

7.4 GENDER VIOLENCE IN INDIA ON THE RESPONSE TO THE DELHI GANG RAPE

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In December 2012, after a night out to see a film, a 23-year-old physiotherapy student from Delhi was brutally raped and tortured for several hours on a moving bus by six men. Her male companion was severely beaten. Naked and bleeding, they were then thrown out of the bus and had to wait over half an hour before anyone came to their aid, despite finding themselves in a busy intersection of Delhi. The young woman died two weeks later in a hospital in Singapore due to massive internal injuries, after valiantly struggling to survive. Her horrific assault provoked widespread national protests, particularly in Delhi, the nation's capital. For the first time, sexual violence against women had filled the streets with ordinary citizens protesting against government inaction and societal indifference towards endemic rape and sexual harassment. When living in the Punjab, every day I would open the local newspaper and read at least one account of a rape or sexual assault that had occurred. The rape culture in India, as it is in other countries, seemed to be taken for granted. Security for women in public spaces was seen to be an individual problem that the male members of their families should secure, not an issue of public security, citizenship and democracy for all.

In the wake of the public mobilisation and protests, which have involved large numbers of both men and women, the central government has been forced to respond and security for women is now on the national agenda. A bill was

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recently passed in Parliament in March 2013 that includes stiffer penalties for rapists, including the death penalty in cases where rape results in death or a 'persistent vegetative state' or the rapist is a repeat offender. The definition of rape has been expanded to include oral sex and rape with the insertion of objects (the Delhi gang rape victim was tortured with an iron rod), but stops short of including marital rape. It also addresses other forms of violence against women, creating separate offenses for stalking, voyeurism, acid attacks and the forcible stripping of women. Combined with a new punishment for police officers who fail to record complaints of sexual violence (a widespread problem in India), and faster rape trials, the legal framework for combatting rape and other forms of sexual violence against women have been greatly strengthened. A controversial aspect of the bill, however, concerned raising the age of consent from sixteen to eighteen.

Socially, as in the West, attitudes towards women's equality and acceptance of growing female independence will take longer to evolve. In the wake of the Delhi gang rape, an undercover duo of journalists from the Indian magazine *Telheka*² interviewed more than thirty senior police officers in Delhi. Their investigation revealed that the majority of them believed that most rape claims were false, motivated by money or brought by women with 'loose morals'. Summing up the mentality of a large part of the police force, one police officer commented: "No rape can happen in Delhi without the girl's provocation". Another stated: "In reality, the ones who complain are only those who have turned rape into a business". After the gang rape, and a flurry of news reports in India which suggested that the incidence of rape is increasing, a number of politicians and *panchayat* (local) leaders from across the political spectrum made misogynistic comments which blamed women for rape, ranging from 'immodest' dress and the use of mobile phones, to 'late' marriage, beyond the age of sixteen. The leader of the Congress Party in Andhra Pradesh (a state in

² For the full article see: <http://tehelka.com/the-rapes-will-go-on/2/#.UbBIENi9Aul> (accessed on 6/06/2013)

southern India) famously quipped that “just because India achieved freedom at midnight does not mean that women can venture out after dark”. Some spiritual leaders also contributed to the broader sexist discourse on rape, such as the Hindu guru Asaram Bapu who stated that the victim, known as Delhi’s ‘braveheart’, could have avoided rape had she called her rapists brothers, bowed at their feet and pleaded for mercy.

The Delhi gang rape and society’s reaction to it has also revealed cleavages of class and caste in addition to institutionalised sexism and deeply rooted sexist beliefs across Indian states. Although some news reports portrayed Jyoti Singh (the young woman’s family later authorised the publishing of her name) as middle class and her attackers as poor migrants to Delhi who lived in slums, Jyoti herself came from a struggling rural family who had migrated from the state of Uttar Pradesh to Delhi before she was born. Her father worked as a luggage loader at Delhi airport and had to sell part of the family land in their village in order to fund her university education. The entire family of five lived in a tiny two room apartment that lacked a proper roof in a dilapidated neighbourhood that until recently was classified by the Delhi authorities as an illegal slum. Jyoti herself worked at a call centre in Delhi in order to pay for her living expenses at her college in Dehradun, in the state of Uttarakhand, north of Delhi. Yet her family was upwardly mobile and had invested heavily in Jyoti’s education with the hope that her job as a physiotherapist could help fund her two younger’s brothers’ education and lift the entire family into the growing Indian middle class. Thus, what united Jyoti with her savage attackers was their migration to Delhi in order to find employment and build a better life for themselves. What divided them is a cultural gulf regarding the ‘appropriate’ role for women. Jyoti’s family had embraced educational and career aspirations for their daughter, whereas her rapists on the bus had taunted Jyoti and her male companion for being alone together in the evening, in a clear allusion to the belief that ‘good women’ stay at home. The growing independence, both financial and social, of young women in India, has yet to be digested by many young men, who continue to believe that women should ‘know their place’. As

one middle-class married friend in India once bitterly remarked to me, “in India, modernity is just for men”. The class dimension in the popular response to her rape is unmistakable. Many of the protestors in Delhi were middle-class students and professionals who clearly identified with Jyoti Singh’s aspirational middle class identity and values. They too, could imagine themselves returning from seeing ‘The Life of Pi’ with a friend at an upmarket shopping centre in South Delhi, only to be confronted with sexual violence that for far too long has been normalised in Indian culture.

Caste has also conditioned the popular response to the Delhi gang rape. In the wake of the brutal assault, a colleague of mine from Delhi made the following comment, which was echoed by a number of commentators in the Indian press: “What about all the Dalit (former untouchable) women who are raped every day without the slightest media interest?” Indeed, just three months before the Delhi gang rape, a 16 year old rural Dalit girl in the deeply conservative neighbouring state of Haryana was gang-raped by a group of eight upper-caste men. The men filmed the assault on their mobile phones and then circulated the images. The girl’s father, overcome by shame, committed suicide a few weeks later. The girl was just the latest in a string of rapes of Dalit girls in the state of Haryana, none of which resulted in popular protests or any other form of mobilisation against rape. Dalit women in India have long been the targets of systemic rape by upper caste men, particularly in rural areas, where traditionally some upper-caste men have considered sexual access to Dalit women their ‘birth right’. Indeed, a Dalit friend of mine settled in Spain once bitterly remarked “they take our women like lollypops in their hands”. Due to poverty and a lack of land, Dalit women are far more likely to work outside the home for economic survival than their upper caste rural counterparts, making them more vulnerable to sexual abuse. The entire caste system rests on the edifice of gendered caste boundaries between ‘pure’ and ‘chaste’ upper caste women on the one hand and ‘sexually available’ Dalit women on the other. Caste hierarchies thus depend both on the racialisation of Dalit communities and the extreme sexualisation of Dalit women. Rape of Dalit women is so routine that few cases

are formally denounced a result of both police indifference and upper-caste pressure on Dalit families to keep silent. The middle-class urban lifestyle of the victim, Jyoti Singh, meant that hundreds of thousands of urban, middle-class, non-Dalit women could see their reflection in her and think 'it could have been me'. A Dalit woman or girl who is gang raped in a village in one of India's "backward" states might receive media attention, but her life is far removed from the fast-paced, globalised lifestyles in India's large cities. What would have happened if the Delhi gang-rape victim had been Dalit? Given contemporary India's highly polarised caste politics, her Dalit identity would likely have been the dominating factor in the ensuing debate. The non-Dalit identity of Jyoti Singh enabled her gender alone to be the main focus of protest and media response (had she been Dalit, this fact would have emerged, non-Dalit being the assumed norm and the 'unmarked' identity in India). The English speaking Indian press did not explicitly highlight the caste identity of her attackers, preferring instead to focus on their class.

Moving forward

While the Delhi gang rape has already led to significant progressive legislative change and structural change has been promised, such as the commitment of the Delhi Police Force to hire more female police officers, much deeper cultural changes will be required in order for these legislative and structural reforms to be effective. In order to stem rape and make public space safer for half of its population, deeply-rooted sexism and the low status of women needs to be tackled. In order to transform traditional mentalities among all classes and communities, it is important to leverage popular culture as well. Films, especially in regional languages which reach all Indians, could portray heroes who condemn rape and sexual harassment and show women in positions of authority, such as police officers; posters in highly transited places can proclaim the message that sexual harassers and rapists are not 'true men' in order to promote new forms of masculinity (similar to the campaign launched by Lambeth Council in London), and sexual harassers publicly shamed and

ostracised. Undercover 'eve teasing' or sexual harassment monitors (sexual harassment is known as 'eve teasing' in India) can be hired to police both bus/train transport as well as transport in rickshaws. Police officers who refuse to register rape/sexual harassment cases, encourage victims to remain silent or marry their attackers should be promptly sacked, and those who set an example in pursuing convictions, promoted. In order for the extraordinary solidarity and gender consciousness that emerged in the wake of the Delhi gang rape to continue, citizens must be prepared to take to the streets to demand action from a complacent political class in order to keep the pressure on to effect real change. The greatest danger is that the initial momentum unleashed by the Delhi gang rape is lost with time, as citizens become once again resigned to a culture of sexual harassment and rape and men and boys feel at renewed liberty to intimidate and abuse women. This risk is illustrated by the following anecdote, related to me by a friend who lives and works in Delhi: "In the first few days following the rape, the labourers who work just a few metres from my house stopped with their usual lurid stares and commenting before I would catch my auto-rickshaw; they kept their eyes lowered. But now they have returned to their usual behaviour". There is also the danger that parents will now exercise even greater control over the mobility and choices of their daughters in order to protect them from potential sexual violence, thereby restricting their educational and career opportunities. This intensified control is already apparent; some female teenagers have shared with me that their parents will no longer allow them to study in Delhi since it is considered particularly unsafe for women (Delhi is the seat of several prestigious universities). The tragic death of Jyoti Singh has stirred the nation's consciousness like never before; her memory will live on, but in order for future generations of girls to grow up in a safer and more egalitarian India, gender equality needs to become a national priority and a collective responsibility of government, culture and civil society.