls’ delinquents. He argues that girls are driven to delinquency by an emotional problem, loneliness and dependency. Besides emotion, he also stressed on many other factors. He states that “thwarted ambition” has a strong impact on the way girls behave but for the girl, unlike the boy, it is not related to economy. For girls, it is directly related to being a woman. Thus Konopka, like Lombroso and Freud, ignored the economic and social factors and emphasized on the physiological and psychological nature of women.\(^21\)

Otto Pollak suggested that pregnancy and menopausal phase are accompanied by emotional changes of moods that point in the direction of female criminality.\(^22\)

Edith De Rham viewed that shoplifting among women, particularly among those who can afford to purchase, is sexually motivated and can be minimized by psychiatric treatment.\(^23\)


These theories did not relate female law breaking directly to female physiology. Rather they argued that female physiology in some of the females led to the development of a psychology that is conducive to deviance. They ignored social, economic and other factors and attributed female criminality as an individual phenomenon.

Till 1950 efforts of the criminologists concentrated in tracing the etiology of female criminality. They however, paid no attention to the extent and nature of women’s involvement in criminal behaviour.

Pollak pioneered to tread in this area of female criminality. He claimed that women’s participation in crime was no less than men’s although women were less likely to be apprehended. Their traditional social roles gave them a mask behind which they could commit the most dangerous acts. He asserted that the lower rates of detected crime among females are not due to lesser participation in lawbreaking on their part; instead the type of crimes they commit are less likely to be detected and reported to the authorities. Moreover, when crimes of women are reported, the offenders have a better chance than men of avoiding arrest or
conviction because of lenient double standard that is applied to them. Pollak maintained that women are able to engage in widespread "hidden" crime frequently involving murder of spouses by means of poisoning, assaults, offences against children, and abortions, because of their greater skill at deceit and cunning behavior acquired through sexual socialization.24

Edith De Rham agreed with Pollak on the ground that women possess an inordinate talent for concealment and deception. However, she has contended this notion with the subordinate role of women in society. She claimed that women tend to use deceit to compensate for their powerless and inferior position.25

Like Pollak, Simon also focused on the nature of female criminality. He contended that the nature of female criminality has undergone changes. His statistical analysis of the female crime rate indicates that between 1960 and 1974 there has been an increase in the rate of crime among women and involvement of women in crimes, which were predominantly "male crimes" in the past. Women were no longer confined to passive crimes such as shoplifting, forgery and prostitution. Now their participation in 'male crimes' such as robbery,

burglary, larceny, weapon offences and common assaults was evident. Simon has attributed this change in the nature of female criminality to women’s movement towards sexual equality.\(^{26}\)

In following the footsteps of Simon, Adler also discussed the changing nature of female criminality. She agreed with Simon that women are moving out of traditional crimes and are moving into crimes of violence. Their participation in these crimes has exceeded much more than that of men’s in recent years. Replacement of organized prostitution by call-girl activities is an example of changing nature of female deviance.\(^{27}\)

Simon and Adler contend that as these trends in female criminality will increase, the nature of female crime and rate of crime among women will come almost equal to that of men.

Recent research on the criminality of women suggests that there is a relationship between crime and environmental factors such as economic opportunity or attitude towards women. Susan Marcus, Mendoza, Elizabeth Sargent and Yu Chang Ho conducted a study to examine the relation between the criminality of women and the experience of emotional, physical and sexual abuse. Survey covered


female inmates at two correctional centres. Eighty percent of the subjects cited abuse as contributing to their legal difficulties. This suggests that abuse may indeed be an environmental cause of female criminality. Besides abuse, inmates also emphasised many problems as reason for their ongoing legal problems. This suggests that economic marginalization may also be a factor for such category of women. The study suggests that this factor of female deviance should be studied further.28

Joycelyn Pollock provided a multifactor approach to female criminality. She concludes that deviance among women is a complex phenomenon influenced by the interaction of developmental, psychological, social, environmental, economic, biological and even evolutionary factors. She argues that policy makers should emphasize on maintaining social and economic stability and restorative justice in order to benefit female deviants. Further, she suggests drawing of attention towards socialization of boys and girls in order to bring

about moral development and effective correctional methods respectively.\textsuperscript{29}

With an increase in the rate of female criminality there has also been an increase in the number of female detainees. Their existence in the prison is stressful. The stresses behind the bars include separation from their family members, loss of social status, uncertainty of outcome of the trial, fear of punishment and financial upsets. The hard life in the prison further aggravates the situation. The undertrials' quality of life and subjective well-being are seriously affected by the conditions in prison. Taking all this into account, studies have been conducted to highlight the condition of women in prison. Epperlein holds prison's "totalitarian" structure reinforces feelings of isolation, fear and increasing habits of self-destruction among women. Most of these women are mothers and experiencing the agony of separation from their children. Once inside the prison, these women are almost forgotten by their family and relatives. Epperlein noticed that in the male prison, women are regular visitors who often bring their children along with them. Whereas, the visiting

rooms in women prisons are usually deserted. Children do not see their mothers because nobody is willing to bring them.30

Andi Rierden wrote on the day-to-day struggles and concerns of inmates at the Connecticut Correctional Institution in Niantic. Rierden explores how the women at Niantic have come to terms with their imprisonment, adapt themselves to the realities of incarceration and cope with the absence of children and loved ones. These stories point out that the ideal of rehabilitation has been largely abandoned and replaced by a belief in punishment and retribution.31

Professor Barbara Owen32 and Kathryn Watterson33 expose the ineffectiveness of imprisonment in lowering the rate of female criminality. Professor Owen believes that women prisons have only contributed towards increasing employment for prison guards and have done little towards reducing the female criminality.

Amulya Khurana aimed at investigating the impact of Vipassana Meditation on criminal propensity of women inmates of Tihar Jail, New Delhi. Results reveal that the Criminal Propensity

score of women inmates decreased significantly after they had undergone Vipassana Meditation course. It was also found that there was a significant difference between Vipassana Meditation group and Non-Vipassana Meditation group, in their mean scores on Criminal Propensity. This implies that Vipassana Meditation had a significant impact on Criminal Propensity of women inmates of Tihar Jail, thereby decreasing their tendency to commit crime.34

Among the few notable studies done by Indian researchers on female criminality, majority of them have sociological orientation. Like Kingsley Davis, some of them have concentrated specifically only on one type of female deviance, namely, prostitution. Davis argued that prostitution arises in circumstances where demands for sexual novelty cannot be supplied within the framework of marriage.35 Similarly, Punekar and Kamala Rao studied prostitutes in Mumbai and agreed that the Devadasis System conspicuously augments the problem of prostitution.36

Kapur’s work on call-girls of India indicated that the call-girls are the victim of unhappy childhood and disturbing family and social environment.\(^{37}\)

Ram Ahuja, on the basis of his study conducted in Rajasthan, Madhya Pradesh and Punjab, analysed the nature and causes of female criminality. He developed the “Social Bond Theory” whereby he advocated that family maladjustment is an important cause of female deviance.\(^{38}\) He carried out a separate study only on the female murderers\(^{39}\) and provided a concluding remark similar to his earlier study that it is family maladjustment, specifically in the family of procreation that is driving them towards deviance.

Neera K. Sohony studied prisoners in Pune and confirmed the findings of R. Ahuja on female crime.\(^{40}\) On the other hand, Anju Bajpai and P.K. Bajpai provided a sociological explanation of female criminality.\(^{41}\)

Rita Sarin’s work revealed that women implicated for murder committed such heinous crime under unique circumstances


\(^{38}\) Ram Ahuja, *Female Offenders in India*, Meenakshi Prakashan, Meerut, 1969.


\(^{40}\) Ram Ahuja, *Sociological Criminology*, New Age Internationals, New Delhi, 1996, p. 113.

\(^{41}\) Anju and P.K. Bajpai, *Female Criminality in India*, Rawat, Delhi, 2000.
within the family and sometimes they took the responsibility of murder to save either their husband or father from going to jail.42

S.K. Ghosh, R.K. Sharma, Eswar Shariff, Sekar, Sanyal and Agarwal studied female deviance from a psychogenic viewpoint.43

Since majority of the respondents at the micro and macro levels are implicated for dowry deaths, some literature on this problem that is unique to Indian society has also been reviewed. Krishna Gupta while explaining the ineffectiveness of Dowry Prohibition Act of 1961 pointed out that the law could empower women only when preceded and followed by public opinion.44

Mala Sen examines law related to dowry and points out that the role of women is constantly being redefined.45

Modern times have witnessed the birth and development of the concept of a Welfare State. The Indian constitution has committed Indian democracy to the pursuit of this ideal. Change is necessary and inevitable in the ideology that inspires functioning of

45. Mala Sen, Death by Fire: Sati, Dowry Death and Female Infanticide in Modern India, Penguin, New Delhi, 2001.
the police and the methods that they adopt for the prevention and investigation of crimes. Crime in the modern context is treated from a social and sociological point of view and the object of criminal jurisprudence is not so much punitive or retributive as reformative.

Therefore, the police must not treat a criminal as an enemy of the society but must consider him compassionately as a person who suffers from a kind of psychological ailment. Sometimes crimes are the result of a disturbed mind. A study and appreciation of the psychological background of the criminal has relevance in dealing with the problem of preventing and investigating crimes. Both the society and the police force in India must adjust themselves to the requirements of the present situation and should make an earnest endeavour to establish a sense of harmony and co-operation between each other.

Unfortunately, such a harmony and co-operation has not been achieved in India. The police-criminal relationship has been one of distrust and prejudice.

Several studies have pointed out the nature of police-criminal relationship. Reckless C. Walter examined the behavior of the police towards the community and found that the members of the
lower class in any society are more defenseless and have fewer resources and less influence than the members of the middle and upper classes. Other things being equal, the police are more likely to suspect a lower-class person rather than an upper-class person. They would arrest a lower-class person on suspicion more readily than a middle or upper class person. They are more active in areas where lower-class persons reside.\(^{46}\)

Singh Yogund in his study on criminal justice and the police pointed out that the police in India are either indifferent or cruel towards the members of the community. They fail to co-operate with the people in general and with the weaker sections in particular.\(^{47}\)

A Rajasthan police study team in their study came across the finding that the police harassment is enormous on the criminals. According to their finding corruption is rampant at the lower levels and nobody listens at higher levels. During the course of investigation, police behaviour is generally crude and use of third-degree methods against suspects is the common experience. The police rarely care to put its best in solving a criminal case where the poor are involved.\(^{48}\)

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P.D. Sharma in his study arrived at the finding that the lag between aspirations of people and their expectations of police performance is so wide that it is rather difficult even for the best friends of police to envisage a citizen police philosophy for Indian society in any foreseeable future. While discussing the importance and the need for improving professional standard of the police, Sharma pointed out that sophisticated qualified person in the civil police, especially in the lower ranks are lacking. This indirectly points out that there is a qualitative deficiency of police equipment. Sharma also found that as a crime prevention agency the usual charges leveled by the community against the police are:

1. The police is inefficient, inadequate and ill-trained for the jobs entrusted to it by the community;
2. it employs third degree methods and is barbarous in its professional behaviour with the citizens;
3. it is corrupt and shares the booty with the criminal whom it seeks to detect and arrest.49

Venugopal found that the distrust of the police is so heavily ingrained in the general public that the first inclination of the normal citizen is to keep away from the policeman as far as possible. The impression even in educated and enlightened circles is that the police are unscrupulous, ignorant, uncultured and corrupt and tyrants who prosecute the innocent and have little respect for individual liberty.50

Rammohan in his study has concluded that in India people view the police as an old enemy rather than a new friend.51

The book, *The Police, The People and Criminal Justice*, highlights public opinion on administration of Criminal Justice in India. People see miscarriage of justice and notice a lot of differences in the enforcement of the laws in principles and the laws in practice. As a result people are dissatisfied on many counts. The public watches everything that the police, the prosecutor, the judge and the criminals do before and during the trial of criminal cases. They form opinions and express them about arrest, detention, interview, interrogation,

third-degree methods and many others but although India is a
democratic country, the voice of the public is hardly heard.  

Such a police-public relationship has attracted the
attention of several scholars. Many of them have attempted to probe
into the phenomena and have highlighted the factors responsible for
such a relationship.

Firstly, it is the interference of the politicians in the
independent working of the police force that has crippled it. S.K.
Ghosh found in his work that efficiency and high morale of the police
couldn’t be achieved in reality because the danger is from the side of
the politicians who either for the party interest or from ignorance or
malice might pressurize them and make them corrupt. Ghosh has also
revealed that the responses shown by different levels of police
officialdom to these problems are varied and vivid. The senior police
officers are, by and large, unwilling to deal swiftly and effectively
with the wrongdoers within the force. So long as this remains the case
not only will the public have no confidence in the police but

policemen will also be encouraged to misbehave with citizens and harass them in various ways.  

Vadackumchery’s book exposes the fact that the politicians, the affluent and the criminal of underworld extend their support to the police. It is this patronage that leads to the abuse of power and misuse of authority by the police.  

Raghavan’s book is a comparative study of the policing systems, practices and problems in India and the US. The two narratives run on parallel lines. Raghavan hopes that his study would provoke Indian policy makers in considering how to make the Indian police “more effective and acceptable to the community”. Raghavan argues in the last chapter “despite the marked cultural differences that characterize the milieu in which they operate, the American and Indian police forces face problems which are identical”. He notes similarities: both face exacting demands from the public and the media; both have a “dominant minority” problem (the Muslims in India, the blacks in the USA) forcing them to be extremely circumspect; both face the problem of police violence and police corruption; both feel the need to involve the community in policing

54 James Vadackumchery, Indian Police and Nexus Crimes, Kalpaz, Delhi, 2002.
activities. And, the overall compulsion to keep crime under control is also similar. In contrast, Raghavan notes only one difference between the two policing scenarios – the problem “external interference in police work” exists in India whereas it is absent in the USA.\(^5\)

In his study of police service, Venugopal Rao found that the police system in India has remained static in a rapidly changing society because the politician needed and used it for their narrow political ends and was not prepared to pay the price for an enlightened service.\(^6\)

Secondly, the nature of training and the type of work the police are engaged in is to a very great extent responsible for their inhuman and immoral behaviour. With regard to the Indian police, Bayley in his work discusses on police and political developments in India that the work of the police is arduous, often directly and unpleasant and sometimes dangerous. “Indian police are always subject to call ... Nightwork is a standard feature of their life ... They are not paid for overtime work. They often work on holidays and

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during festivals ... They are expected to risk their lives ... And finally the responsibility thrust upon them is enormous”.

Reddy and Sheshadri (1972) in their study on training police officers in developing society observed that the outdoor training of the junior functionaries certainly prepares them for arduous jobs of a hazardous manner. But it runs the risk of brutalizing their instincts for finer things in life and society.

Upendra Varma from his study on S.H.O. and the Indian police showed that police stations in urban areas were so much overworked with all sorts of quasi-police duties that they could not devote any special or even reasonable attention to offences committed against the members of weaker sections. Even if they wanted to do, it was on a very low priority.

The conclusion of Sharma’s book on police and community is quite interesting because the major problem with the police personnel, according to him, is the professional frustrations and the weak morality that create more serious psychological void in the

lives of these police personnel who are always in the midst of crime and criminals.\footnote{P.D. Sharma, 'Perspectives of Police', \textit{Indian Journal of Public Administration}, October-December, 1973.}

Morally insane and legally sane: this is a cliché in police subculture. Don’t worry about the morality of your act, but be cautious about the legality of your action—this is the advice given to younger generations by the elders in police. They consider morality as something not applicable to police work or as something that does not have anything to do with police job. Vadackumchery thinks that any law without a morality is a jungle law and the policemen cannot enforce jungle law in a democracy. Human conscience is a mental energy that generates restlessness, discomfort, and compulsive behaviour in people when they commit moral wrongs and if that is so; it cannot be otherwise in people who put on police uniform. All people have negativity in abundance and immorality is negativity. The negativity in police has resulted in custodial violence, torture, death, suicide, rape, coercion and what not in police subculture? The author says that the police do not require any encouragement to become
immoral, but they need enlightenment to become moral in police works.  

Police training is archaic in content and methods. The emphasis is still more on muscle than on the mind. Human rights, if at all, form an insignificant module in the training programme and there is hardly any emphasis on human rights in the training of constables, who form 85 percent of the force. A subculture imimical to democratic policing pervades the organization and is perpetrated due to indifference or connivance of seniors.

A. Kumar observed in his work that the average policeman not only experiences a void in his existence but also finds his work least rewarding. He found that the police have more or less lost faith in them. They have not been able to develop any pride in their work and profession. Most policemen were found to suffer from a sense of frustration. They develop an indifference to their work that is reflected in the stagnation results in every sphere of their development, professional as well as ethical.

Sen’s book highlights the fact that working as a police officer is not easy and smooth if one is committed to the cause of human rights. For such an officer survival in the police service becomes difficult and he is under constant pressure to alter his ways of action and thought.\(^{64}\) The book portrays the changes in style and texture of policing in India that occurred during the four decades of the last century and narrates the difficulties that a police officer has to face if he is committed to the cause of human rights.

Subramaniam also found out in his study on police organizations that a lack of positive vista and obsession with negative policing has deepened dilemma of policing as a profession.\(^{65}\)

Several authors have arrived at the finding that the lag between aspirations of people regarding police performance and the actual performance of the police is very wide. It is thus, difficult to develop a relation of mutual co-operation between the Indian police and the public in near future.

Taking this into account scholars have suggested remedial measures. P.D. Sharma suggested that professional standard of the

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Indian police can be improved by participation of the sophisticated qualified person in the civil police, especially in the lower ranks.\textsuperscript{66}

Singh is of the opinion that police get blamed, whenever anything goes wrong in the country. They are the most misunderstood organizations under the Government. The reason for this misunderstanding is the failure of the common man to distinguish between prosecution and judiciary. They believe the police force to be all-powerful and perfect. The entire responsibility of the nation, public and society rests on their shoulders. This image needs to be altered. The public should be made to realize that the police has limited powers, duties and resources within which it is supposed to function. Besides police, there are other organizations also, entrusted with similar or greater responsibility than the police. Their fair, honest and humanly discharge of duties is very essential for rectifying the lapses of the police performance.\textsuperscript{67}

Much attention should be given to the concept of ‘Psychological First Aid’ according to which the victim should be treated as a human being and not merely as a possible source of evidence. The police should try and understand the emotions of the

\textsuperscript{66} Ibid.
\textsuperscript{67} Joginder Singh, \textit{Inside Indian Police}, Gyan Publication, New Delhi, 2002.
victim, extend emotional support and co-operate in all possible manner to help them regain their lost confidence. This humanly response of the police would go a long way in improving the police public relationship. In addition, police assistance services should also include those citizens who are not victims but because of many reasons are more likely to be victimized. The police should educate vulnerable groups regarding crime prevention and self-protection against victimization.\(^{68}\)

In India there are police officers who engage in communal crimes. This has led to institutionalization of communalism. Collin suggests that there is an urgent need in India to confront the issue of institutionalized communalism. The author suggests that the government should set up departmental inquiries against such officers. The task should not be left to the delinquent’s superior officer, but establish special and autonomous disciplinary boards with senior police and non-police personnel. The proceedings of such boards should be open to the public.\(^{69}\)

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Leadership within the police organization should be reformed because the nature of teamwork depends upon the nature and type of training imparted by the leaders. Human rights, if at all, form an insignificant part in the training programme and there is hardly any emphasis on human rights in the training of constables, who form 85 percent of the force. A subculture hostile to democratic policing pervades the organization and is perpetrated due to indifference and connivance of seniors. If the leadership itself is doubtful about the importance of human rights in policing and if they disregard its importance in the training of subordinate officers, it is pointless to expect change in the behaviour of ordinary sub-inspectors and constables. Another reform that can be brought about by the police themselves is with respect to the adoption of fair, quick and responsible methods of redress for complaints against the police. The system has to be institutionalized and integrated with police roles and responsibilities. No government can plead paucity of funds for its inability to protect the life and property of its citizens. Therefore, the reason for governmental neglect of police reforms is not lack of funds but its desire to misuse the force for narrow partisan ends. This is the character of every government irrespective of whichever party is in
power. People have begun to comprehend the misuse of the police by the politicians to perpetuate sectarian interests and conceal their illegal actions. There is decreasing reliance on the state police and increasing dependence on private police, private detective agencies and protection from Mafia gangs or self-help. “Senas” (private armies) are being trained and armed to defend particular interests, legitimate or otherwise, and the state is a silent spectator in the rise of such power centers attempting to control the lives of people in different areas. The rule of law is being undermined and people’s faith in the police has been eroded. All that one can say is that people have to be vigilant and demand lesser interference from their governments in the day to day functioning of the police and greater accountability on decisions concerning the police and the law and order situation in the states. According to an old adage, every society gets the police it deserves. After all, policemen come from the same society and reflect the attitudes and behaviour that are found in society. How respectful is the average citizen with regard to human rights of fellow citizens? In a society where doctors cheat their patients, lawyers exploit their clients, teachers indulge in politics instead of teaching and even the clergy is corrupt, one cannot expect any better from policemen. The
evidence they collect is doubted and their status is worse than that of other comparable positions in government. All sections of society, particularly the media, can help to improve the status and efficiency of the police force. They can attempt not to disparage the police without justification. If they co-operate in law enforcement, there is bound to be a welcome response from the other side that eventually will result in greater social defence and better law and order situation. People and police ought not to maintain an adversarial relationship as it harms both of them. There are black sheep in every organization. To isolate and cultivate the talented is the challenge that has to be faced by the community, the media and the NGOs. Such a partnership guarantees human rights protection, the security of life and property and a credible system of criminal justice in the country.  

Crime against women and by them over the last three decades has increased alarmingly. In such a situation where policing is mainly by men, women have been discriminated against and often suffer ignominies. Policemen are often accused of wrongly detaining, harassing and assaulting public men especially women and rightly so. At the same time, men are helpless spectators when women go on a

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law-breaking spree. The crime against women and by them has to be dealt with firmly. Who can understand them best but women themselves? If we sincerely wish to ensure that women should not be victims of rape, women should not be interrogated mercilessly by policemen, pregnant and ill women should not spend a night in the lock-ups under the care of male police alone then we should shed male police chauvinism and provide women with enough incentives to join the force so that they can serve society, especially members of their own sex better. Policing by women is not an alien concept for us. Women have performed creditably with dynamism and spirit in all areas of public life. It is only when women will get adequate representation in the force then they will be able to contribute positively.71

An examination of the available literature reveals that the world of crime is a man's world. Less importance has been given to the subject of women and crime. There is a paucity of theoretical or research materials in criminology that deal specifically with female criminality. This lack of interest reveals firstly that crime is

predominantly a male phenomenon and secondly, a lack of interest in the activities of women.

Traditionally, women have been defined as the preservers of social order and bearers of morality and decency. However, the world in which women live has undergone tremendous changes. Their involvement in crime has shown a marked increase. This trend is stimulating research on female criminality. Most of the studies focus on the dynamics of female criminality and do not move beyond corroborating the facts that are already well known.

The present work while broadly following the traditional line of inquiry has two refreshing features, which separates it from the rest and makes it an important contribution. Firstly, it attempts to investigate comparatively the impact of homogeneous (micro level) and heterogeneous (macro level) surrounding on the factors and nature of female criminality. Secondly, to compare the nature of police behaviour towards women offenders in homogeneous (micro level) and heterogeneous (macro level) surrounding.

From these, some very significant inferences have been drawn which can be further explored and tested.