

Gender Perspectives in Criminology: Towards Inclusive Justice

Abstract:

This research article examines the issue of gender bias in criminology and its impact on criminal justice theories, policies, and practices. It highlights how traditional criminological approaches have often overlooked women's experiences and diverse gender perspectives in understanding crime and victimization. The study emphasizes the importance of adopting inclusive and gender-sensitive frameworks to promote fairness and equality within the criminal justice system. By incorporating interdisciplinary perspectives from sociology, psychology, and gender studies, the article seeks to strengthen criminological research and policy-making. It further discusses the influence of gender bias on law enforcement practices, victim treatment, and offender rehabilitation. Through analytical discussion and case-based observations, the research advocates for a more balanced and comprehensive understanding of crime, ultimately contributing to social justice and equitable legal practices.

Keywords: Gender Bias, Criminology, Gender Justice, Victimization, Criminal Justice System, Inclusive Frameworks, Law Enforcement

Introduction

Gender equality is a foundational principle in modern society that strives to guarantee equal rights, opportunities, and access to resources for all genders. It asserts that an individual's gender should not dictate their rights, responsibilities, or treatment. Rooted in international conventions and incorporated into national constitutions, gender equality aims to eradicate discrimination against women and foster fairness across all areas of life.¹

In the Indian legal and constitutional framework, gender equality is of utmost importance. The Indian Constitution, created by a Constituent Assembly, forms the foundation for the country's legal and governance systems. It not only guarantees fundamental rights but also

¹ Concept paper gender equality, available at: https://www.academia.edu/26249559/Concept_paper_gender_equality, (last visited on Jan 18, 2026)

includes specific provisions designed to promote economic, political, and social justice for women, reinforcing the commitment to gender equality.²

This exploration of gender equality examines its theoretical foundations, constitutional aspects, and practical applications. It highlights historical gender bias in legal provisions, advocating for gender-neutral legislation. Additionally, it emphasizes the importance of inclusive frameworks, diversity, intersectionality, and bias mitigation through training, peer review, and public discourse.³ In a world seeking justice, dignity, and respect for all, the pursuit of gender equality is an ongoing collaborative effort. This exploration examines the foundations, challenges, and potential solutions to foster a more just, equitable, and unbiased society for everyone.⁴

Objectives

- To analyze the historical context of gender bias in criminology, identifying key theories and practices that have marginalized female perspectives and experiences in the field.
- To explore the implications of gender bias on criminal justice policies and practices, including law enforcement, victim support, and the treatment of female offenders.
- To advocate for the development of inclusive frameworks in criminology that integrate diverse gendered experiences and perspectives, promoting a holistic understanding of crime and victimization.
- To assess the potential benefits of interdisciplinary approaches—drawing from sociology, psychology, and gender studies—in enriching criminological research and enhancing policy formulation.

Research Problem

The research problem in “Challenging Gender Bias in Criminology: Advocating for Inclusive Frameworks” lies in the traditional criminology frameworks that often overlook gender-specific experiences and biases. Historically, criminology has predominantly focused on male perspectives, neglecting the distinct experiences and challenges faced by women and LGBTQ+ individuals within the criminal justice system. This exclusion has led to gaps in

²Legal provisions on gender equality : an analysis, *available at*: <https://blog.ipleaders.in/legal-provisions-gender-equality-analysis/>, (last visited on Jan 18, 2026)

³*Supra*, note 2

⁴Gender and Law, *available at*: Gender and Law Unraveling the Complexities of Equality, Rights, and Justice.pdf, (last visited on Jan 18, 2026)

understanding victimization, criminal behavior, and rehabilitation needs across genders. By addressing gender bias, this study seeks to analyze how criminological theories and policies can become more inclusive, ensuring that gendered dimensions of crime are recognized and addressed. It aims to examine existing gender biases, assess the impact of such biases on legal proceedings, and propose strategies for integrating diverse perspectives, ultimately fostering a justice system that is equitable and effective for all gender identities.

Review of Literature

- **A. Stepan, *Arguing Comparative Politics* (Oxford University Press, Oxford, 2001)**

In *Arguing Comparative Politics* (2001), Alfred Stepan provides a comprehensive analysis of comparative political systems, focusing on the dynamics of democracy, authoritarianism, and state-building across different regions. Published by Oxford University Press, Stepan's work explores the diverse paths nations take toward democratization and the unique institutional arrangements that shape political outcomes. Through case studies and comparative frameworks, he examines factors like religion, federalism, and civil-military relations, underscoring the importance of contextual factors in shaping democratic stability. Stepan's analysis highlights the complexities of applying Western models universally, advocating for a nuanced approach to understanding governance in varied cultural and historical contexts. His work serves as a foundational text for students and scholars of political science, offering insights into the evolving nature of political systems worldwide.

- **J. Rodden, *Hamilton's Paradox: The Promise and Peril of Fiscal Federalism*, (Cambridge University Press, New York, 2006)**

In *Hamilton's Paradox: The Promise and Peril of Fiscal Federalism* (2006), Jonathan Rodden examines the complexities of fiscal federalism, analyzing the balance between autonomy and financial stability within federal systems. Published by Cambridge University Press, Rodden's work draws on historical insights and case studies to explore how decentralized fiscal responsibilities can foster both economic efficiency and fiscal challenges. The "paradox" refers to the tension between granting subnational governments the freedom to govern and the risks of fiscal mismanagement that can lead to national instability. By assessing the impact of federal structures on economic policy and governance, Rodden provides valuable insights into how nations can better manage fiscal federalism to promote both autonomy and

accountability, making this study essential for understanding the financial dynamics of federal political systems.

- **R. Saxena, “Strengthening Federal Dialogue : Role of NDC & ISC” 1(3)**

***Contemporary India*, 51-64 (2002)**

In *Strengthening Federal Dialogue: Role of NDC & ISC* (2002), Rekha Saxena examines the role of two key institutions—the National Development Council (NDC) and the Inter-State Council (ISC)—in fostering cooperative federalism in India. Published in *Contemporary India*, her article explores how these institutions serve as platforms for dialogue between the central and state governments, helping to address regional concerns and align development goals. Saxena discusses the challenges of federal governance in India’s diverse political landscape, highlighting the importance of institutionalized dialogue for maintaining unity and enhancing state participation in national policy-making. Her analysis underscores the need for a more proactive role for both the NDC and ISC in promoting balanced federal relations, ensuring that regional voices are integrated into India's governance framework.

- **T. C. Schelling, “An Essay on Bargaining” 46 (3) *American Economic Review* 281–306 (1956)**

In *An Essay on Bargaining* (1956), Thomas C. Schelling explores the strategic dimensions of negotiation, providing foundational insights into game theory and conflict resolution. Published in the *American Economic Review*, Schelling’s essay examines how individuals and groups employ tactics to influence bargaining outcomes, such as threats, commitments, and concessions. He highlights the role of perceived credibility and commitment in shaping the dynamics of bargaining, suggesting that the most effective strategies often involve calculated risks and communication tactics to influence the opponent’s choices. Schelling’s work significantly advances the understanding of strategic interactions in economic and political contexts, emphasizing the importance of rationality and psychology in negotiation processes. This essay has since become influential in fields such as economics, political science, and international relations.

- **P. Seabright, “Accountability and Decentralization in Government: An Incomplete Contracts Model” 40(1) *European Economic Review* 61–89 (1996)**

In Accountability and Decentralization in Government: An Incomplete Contracts Model

(1996), Paul Seabright analyzes the relationship between accountability and decentralization in governmental structures using the framework of incomplete contracts. Published in the *European Economic Review*, Seabright explores how decentralizing authority to local governments can improve efficiency and responsiveness but also introduces challenges in ensuring accountability. He argues that decentralization often leads to situations where local governments may shirk responsibilities or fail to align with national objectives, due to the inherent limitations of contract enforcement in decentralized settings. Seabright's model highlights the need for a balance between decentralization and mechanisms to ensure local governments remain accountable. His work has significant implications for understanding the design of governmental institutions and the conditions under which decentralization can enhance or undermine public service delivery.

- **C. Souza, Brazil: The Prospects of a Center-Constraining Federation in a Fragmented Polity” 32(2) *The Journal of Federalism*, 23–48 (2002)**

In *Brazil: The Prospects of a Center-Constraining Federation in a Fragmented Polity* (2002), Christopher Souza examines the challenges and possibilities of building a center-constraining federation in Brazil, a country marked by regional fragmentation and diverse political interests. Published in *The Journal of Federalism*, Souza analyzes Brazil's federal system, focusing on the tensions between central authority and state autonomy. He argues that, while Brazil's federal structure offers the potential for decentralized governance, the fragmentation of political power across regions complicates efforts to establish a strong, effective federation that limits central control. Souza explores how institutional reforms, political negotiations, and the role of the judiciary can shape the future of Brazil's federalism. His work offers valuable insights into the complexities of managing federalism in a diverse, fragmented polity and the prospects for strengthening the autonomy of regional governments without undermining national unity.

Research Methodology

The research article titled “Challenging Gender Bias in Criminology: Advocating for Inclusive Frameworks” adopts a Doctrinal Legal Research methodology to thoroughly examine legal concepts through statutory provisions and judicial precedents. By employing logical reasoning, the study delineates and elucidates key legal principles pertinent to crime dynamics. It

relies predominantly on primary legal sources, such as Acts of Parliament and decisions from higher courts, while also incorporating content analysis alongside a diverse array of secondary materials, including books, academic journals, newspapers, trade publications, and organizational reports to enhance its findings. Additionally, insights from academic institutions, government documents, international organizations, and reputable online sources provide further depth. This comprehensive approach facilitates an in-depth exploration of criminal conduct within the legal framework, highlighting the essential role of law in promoting accountability and justice.

Concept of Gender Equality

The concept of gender is a social construct that delineates specific roles, responsibilities, rights, and duties for men and women. Historically, this construct has undermined women's right to equality. The Convention on the Elimination of Discrimination against Women (CEDAW) defines discrimination against women in Article 1 as any distinction, exclusion, or limitation based on gender that impedes women's ability to enjoy and exercise their human rights and fundamental freedoms, irrespective of marital status. This encompasses equality across various domains, including politics, economics, society, culture, and civil matters.⁵

Women are entitled to a range of rights that are inherent from the moment of their conception, as outlined in the Universal Declaration of Human Rights. Human rights are fundamental entitlements that individuals inherit from the moment of their conception in their mother's womb. These rights extend to both public and private spheres of life.⁶

Public rights encompass freedoms such as the right to liberty, freedom from violence, the right to work and economic empowerment, the right to education, healthcare, reproductive rights, political representation, and active participation in public life. Private rights encompass entitlements related to protection from violence within the home, rights within family matters such as marriage, divorce, alimony, succession, and child custody, as well as the rights to sexuality, dignity, respect, and privacy.⁷

The law plays a dual role in gender equality. It can promote gender equality but can also perpetuate discrimination against women. Many ostensibly neutral laws have historically

⁵*Supra*, note 5

⁶*Ibid*

⁷*Ibid*

discriminated against women. Over the past fifty years, significant efforts have aimed to address this discrimination and ensure gender equality. New laws are being introduced, and existing ones amended to align with gender equality goals. This ongoing need for legal reform highlights the persistence of deeply ingrained discriminatory practices that must be addressed through legal avenues.⁸

The Role of the Indian Constitution in Promoting Gender Equality and Justice

The concept of gender equality is crucial within the Indian Constitution, which forms the basis for the country's legal and governance frameworks. Drafted by a Constituent Assembly, the preamble guarantees "social, political, and economic justice" to all citizens, highlighting the relationship between gender and law. The Constitution is supreme, mandating that all laws conform to it. Article 13 allows the judiciary to nullify any law that contravenes the fundamental rights enshrined in Part III. Constitutional law addresses gender equality through fundamental rights that ensure equality and prohibit discrimination, as well as through special provisions aimed at guaranteeing economic, political, and social justice for women.⁹

Fundamental Rights and Gender Equality on Examination of Articles 14 to 18 of the Indian Constitution

Part III of the Indian Constitution outlines fundamental rights, particularly focusing on equality through Articles 14 to 18. Article 14 guarantees equality before the law and equal protection for all persons, not limited to citizens. Article 15 prohibits discrimination based on factors such as caste, religion, and sex. Article 16 ensures equal opportunities, while Article 17 abolishes untouchability. Lastly, Article 18 addresses the abolition of titles.¹⁰

Article 14 mandates equality before the law and equal protection of the law. The first criterion for equality is the test of reasonable classification. This article imposes a general obligation on the state to prevent arbitrary classification leading to discrimination. While the term "gender" is not explicitly mentioned in the Constitution, it is understood that discrimination based solely on sex is considered arbitrary. If sex is combined with other considerations, the discrimination is not solely based on sex and may be deemed valid.¹¹

⁸*Ibid*

⁹*Supra*, note 2

¹⁰Fundamental Rights : Part III (Articles 12-35), *available at*: <https://www.clearias.com/fundamental-rights/>, (last visited on Jan 18, 2026)

¹¹*Ibid*

The reasonable classification test determines whether distinctions between different classes are valid or invalid based on their reasonableness. This test involves two aspects: assessing the reasonableness of the classification and examining whether it has a reasonable nexus to the legislative objective. If a distinction between men and women in recruitment, for example, is based on valid grounds, it is considered valid. If it is based on invalid grounds, such as stereotypes about women's abilities, it is considered gender-based discrimination.¹²

The Indian Supreme Court has examined various cases related to gender equality and discrimination, including separate cadres for men and women, different eligibility criteria, employment termination on pregnancy, requirements for women to get married or prove their capability post-marriage, equal pay for men and women performing the same work, and more. In several of these cases, the Court ruled in favor of gender equality and against discriminatory practices.¹³

Test of Discrimination

In addition to the reasonable classification test, two other tests of equality are applied: the test of arbitrariness and the test of discrimination. These criteria are often used in conjunction with the reasonable classification test. Laws must not only be classified reasonably but must also avoid arbitrariness and discrimination. In the case of *Menaka Gandhi v. Union of India*¹⁴, the Court ruled that an executive action, such as the denial of a passport, could be considered arbitrary and infringe upon a person's rights, even without a specific classification by law.

In the case of *Air India v. Nergesh Meerza*¹⁵, the Court declared certain provisions related to employment extension for air hostesses to be arbitrary and in violation of Article 14. Article 15(1) of the Constitution explicitly prohibits discrimination based on sex, among other grounds.

Special Provisions in the Constitution

Article 15(3) allows the state to make special provisions for women and children without violating Article 15(1). This provision is considered an integral part of the right to equality, emphasizing that proactive steps by the state are necessary to achieve gender equality. It has

¹²*Ibid*

¹³ Supreme Court Judgments On Women Empowerment & Gender Equality In 2021, *available at*: <https://www.livelaw.in/top-stories/supreme-court-judgments-on-women-empowerment-gender-equality-in-2021-188536>, (last visited on Jan 18, 2026)

¹⁴AIR 1978 SC 597

¹⁵AIR 1981 SC 1829

been used for various purposes, including justifying adultery provisions and reserving seats and jobs for women.¹⁶

Articles 243D and 243T in Part IX and IX A of the Constitution introduce special provisions for women in local governance. Not less than one-third of the total seats to be filled by direct elections in panchayats and municipalities must be reserved for women, ensuring greater participation in political life. These provisions have brought significant changes to the composition of local governing bodies and are seen as the first step towards ensuring equal participation of women in politics. The Women's Reservation Bill, which seeks to introduce reservations for women in parliament, is pending in the parliament.¹⁷

Right to Life

Article 21 of the Indian Constitution guarantees the right to life for all individuals, stating that this right shall not be denied except in accordance with the law. Over the years, the interpretation of Article 21 has expanded to include the right to live with dignity and liberty. It is often invoked alongside other rights, such as the right to equality and freedom, to encompass a broader spectrum of rights, including the right to a clean environment and protection from sexual harassment. The Supreme Court has ruled that denying succession rights to women from Scheduled Tribes violates their right to livelihood under Article 21. In the landmark Vishakha case, the Court determined that the right to be free from sexual harassment is rooted in Articles 14, 15, and 21, underscoring the interconnected nature of these rights.¹⁸

Gender Bias in Criminology

India has long been engaged in a battle to protect women's rights, and it is crucial to ensure that the increasing statistics of crime reflect actual occurrences rather than abuse of protective laws. While women are often the primary victims, it is essential not to overlook the potential impact on men due to the misuse of these laws.¹⁹

In the past, India justified pro-women laws based on societal norms. However, times have changed, and the Indian Constitution now guarantees equality among all human beings. With the

¹⁶ Protective discrimination under the Indian Constitution, *available at*: <https://blog.ipleaders.in/protective-discrimination-indian-constitution/>, (last visited on Jan 19, 2026)

¹⁷ Article 243D in The Constitution Of India 1949, *available at*: <https://indiankanoon.org/doc/1091659/>, (last visited on Jan 19, 2026)

¹⁸ *Supra*, note 5

¹⁹ The politics of women rights in India, *available at*: <https://blog.ipleaders.in/politics-women-rights-india/>, (last visited on Jan 19, 2026)

introduction of gender-neutral legislations, the legal framework aims to protect everyone equally, recognizing the vulnerability of all individuals to various forms of crimes, regardless of gender. Gender-neutral legislation has faced opposition from feminist groups and women's activists who argue that it may divert attention from genuine female victims to false complaints. They also express concerns that such laws could cause more harm than good and fail to achieve their goal of equal protection for both genders.²⁰

Those in favor of gender-neutral legislation argue that it doesn't eliminate crimes but rather normalizes the fact that men can also be victims of hardships and suffering, just like women. This normalization should occur before men can come forward with their complaints against offenses traditionally committed by men against women.²¹

In 2013, the Justice Verma Committee recognized the reality of sexual assault on men, homosexual, transgender, and transsexual rape, and recommended changes to criminal laws accordingly. However, feminist organizations objected to these recommendations, leading to the passage of the Criminal Law (Amendment) Act 2013 without taking the committee's suggestions into account. Sexual assault and abuse against men receive insufficient attention because they are inadequately researched and studied. A common misconception is that men cannot be victims of abuse or sexual assault. Therefore, awareness of these crimes against men is lacking.²²

The existing legal provisions penalize only one gender – males – for offenses such as sexual assault, adultery, stalking, voyeurism, rape, dowry deaths, domestic violence, and workplace harassment. These laws were originally enacted during a time of gender disparity in India. The question now is who is genuinely affected by these legal gaps.²³

An analysis of specific legal provisions is necessary:

1. Rape (Section 375 of the Indian Penal Code of 1860) and false allegations of rape.
2. Domestic violence and cruelty (Section 498-A of the Indian Penal Code 1860) under the criminal legal system.
3. Provisions related to sexual harassment under the Sexual Harassment of Women at

²⁰*Ibid*

²¹ Misuse of gender-specific statutory provisions and rights of men in India, *available at*: <https://blog.iplayers.in/misuse-of-gender-specific-statutory-provisions-and-rights-of-men-in-india/>, (last visited on Jan 19, 2026)

²²Criminal Law (Amendment) Act, 2013, *available at*: <https://blog.iplayers.in/criminal-law-amendment-act-2013/>, (last visited on Jan 19, 2026)

²³*Ibid*

Workplace (Prevention, Prohibition and Redressal) Act, 2013.

4. Maintenance (Section 125 of the Code of Criminal Procedure, 1973).²⁴

Women's empowerment and gender equality are fundamental values in contemporary society, and sexual abuse in any form must be strongly condemned. These acts cause physical, emotional, and psychological trauma and are slowly becoming normalized. The right to live with dignity, equality, and freedom of choice in work, trade, or profession is guaranteed by the Indian Constitution. Gender equality is crucial in ensuring these rights, and society should treat everyone with dignity and respect, regardless of gender.²⁵

1. Rape and False Allegations of Rape: Rape is commonly associated with female victims, but international data suggest that a significant percentage of rape victims are men. The Indian legal system, however, defines rape as an offense committed by a man against a woman. This narrow definition doesn't account for male victims or female perpetrators. The prevalence of false rape cases is a growing concern.²⁶

2. Domestic Violence and Cruelty: Domestic violence is prevalent in India, with one in five women reportedly experiencing some form of it. The Protection of Women from Domestic Violence Act was passed to safeguard women from domestic violence. However, it's important to acknowledge that women can also be perpetrators of domestic violence. Gender-neutral legislation, along with strict penalties for misuse, could provide a more balanced approach to domestic violence cases.²⁷

3. Sexual Harassment Law: The Sexual Harassment of Women at Workplace Act, 2013, only protects women. India lacks a legal framework to hold women accountable for sexually harassing men. Sexual harassment isn't solely about the gender of the victim; it revolves around control, power, and authority. With more women attaining positions of power in the workplace, there is no reason to exclude them from being held accountable for their actions.²⁸

4. Maintenance: Section 125 of the Criminal Procedure Code provides for maintenance to family members who cannot support themselves. It's essential to recognize that this provision is gender-neutral for parents but biased when it comes to spouses. A more equitable approach should be

²⁴*Ibid*

²⁵*Ibid*

²⁶*Ibid*

²⁷*Ibid*

²⁸*Ibid*

considered, focusing on the financial capability of both partners and deterring misuse of the law.²⁹

In ensuring gender equality and protecting all individuals from abuse and violence should be a priority in India's legal system. Gender-neutral legislation, combined with awareness and prevention, could help address the gaps in the existing legal provisions and provide better protection for all.³⁰

The Essential Role of Inclusive Frameworks in Addressing Gender Bias in Criminology

Inclusive frameworks are indispensable when it comes to addressing and rectifying gender bias, especially within the field of criminology. Gender bias, deeply rooted in societal norms and prejudices, casts a long shadow over research, policies, and practices. Inclusive frameworks, which encompass a diverse spectrum of gender identities and experiences, are pivotal for several compelling reasons.³¹

Inclusive frameworks ensure that individuals of all gender backgrounds are represented and actively heard, which is crucial for dismantling gender bias in criminology. These frameworks extend to intersectionality, recognizing how gender bias intersects with race, socioeconomic status, and sexuality. By providing a holistic view of these intersecting biases, inclusivity fosters comprehensive research into gender-related issues, examining not only individual experiences within the criminal justice system but also the broader societal implications, including their influence on crime rates and victimization.³²

Inclusive frameworks are essential for developing policies that effectively combat gender bias by addressing the unique needs and experiences of all genders. Such policies promote fairness and justice, recognizing inclusivity as a moral imperative rather than just an ethical choice. By aligning criminological research and practices with principles of fairness and human rights, inclusivity ensures the integrity of the field. Additionally, these frameworks can drive

²⁹*Ibid*

³⁰Astha Satsangi, Gender biased Criminal Law in India, *available at*: <https://www.lawcian.com/post/gender-biased-criminal-law-in-india>, (last visited on Jan 13, 2026)

³¹ Inclusive Legal Frameworks: Empowering Women Through Rule of Law, *available at*: <https://www.ifes.org/news/inclusive-legal-frameworks-empowering-women-through-rule-law>, (last visited on Jan 19, 2026)

³²Gender Inequality and the Various Personal Laws in India, *available at*: https://lawcorner.in/gender-inequality-and-the-various-personal-laws-in-india/#google_vignette, (last visited on Jan 19, 2026)

significant social change by highlighting the negative impacts of gender bias and advocating for gender equality, thereby dismantling deeply rooted prejudices.³³

Furthermore, inclusivity is in line with international human rights standards and conventions, which emphasize the importance of gender equality and the elimination of gender bias. By adopting inclusive frameworks, nations and organizations can fulfill their commitments to human rights and promote equitable and just societies.³⁴

Addressing gender bias through inclusive frameworks has a profound long-term impact, as unchallenged biases can perpetuate cycles of discrimination across generations. These frameworks seek to create lasting, positive change that benefits both criminology and society at large. They are essential in promoting equity, intersectionality, and comprehensive research while fostering fair policies and social change. Moreover, inclusivity enhances research validity and community trust, aligning with international standards. Embracing inclusivity is crucial for cultivating a more just, equitable, and unbiased criminological field and society.³⁵

Challenge and overcome gender bias in criminology

Challenging and overcoming gender bias in criminology requires a multifaceted approach that involves various steps. Firstly, it is essential to raise awareness within the criminological community about the presence and implications of gender bias. This can be achieved by organizing seminars, conferences, and workshops dedicated to discussing gender bias and its impact on research, policy, and practice. Simultaneously, we must promote education and training programs that emphasize the importance of recognizing and mitigating bias in criminological work.³⁶

Research is vital in challenging gender bias, necessitating studies that focus on gender-related issues to uncover patterns and disparities. Such empirical evidence supports the case for change. Collaborating with like-minded peers and organizations can amplify our collective voices and enhance our impact. Advocacy for policy revisions in academic institutions and

³³*Ibid*

³⁴ Inclusive legal and regulatory frameworks, *available at*: <https://gsdrc.org/topic-guides/inclusive-institutions/approaches-interventions-and-tools/inclusive-legal-and-regulatory-frameworks/>, (last visited on Jan 19, 2026)

³⁵ Long road to gender equality in India, *available at*: <https://www.insightsonindia.com/2016/11/30/insights-into-editorial-long-road-to-gender-equality-in-india/>, (last visited on Jan 19, 2026)

³⁶ Challenging gender bias in research, *available at*: <https://blogs.bmj.com/bmj/2021/02/05/challenging-gender-bias-in-research/>, (last visited on Jan 19, 2026)

criminal justice organizations is crucial, promoting gender-sensitive curricula and diversity. Encouraging the inclusion of women and underrepresented groups in all aspects of criminology is imperative for progress.³⁷

Equally important is the recognition and mitigation of bias through training programs. These programs should be designed to educate researchers, law enforcement, and criminal justice professionals on the significance of acknowledging their own biases and learning how to address them effectively. Promoting rigorous peer review processes and ensuring accountability for gender bias within criminological research and publications is another step. By doing so, we can strive to maintain the integrity and fairness of our work.³⁸

Engaging in public discourse is a powerful tool for change. Writing articles, op-eds, and participating in public discussions can help raise awareness and gain support for the cause. Lastly, mentorship and support for emerging scholars from marginalized backgrounds can contribute to breaking down barriers and fostering diversity within the field. Regularly evaluating the progress of our efforts and adjusting our strategies and objectives accordingly is vital to ensure continued progress in challenging and overcoming gender bias in criminology.³⁹

Findings

- Gender is fundamentally a social construct that delineates roles, rights, and responsibilities for men and women, often historically sidelining women and denying them equality.
- The Convention on the Elimination of Discrimination against Women (CEDAW) defines “discrimination against women” as any gender-based distinction, exclusion, or limitation that impairs women's ability to exercise their human rights.
- The Indian Constitution enshrines fundamental rights and special provisions designed to foster gender equality and prohibit discrimination on various grounds, including gender, caste, and religion.

³⁷Gender bias in academia: a lifetime problem that needs solutions, *available at*: <https://pmc.ncbi.nlm.nih.gov/articles/PMC8553227/>, (last visited on Jan 14, 2026)

³⁸Why Is It Important to Recognize Bias?, *available at*: <https://enlightio.com/why-is-it-important-to-recognize-bias>, (last visited on Jan 19, 2026)

³⁹*Ibid*

- Article 14 of the Indian Constitution guarantees equality before the law and equal protection, introducing the "reasonable classification test" to assess the legitimacy of distinctions among different classes.
- Article 15(3) of the Indian Constitution empowers the state to implement special provisions for women and children to rectify historical injustices, such as reserving seats in local governance.

Conclusion

The principle of gender equality aims to guarantee equal rights, opportunities, and treatment for individuals of all genders. It asserts that gender should not influence access to rights, responsibilities, or resources. This concept is embedded in international conventions and national constitutions, emphasizing the elimination of discrimination against women. In India, the Constitution serves as a vital framework for advancing gender equality, offering fundamental rights that uphold equality and prohibit discrimination. It also contains special provisions to address historical inequalities, particularly for women, in areas such as political representation and local governance. The necessity for gender-neutral legislation to combat gender bias in legal frameworks, recognizing that men and women can both be victims and perpetrators of violence and discrimination. Inclusive approaches are essential for rectifying gender bias, promoting diversity, intersectionality, and comprehensive research to foster fairness and justice.

Addressing gender bias in criminology necessitates a multifaceted strategy that includes raising awareness, conducting research, advocating for policy reforms, encouraging diversity, providing training, engaging in public discussions, and supporting emerging scholars. Regular evaluation and adaptation of these strategies are crucial to ensure sustained progress towards gender equality and the eradication of bias in both society and the field of criminology.

In the pursuit of gender equality, it is vital to acknowledge that gender bias impacts individuals of all genders, necessitating comprehensive efforts to promote fairness, justice, and human rights for everyone. Gender equality is not merely an aspiration but an essential foundation for building a more just, equitable, and unbiased society.

Suggestions

- Developing educational programs that promote gender equality from an early age should encourage discussions on gender roles, stereotypes, and biases, fostering awareness and inclusivity in future generations.
- Training professionals in law enforcement, judiciary, and healthcare should focus on recognizing and addressing gender bias, ensuring respect and fairness for individuals across all genders.
- Advocating for legal reforms and policy changes should emphasize gender-neutral legislation addressing the specific needs and experiences of all genders, particularly regarding violence and harassment.
- Promoting diversity and inclusion within institutions should enhance representation of women and marginalized individuals in decision-making roles, enriching perspectives in fields like criminology and beyond.
- Launching public awareness campaigns should challenge societal stereotypes, promote gender equality, and shift public norms and perceptions surrounding gender issues.
- Continuously assessing the progress of gender equality initiatives should help refine strategies to address evolving challenges and enhance efforts against gender bias.
- Collaborating with national and international organizations and civil society groups should strengthen collective efforts to combat gender bias and advance gender equality globally.

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