

an international journal on *sexual and reproductive health and rights*

rape: the stereotyping of indian culture and moving from 'protection' to 'freedom'

A guest blog from Pooja Badarinath, **CREA**

The recent brutal gang-rape of a 23-year-old girl in a moving bus in Delhi, India, resulted in expressions of outrage and anger everywhere in the country. The weeks after the rape saw an unprecedented focus on sexual assault—in formal and informal conversations, protests, television debates, drawing rooms, social media, and official statements. These protests were unique because they brought everyone to the streets. It is heart warming that many of the conversations spurred by this response are affirmative—they discuss women's right to wear what they want, to walk the streets after dark, and other such issues. And, they take on political and spiritual leaders who blame women for rape in direct and indirect ways.

The feminist movement has been struggling to change the rhetoric from "protection" to "freedom" for a long time. This time, many of these feminist demands, ideas, and positions are of people/groups that do not identify as 'feminists'. However, there are some demands that are extremely problematic. For instance, the demands for enhanced punishment, death penalty, and chemical castration—fuelled by the media—are decidedly unfeminist. Thus, we need to extend the conversations beyond these 'populist demands' and broaden the popular middle-class understanding of gender-based violence and its consequences for all—Dalit women, women from religious minorities, sex-working women, mentally and physically disabled women, women in police custody, women living in 'disturbed' areas and conflict zones, women who are sexually abused within the home, lesbian women, transpersons, and gender non-conforming people.

However, the current legal framework for rape is fraught with patriarchal baggage—only when a man has "sexual intercourse" with a woman, without her consent, is it considered as rape (this does not hold within marriage of course, because the wife is seen as the 'property' of her husband)[1]. The importance is given to "intercourse" and, hence, there is no acknowledgment of the violence of invasion that always accompanies any case of sexual assault, whether or not it is accompanied by bruises and broken bones. Due to this emphasis on "intercourse", rape is considered most severe when a "woman loses her chastity/virtue"[2]. The most common perspective is that for a woman, being raped is a "fate worse than death". This notion has been the most difficult to change over the years, not just in popular culture but also in the judiciary and other institutions. As long as sex is seen as the vehicle to the most ultimate form of purity or pollution, this perspective will not change.

Gender-based violence is a manifestation of patriarchal power structures and inherent inequality in society. It is not about, as some sections of the Indian media are reporting, "illiterate" young men who migrate to big cities and "cannot handle educated young women asserting themselves". Such privileging of violence and 'victimhood' is a result of patriarchal and unequal power structures. Even the reportage in the media abroad has not been without its own bias[3]. Many articles published in prominent dailies in countries such as the US and UK portray rape as a problem that happens only in countries such as India, implying that the so-called North has overcome this completely. The stereotyping of "Indian culture" and of "Indian men" as having "...murderous, hyena-like male contempt"[4] towards women is even more troublesome. The question has been turned into a clash of "cultures". Such reporting and attitude towards Southern cultures yet again touch upon the North-South divide and the northern gaze, where issues like patriarchy and gender inequality seem to be a problem of only the South. We need to realise that the issues of gender justice is not cultural phenomenon. We must remember that no matter where they live, women and men hold different identities and positions of privilege and powerlessness.

Women's groups in India have always tried to bring this perspective to the work on violence against women through their advocacy, trainings, publications, messages, campaigns, research, protests, discussions, and events. CREA, for instance, works to address the issue of violence against all women through its work, such as through its Institutes on sexuality, gender, and rights; trainings aimed at creating an understanding of bodily autonomy, choice, and freedom to enable women and girls to be more aware and in control of their bodies and lives; grassroots-level feminist leadership building programmes; and publications on various issues related to violence against women. Violence is also discussed by documenting cases of violence on marginalised women who fall through the cracks in the mainstream, homogenous, violence against women rhetoric (for instance, lesbian, sex-working, and disabled women). We work directly with adolescent and young girls using the medium of sports. Sport, which has traditionally always been associated with boys and men, also challenges stereotypes around gender, and allows the girls to come out of their homes and exert more control over their lives. We also sent recommendations, collectively with other activists and groups as part of the Citizens' Collective Against Sexual Assault, to one of the committees formed by the Indian government to inform law reform on sexual assault. The submissions were those that we have been making for a while now; we made them again because this time, the authorities were listening.

It is inevitable that this case will fade from public memory, if not now then later. While we hope that the mobilisation around this case will change rape laws for the better, we are aware that a legal response alone is deeply inadequate in tackling what is a systemic devaluation of women. Women's groups, along with seizing the opportunities that this moment brings, will continue to confront violence against women, like they always have. In addition, we need to revisit our strategies, and perhaps consolidate some, and rethink others. We need to continue the conversations around women's freedom and build a culture where a woman has autonomy over her body and sexuality.

[1] Rape in the Indian Penal Code has been defined under section 375 and 376 and we have concentrated on a specific aspect of the same. The law also describes what can be called aggravated cases of rape, such as custodial rape, rape on a pregnant woman and gang rape.

[2] An example of the same can be understood through [the experience of Sohaila Abdulali](#)

[3] An example of this is [this piece by Liz Jones](#) in the Daily Mail, UK

[4] Opinion piece by Libby Purves in the Times, London; **Indian women need a cultural earthquake**, 31st December 2012

CREA is a feminist human rights organisation based in New Delhi, India. CREA works to advance the rights of women and girls, and the sexual and reproductive freedoms of all people.

CREA works in partnership with **RHM journal** to publish the **Hindi language edition of Reproductive Health Matters**

Naila Kabeer has also written on this issue. In '**Grief and rage in India: making violence against women history?**' published on Open Democracy she asks: 'Can we harness the international attention to this case to demand that the world's leaders commit themselves to a policy of zero tolerance of violence against women in the post-Millennium Development Goals agenda?'

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