Rape: Myths, Beliefs and Attitudes

Chapter: IV
Don't go out alone at night, that encourages men.
Don't go out alone at any time, any situation encourages some men.
Don't stay at home, intruders and relatives can both rape.
Don't go out without clothes, that encourages some men.
Don't go out with clothes, any clothes encourage some men.
Avoid childhood, some rapists are turned on by little girls.
Avoid old age, some rapists prefer aged women.
Don't have a father, grand father, uncle or brother, these are the relatives who may rape.
Don't have neighbours, these often rape.
Don't marry, rape is legal within marriage.
To be quite sure- don't exist! 

I. INTRODUCTION:
Among all the imaginable crimes, rape holds a unique status. Feminist writers have noted the profusion of myths and incorrect stereotypes about rape, rapists and rape victims in society. These falsehoods create a climate hostile to rape victims, portraying them as often-willing participants in furtive sexual encounters, or even instigators of them. An attempt has been made here to review society's tendency to put the onus of cause on the victim of rape rather than on the perpetrator.

One of the most difficult tasks in this study was to break the silence the shrouds 'rape'. This chapter looks into the myths, attitudes and beliefs of people and how these, in turn, help to perpetuate the crime of rape. For this purpose, apart from a review of secondary literature I administered questionnaires to 35 males and 35 females at random. They were in the age group 19-40 years and belonged to the educated urban middle class of Delhi. The major findings will be highlighted here. It must be kept in mind that this survey is more in the nature of an additional input to my field work rather than central to it.

\[1\]London Rape Crisis Centre: Sexual violence: The Reality for Women.
Many people declined to fill these questionnaires when I gave it to them, some instantly shied away after reading the contents. Rape is clearly still a 'taboo'. A special mention of this difficulty in using the questionnaire method is in order to emphasise the manner I did conduct my detailed, in-depth field work mentioned earlier.

I have argued earlier that rape is a social phenomenon and sought to show how is propped by social institutions. The origins of violence against women are not biological. If that were the case it would exist in every culture. There are certain tribal and less tribal patriarchal cultures where there is evidence of very little violence or in which violence is almost equal between boys and girls.

Feminists have argued that rape myths- prejudicial, stereotyped and inaccurate perceptions of sexual violence- are prevalent in patriarchal societies and that the tendencies to blame and denigrate women are at the core of these misperceptions.

The cultural system via various social institutions often condones violence against women by perpetuating violence through myths, attitudes, beliefs. These in turn perpetuate a 'rape culture' which is also responsible for 'throwing out' of victims from active society. This 'throwing out' takes place by members of society who also become responsible for isolating the victims of sexual violence.

Rape has a long disturbing history; societal attention to the problems surrounding rape is the recent phenomenon. Why does a crime that produces outrage when discussed openly appear to attract such paucity of organised attention? One answer may lie in the suggestion that a crime receives attention only when the actual and potential victims have enough power to demand such attention. In most legal definitions of rape, the crime requires a female victim and a male criminal. Thus the correspondence between the emergence of the

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2 Sanday (1981) has researched on the fact that rape is not a universal phenomenon. According to her, there are some cultures where rape does not exist.

3 In most cases society is responsible for making a victim remain a victim forever, instead of a 'survivor'. The rape myths and in turn 'rape culture' ensures that rape is perpetuated over time by society. The social institutions often act as catalysts in this perpetuation process.
women's movement and the increase in attention to rape is no mere coincidence. In a male oriented society, rape seems to occupy a position somewhere between accepted practice and unacceptable crime. The extent to which rape is integrated into the accepted social system at some levels is exemplified by the fact that actions that apparently fit the legal definition of rape are excluded from prosecution. For instance, in India, a husband cannot be charged with raping his wife, regardless of her attempted resistance. At the same time, that rape is viewed as a heinous crime is evident. What results from this confusion is a system in which the roles of victim and criminal often seem confused. Within the legal system, attention has been focused on the victim's possible role in 'inducing' the rape, while there appears to be sympathy for the criminal. 4

Moreover, rape victims may be stigmatised, forcing them to withdraw and suffer through their victimisation with diminished social support.

Some outgrowths of these confusions have been: a general lack of knowledge concerning the long term psychological effects of rape; an absence of reliable data on the actual frequency of rape; and a failure to consider the breadth of influence that rape, or fear of rape, may be having on women in general. An adequate evaluation of rape requires that it be viewed as a cultural, social, legal and psychological phenomenon.

The fear of rape affects every woman. It limits their freedom and inhibits their actions, influencing the way they dress, the hours they keep, which caste they belong to. Rape, to the public mind brings to fore many commonsensical definitions and attitudes which contribute much to the 'rape culture'. Rape is a serious crime and we condemn it as a monstrous, criminal act, but very often

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4 Many lawyers I spoke to with at length, often revealed their concern for the rapist. In fact, many male lawyers begin with the assumption that the rapist was 'trapped' into the situation of crime, or 'enticed' by the victim. One lawyer tried to convince me into believing that women are 'badmaash'. These views go a long way into further victimising a victim of rape.

5 Rape culture encompasses a design of ideas, beliefs which govern attitudes towards rape and allow the crime to be sustained over time. For example, negative societal attitudes towards the rape victim would only help in maintaining and sustaining this rape culture. This concept shall emerge throughout the thesis and shall be dealt with as and when it is relevant.
light jokes are made about it. Rape is the most sensationalised and most misunderstood of all crimes. Violent, degrading and traumatic, it is also the only crime in which the victim is liable to become the object of public indifference, hostility and ridicule and even blame.

To regard rape as an expression of sexual desire is not only an inaccurate notion but also an insidious assumption, for it results in the shifting of the responsibility for the offence in a large part from the offender on to the victim. The act of rape is the violent abuse of a woman's body, dignity and autonomy. It is an act of unrestrained hostility and anger, an assault unique in the degradation it inflicts. The suffering it causes is immense.

It is often felt, as one observes, that no other subject is regarded so differently by men and women as rape. Women deeply dread and resent it to the extent that men cannot recognise. For instance, in one of the cases highlighted in this study (the Muri Express rapes), the main accused, while pleading for forgiveness from the concerned authority, trivialises the rape he indulged in when he says (while referring to the victims):

> hum unhe dharmki nahi denge balki unse maafi magenge aur arj kerenge ki hamare apraadh ke liye hame thappad mar de ya koi aur saza de, kintu hamein jail ki saza se bacha le. (we will not threaten them but only ask for forgiveness and plead with them that they should slap us hard for the crime we committed or give us another punishment but not send us to jail).

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6 An often heard joke about rape defines it as 'force landing on thighland!'. These kind of jokes often trivialise the intensity of a crime so grave as rape. Also, these interpretations help in maintaining the rape culture.

7 Sexual acts are classified as biological functions and it is naively assumed that the whole of human sexuality must be governed by something often referred to as 'instinct'. Many argue that sexual behaviour is 'natural'. As a species we do share certain characteristics and fundamental needs with other mammals, but to apply evidence from animal observation directly to human behaviour is to ignore crucial differences. For human beings exist in a social environment structured through language and symbols, and this plays a much more influential role in determining how we behave than do the biological factors which we share with other animals. The 'social' cannot be ignored at any cost.
Men may recognise it as wrong but at a certain point they often say 'but what was she doing there at that hour anyway?', or 'rape is mainly a result of provocation from the woman's side'. Such attitudes and widely held myths on rape go further in perpetuating the 'rape culture'.

Even if they don't think about it very much, most women have incorporated into their lives routine precautions along lines prescribed by general culture. From the woman's earliest days she is attended by injunctions about strangers and warnings about dark streets, she is told to get home before it is dark. She internalises the lessons therein, that to break certain rules is to invite or deserve rape. Also the idea of sexual punishment for disobedience is learned very early, and is accepted. So if a woman is raped, she feels, besides outrage, deep guilt and a need to find out what she has done wrong to account for it. To the extent that a woman can convince a jury that she was neither careless nor seductive, her attacker may be found guilty and she may be absolved from guilt; but more often in rape trials something is found in her behaviour to 'account for her fate'. The main point is that whatever the circumstances of rape, social attitudes and legal processes at the present time make the victim guilty of her own rape. Even the most innocent victim is likely to be told by her family members "I told you never to go there", and this is sometimes the attitude of most of the population.9

As an anti-social crime, rape is kept alive in the public conscience by sensational newspapers and presented as warnings to young women about the dangers of hitch-hiking or any other 'uncalled for' conduct. This again reinforces what every woman has been taught from childhood- rape is the worst thing that can happen to a woman.

There is a contradiction in public attitudes towards rape. At the level of law and public pronouncements, we repudiate rape as a serious offence. However, at

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8 This remark was made by a lawyer when I was discussing the subject of rape. One can easily analyse the kind of biases the legal people have.
9 In the Muzaffarnagar incident, one of the victims faced a similar response. After the incident she was asked to leave home by her husband. He almost blamed her for getting raped. Since she went out of the house for the demonstration, she deserved to be raped.
the level of actual practice, women have found little real protection in the judicial system. Few cases come to court; fewer rapists are convicted, few people even report the rape and the victim, rather than the rapist is usually put on trial. Therefore rape remains a serious threat to all women. It is therefore clear that without a deeper understanding of what rape is and why it occurs, we can never eliminate the problems surrounding it, much less eliminate rape itself.

Another point which needs to be hammered at this point is the virtual conspiracy of silence surrounding the whole question of rape. As a very grave and outrageous act, it is assumed to be an unusual occurrence, and this assumption is thought to justify the fact that rape isn't much talked about. In fact, rape happens a great deal, and is happening with greater frequency everywhere. But like incest and wife-beating, it was for a very long time one of those embarrassing facets of the human condition that one simply did not mention. This silence reflects the opinion that even if rape occurs, it should not be made public. As far as the victim is concerned, the prevailing attitude is that rape is shameful and degrading to her, and the less said about it the better. Advertising the fact that one has been raped is an open invitation to social disaster.

The net effect of this conspiracy of silence is to discourage many rape victims from reporting the offence. Silence perpetuates the misconception that rape does not happen very often; it reinforces the view of rape as a shameful and degrading experience; and it reflects the belief that "nice girls don't get raped".

One can conclude that social attitudes and the legal and judicial processes all conspire (indirectly, if not directly) to keep women from having effective exercise of their political and human rights. Despite the fact that laws against rape exist on the books, ostensibly for women's protection, there are effective social and legal constraints which prevent women from utilising their legal rights. Women are afraid and made afraid, to seek the protection and redress of the law. Therefore women land up remaining silent and when one considers that

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10 In India, the culture of silence prevails in most aspects of sexual crimes. Even if some women want to speak about a crime, they are hushed up by family members.
it is the rapist who has most to benefit from the silence, it is hard to escape the conclusion that social attitudes, and their articulation in the legal process, operate to protect not the victim but the rapist. As things stand, it is being raped that is punished, and it is being raped that is the crime.\textsuperscript{11}

One of the basic contentions is that rape is social, not natural. It is produced by a certain kind of society and not by an eternal, immutable human nature. The attempt to treat rape as natural, as an inevitable consequence of a fixed human nature, is simply a way to avoid doing anything important about it. But if rape is social, it can be eliminated through social change.

Women sense- indeed, are carefully taught to feel- that the institution of rape is mysteriously protected by an armour of folklore, tales, legal precedents, illusive psychological theories. Most of all it seems protected by a rooted and rigid belief that women want to be raped. It is our culture that leads women in some degree to collaborate in their own rape, an aspect of the matter that men seem determined to claim absolves them from responsibility. Perhaps this is implicit in the assumptions about male power they are heir to. But every woman also inherits assumptions about female submission.\textsuperscript{12} Thus the idea of sexual punishment for disobedience is learned very early and is accepted. So if a woman is raped, she feels, besides outrage, deep guilt and a need to find out what she has done `wrong' to account for it.

Before going any further it is important to highlight some of the Myths of rape. It is imperative for sociology to address myths. It gradually becomes clear how myths, in the long run, help only in perpetuating the crime of rape and in turn effect the recovery process of the victim.

\textsuperscript{11} These issues will be discussed more in detail as the thesis proceeds. the arguments will run throughout the study.

\textsuperscript{12} Women or girls are often told not to go out alone when it is dark, or not to wear certain `type' of clothes. The main scare being that of getting raped.
II. MYTHS OF RAPE:

"A myth is a narrative account of the sacred which embodies collective experiences and represents the conscience collective." Nineteenth century anthropology sought to discover the origins of myths, treating them as unscientific explanations of social institutions and practices. For Branislow Malinowski, myths provided legitimisation of social arrangements. Myths cannot be isolated for they are 'statements of reality, products of a living faith, intimately connecting word and deed' (Mitchell: 1979).

Myths are collective representations which naturalise social constructions. Myths help to construct, maintain and reproduce myths. It is a viscous circle. Often, in the case of rape, myths have been very prevalent and have helped only in perpetuating the crime.

While traditional anthropology was concerned with the study of myths in society, the structural analysis of myths has also been applied to modern industrial societies. For example, Roland Barthes (1975) treats myth as a system of communication, consisting not only of written discourses, but also the products of cinema, sport, photography, advertising and television. The point of myth analysis is to expose what he refers to as 'the falsely obvious' world of mass communication.

Myth, used in this context would fall into the category of the one given by Barthes. Myths of rape would therefore include those beliefs which are widely prevalent among the people and which could be termed as the 'falsely obvious'. Rape myths are beliefs about sexual assault that wrought with problems. Some myths are just completely and blatantly untrue. What often happens is that beliefs surrounding circumstances, situations, and characteristics of individuals connected to rape are applied to all cases and situations uncritically. Myths exist for many historic reasons which include inherited structural conditions, gender role expectations, and the fundamental exercise of power in a patriarchal society.

Many myths surround the crime of rape. Before discussing them, we must consider two points. Firstly, the victim herself often believes some or all of the
myths (lawyers should be attuned to this possibility during interviews and pre-trial preparation). Second, myths die hard. There are certain myths of rape, the distorted proverbs that govern female sexuality. These are the beliefs that most people hold, and these myths are likely to obscure the true nature of rape. Many of these myths are, indeed, designed to take away the responsibility for the crime from men and shift it to women. This not only invalidates the experience of the hapless victims but also keeps the level of 'recognised real' rape very low.

There are widely held beliefs that young women going out late would be vulnerable to rape by strangers. The solution could lie in avoiding strangers and alleys and stay home after day light. It is also believed that age is a deterrent to rape. Unfortunately, this stereotype has been overplayed and does not reflect reality. The realities are that in half the instances of sexual assault, the woman knows her assailant, either well or slightly; that the third of all assaults take place in the woman’s own home and that the rape victim can either be a woman in her eighties and older or a young child.

The following account will make things more clear:

**Myth:** Rape is sex.

**Reality:** Rape is experienced by the victims as an act of violence. It is a life threatening experience. While sexual attraction may be influential, power, control and anger are primary motives. Many rapists may have access to a sexual partner. Gratification comes from gaining power and control and discharging anger.

**Myth:** Women incite men to rape.

**Reality:** Research has found that most of the rapes are planned. Rape is the responsibility of the rapist alone. Women, children and men (mostly in the case of homosexual rape) of every age, physical type and demeanour are raped. Opportunity is the most important factor determining when a given rapist will rape.

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13 It is important to note that both trial lawyers and defence lawyers should be aware of these myths because they may play important roles in their tactical preparation of the case.
Myth: Rape is just unwanted sex and really isn’t a violent crime.

Reality: Rape is a lot more than an unwanted sex act, it is a violent crime. Many rapists carry a weapon and may threaten the victim with violence or death.

Myth: A man can’t rape his wife.

Reality: Many states in the United States now have laws against rape in marriage but in India marital rape is not legally recognised. However, rape may often occur within marriage. The idea that a man can’t rape his wife suggests married women do not have the same right to safety as do unmarried women. Most battered women experience some form of sexual abuse within their marriage.

Myth: A victim should be discouraged from dwelling on the rape. She should “forget it”

Reality: This advice generally comes from people who are more concerned with their own feelings than the victim’s. All victims should be offered the opportunity to talk about the assault with those personally close to them and knowledgeable professionals. Victims who are not allowed to talk about the rape have a much more difficult time recovering from it.

Myth: Only “bad” women get raped.

Reality: No other crime victim is looked upon with the degree of suspicion and doubt as a victim of rape. Although there are numerous reasons why society has cast blame on the victims of rape, a major reason found is that of a feeling of self protection. If one believes that the victim was responsible because she put herself in an unsafe position, such as being out late at night, drinking alcohol, dressing in a certain way, or “leading on” the rapist, then we are able to feel safer because “we wouldn’t do those things.” But, the basic fact remains that without consent, no means no, no matter what the situation or circumstances.

Myth: There is a “right way” to respond to a rape situation.

Reality: Since rape is often life-threatening and each rapist has his own pattern, the best thing a victim can do is follow her instincts and observe any cues from the rapist. If the victim escapes alive she has done the right thing.
**Myth:** Rape is an impulsive, uncontrollable act of sexual gratification and the rapist has an abnormally strong sex drive.

**Reality:** Rape is a premeditated act of violence, not a spontaneous act of passion. The rapist's sex drive is usually normal, but he expresses anger, frustration, power and anger etc., through sexual violence. Many rapists are married. Everyone seeks an outlet for strong emotions in different ways, and it is an unfortunate fact of life that some individuals give vent to violent emotions through rape. Therefore, rape is seen as a release for violence, not sex.

**Myth:** Only certain kinds of people get raped. It could never happen to me.

**Reality:** ALL WOMEN are potential victims. Rapists act without considering their victim's physical appearance, dress, age or social status. Assailants seek out victims who they perceive to be vulnerable. Rapists are often motivated.

**Myth:** Most rapes occur as "spur of the moment" act in a dark alley by a stranger.

**Reality:** About 82 percent of the rapes are wholly or partially planned (Menachem Amir). Many times the offender is a relative, friend, neighbour, or other acquaintance of the victim. Statistics reveal that in majority of the reported cases of rape, the victims and rapists are known to each other. In certain other cases they are known to each other quite well. Such acquaintances are the people who see victims when they are most vulnerable. This element of mutual knowledge explains in part why rapes so often occur in the home. The acquaintance factor is even more pronounced in child rape cases. Rape may often occur in one's home. Very often the rapist is known by the victim in some way and the rape is carefully planned.

**Myth:** Rapes only happen to young attractive women.

**Reality:** Rape victims range in the age group from as young as a few months to as old as ninety years old. Rape can and does strike anyone at anytime. Usually a rapists decision to rape is based on how easily he perceives his target can be intimidated. Rapists are looking for available and vulnerable targets.
**Myth:** Rape is primarily a sexual crime, a crime of passion.

**Reality:** Rape is a violent assault that is acted out sexually. It violates not only the woman’s personal integrity, but also her sense of safety and control over her environment. Therefore, rape is an act of VIOLENCE, not passion, it is an attempt to hurt and humiliate, using sex as the weapon.

**Myth:** A rapist is easily spotted in a crowd.

**Reality:** Rapists are not physically identifiable. They may appear friendly, normal, and non-threatening. Most rapists appear to be normal. He can be from any background, or maybe 'the boy next door'.

There is a myth that “all women want to be raped” in the name of femininity. This assumption has its roots in Freudian beliefs about the masochistic nature of female sexuality. Some psychologists saw masochistic traits as part of the ideal and healthy female personality. Rape is believed to dominate women’s sexual fantasies for it is said to satisfy that masochistic, self-destructive need. The fact is that fantasy is not the real thing and women who do fantasise about rape usually think of rape only as aggressive sex and do not know it for what it really is: A violent often brutal, terrorising and humiliating assault against women....

Also, behind the illusion that women enjoy rape is the fallacious notion that it is after all “just sex when women don’t want it.” Also, because women are supposed to be sexually passive and weak minded, they mean “yes” when they say “no” (Hindi films are the biggest propagator of this idea) and enjoy being taken forcibly.

Once this proposition that all women secretly wish to be ravished has been established, it is bolstered by the myth that “No woman can be raped against her will.” This concept seems to imply that if the will of a woman is strong, or if she is sufficiently agile, she can escape unscathed. It slyly implies that there is no such thing as forcible rape, and that it is the will of women to be raped. Assaults overpower their victims with the threat of violence or with actual violence. Especially in cases of acquaintance rape or incest, an assailant often
uses the victim's trust in him to isolate her. However, the fact is that it is indeed possible to rape a non-consenting female. A classic way by which the rapist shifts his burden of blame to the victim is by using the myth that "she was asking for it". The popularity of the belief that a woman seduces a man into rape, or precipitates a rape by incautious behaviour is a part of the smoke screen that men throw up to obscure their actions. In essence this assumption implies that the victim should not have dressed in a particular way or behaved in a 'provocative' manner. Provocative behaviour is usually set by male standards. (In Victorian times, an ankle was considered provocative). Any dress or behaviour cannot be justification for an assault on another. The underlying idea in this myth is that women are 'asking for it' just because they are women. Usually, women who break the established rules of conduct by wearing the 'wrong' dress, going out late at night, being 'too' friendly with men, hitch-hiking (the list is endless...) 'ask for' or 'deserve' to be punished, the punishment being rape. Rapists look for victims they perceive as vulnerable, not women who dress in a particular way. Assuming that women provoke attacks by where they are or the way they dress is victim-blaming. No person, whatever their behaviour, 'deserves' to be raped. The views of women as seductive or inviting rape are widely held by rapists, many of whom continue to deny their guilt. There is also an assumption that 'nice' girls don't get raped. Consent is a major issue in rape trials, consequently the victims moral character becomes a public issue and it is the victim who is scrutinised. Indeed these myths serve to disguise the real level of male violence and its effect on women.

Another Myth is that rape is just a "woman's problem". Rape affects both men and women and must be seen as a 'joint' or "community" problem. Rape is

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14 Dr. Nicholas Groth of the Massachusetts Centre for the Diagnosis and Treatment of Sexually Dangerous Persons has stated, "Never in 16 years of studying rape cases have I discovered evidence of sexual provocation by the victim."

15 Some woman do use poor judgement in going out alone at night in unsavoury areas. But poor judgement cannot logically be equated with the idea that the women who make such decisions ask to be victims of rape. Most rapes are planned and are not the spontaneous result of a man seeing a woman in revealing clothes, for instance.
also a "man's issue" in the sense that: men are the primary perpetrators of rape, men are affected when their loved ones are assaulted, and men may also be victims of assault, particularly as children.

Another Myth which is prevalent is the belief that sexual assaults are rare deviations and affect few people. The Reality is that sexual assaults are very common. Most likely, someone close to you has been profoundly affected by sexual assault. Not only are victims reluctant to discuss their assaults but many succeed in totally blocking the assault from conscious memory. However, the trauma remains and may come to the surface at another crisis or when the opportunity to discuss it with a sympathetic person arises.

Assumptions and myths about rape have provided a social context in which rape is not only possible but encouraged. For victims these assumptions create feelings of guilt and self blame. Women often do not report the incident to the police because they fear blame by their family, friends and the police. Paradoxically, one finds the reverse of the ordinary situation- the victim feels on trial. It has been claimed that rape results in 'quadruple victimisation', the actual assault and then the psychological assaults by the police, medical profession and criminal justice system (Tomaselli and Porter: 1986). Again, rape is not defined by the way women experience it. Indeed rape laws are originally connected to property- the seizing or devaluing of another man's property- although there are changes today, the basic concept is still at the root of legal and social attitudes. A daughter is still seen as her father's property and a wife her husband's. As sex workers are viewed as the property of all men, rape on them is barely recognised. It is sad that women live in a state of siege and worse, are made to feel responsible for it.

Among all the imaginable crimes, rape holds a unique status. Brownmiller (1975), among others, has noted the profusion of myths and incorrect stereotypes about rape, rapists, and rape victims in society. Some of the prevalent myths are, of course, inconsistent with each other. We often hear that: 'Only bad girls get
raped.' But we are also told that, 'All women want to be raped' and 'Women ask for it.' The mythology of rape also promises that 'Any healthy woman can resist a rapist if she really wants to.'

These falsehoods create a climate hostile to rape victims, portraying them as often-willing participants in furtive sexual encounters, or even instigators of them. In fact, these attitudes often function as self-serving rationalisations and excuses for blaming the victim. It therefore becomes a routine practice of society to put the onus of cause on the rape victim rather than on the perpetrator.

III. CERTAIN WIDESPREAD ATTITUDES AND BELIEFS:

At the onset I would like to make clear what I mean by attitudes and beliefs. By beliefs is meant certain widespread phenomenon in which people have faith, which they feel are true. To believe in is to have faith in the existence of; feel sure of the worth of it and belief is something which is believed. These beliefs form among people over long periods of time and manage to sustain themselves as they get passed on from one generation to the next. Attitudes, on the other hand, is used to refer to 'a learned predisposition evidenced by the behaviour of an individual or group of individuals, to evaluate an object or class of objects in a consistent or characteristic way' (Mitchell:1979). While some writers still remain opposed to a conception of attitudes in any other than strictly behavioural terms, others have been willing to posit intervening variables to mediate observed consistency in behaviour. These variables have conventionally included cognitive components referring to individuals' beliefs about the object or issue in question, affective components referring to his evaluations of the attitude object, and components referring to his behavioural intentions with regard to it. In a

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16 To this statement, one of the responses I got from a woman respondent was, "Only unmarried women at any age secretly desire to be raped". This sort of viewpoint does further highlight the myth that single women are desperate and sexually frustrated.

17 This myth was widely prevalent in the questionnaires I had given to men and women between the age groups 19 to 50 (on an average). To the statement A healthy woman can successfully resist a rapist if she really wants to, about 50 per cent of the women respondents said 'yes' and 100 per cent (that is, all) of the men said 'yes'.

nutshell, attitudes may be described as general, relatively stable and enduring cognitive tendencies to respond in a certain way to a variety of social stimuli. The social-psychological definitions of attitudes include certain characteristics: Attitudes are general or global rather than narrow or specific, the 'social stimuli' in the definition of attitudes may refer to people, objects or abstract ideas, attitudes are enduring and remain largely unchanged over time and circumstance. Attitudes both influence and reflect social and institutional responses to sexual violence.

In this section I will present the findings of the questionnaires administered by me to 35 male and 35 female respondents from the age groups 19-40 years who belonged to the urban middle class of Delhi. I made an attempt to study the prevalence of rape myths, attitudes and beliefs in society. There were twenty questions which demanded responses like 'agree' or 'disagree'. However, it was revealed that in certain questions the respondents wanted to add their own opinions to the answers as they found certain questions very 'grey'. Dealing with a difficult issue like rape led me treat the questionnaire as an open-ended one in some cases. My survey of prevalent myths about rape are largely drawn from the west, where much more systematic surveys and studies of rape have been conducted. My very minimal foray into delving the prevalent attitudes in urban Delhi suggest that dominant ideas here are not too different either.

Rape means many different things to many different people, and these differing attitudes and perceptions affect behaviours toward both offenders and their victims. Through the questionnaire administered by me to men and women, there emerged a number of specific attitude clusters which contribute to overall perspectives on rape. These clusters are formed because some questions overlapped in their meanings though may have generated different responses.

**Major Findings:**

**Women's Responsibility in Rape Prevention.** Sample attitude items concerning women's responsibility in rape prevention are "A healthy woman can successfully resist a rapist if she wants" "a raped woman is a responsible victim,"
not an innocent one", do highlight the point that rape can be prevented, if desired by the woman. Here, all the male respondents replied in the affirmative and 12 women agreed to this statement. Individuals answering in the positive seemingly attribute the completion of rape as partly the result of the woman’s acquiescence. This attitude in turn, permits rapists to indulge in their desires while not having to think of themselves as rapists. Also, people with this attitude, if serving as judges, would not be likely to convict an alleged rapist.18

**Victim Precipitation of Rape.** To the statement, “Women provoke rape by their appearance or behaviour”, 25 women agreed and 34 males agreed. This attitude cluster concentrates on beliefs about the instigation of the rape and the supposition by some that women’s “flirtatious” behaviour or “scanty” dress are the real causes of rape. Here, the role of the rapist is totally negated.19

**Severe Punishment for Rape.** To the question what the punishment for rape should be, all women suggested ‘death sentence’/ ‘capital punishment or castration. Half the men said ‘life imprisonment’ (where one male respondent mentioned counselling as well) and the other half said jail. No male suggested castration though.20 Even though such strong punishments were recommended for the crime, this did not reflect in their attitudes while answering other questions.

**Rape as a Sex Crime.** Sample attitude items concerning sex as the motivation for rape are “The reason most rapists commit rape is for sex” and “Rape is the expression of an uncontrollable desire for sex.” All the respondents except one woman agreed that rape is a sex crime. The one who disagreed just wrote, “It is

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18 Some lawyers I was speaking with claimed that they always viewed a girl as a consenting partner in the crime of rape if she happened to be 18 years of age. One said, Agar ladki atthara saal se upar hai to hum yehi maan kar chalte hain to jo kuch huwa, uski marji se lma (if a girl is over 18 years then we assume that she is a consenting partner). By saying this he believes that a girl above eighteen cannot be raped.

19 During legal procedures, issues closely related to this are brought up. Like ‘past sexual history’ of the victim. Here, women are often divided into ‘good’ vs. ‘bad’ women.

20 What I would like to highlight here is that those reflecting beliefs in strong retribution for such crimes, do not necessarily reflect a sensitivity to the victims. Because even though most felt that the crime is grave and should be given the strictest punishments, they were not half as empathetic towards other issues.
more than a sex crime”. A high score reflects a rather traditional view that the motive for rape is sexual release. The depiction of rape on the Internet which I analysed in the previous chapter also reduces rape to titillating sex or sadistic sex.

Normality for Rapist. A sample item regarding normality of rapists is “Normal males do not commit rape”, All the males except 2 agreed and 10 women agreed. However for the item sample “All rapists are mentally sick” most respondents agreed that they are barring 2 men and 10 women. That most of the men consider rapists as mentally sick reveals a sort of ‘get away’ for ‘normal’ men in the perpetuation of the crime.

Favourable Perception of a Woman After Rape. About 33 men agreed that women become ‘less desirable’ after rape. 20 women agreed too but some added that it was men who made women feel so. Other women did mention that she is looked down upon.

A Secret Desire to be Raped. A sample item regarding this is “Most women secretly desire to be raped.” To the question 10 males agreed and no women agreed. Although majority of the respondents disagreed there are still a few who still believe that rape could be a masochistic exercise for women.

Woman Can’t be Raped Against her Will. A sample item suggesting this is “A woman cannot be raped against her will.” The responses to this statement whether a woman can be raped against her will or not were that 17 males agreed and 1 female agreed. Here again the onus of responsibility of the rape is being shifted to the victim. It is suggested that if a woman wants to resist rape she can.

A Female cannot be forced to have intercourse against her will. A sample item reading “A female cannot be forced to have intercourse against her will” led to 30 men agreeing and all the women disagreeing. Here again a pattern emerges which seems to emphasise that most men believe that a woman can’t be forced to have sexual intercourse which in turn means that rape is not possible. Women however feel that rape is possible.
The Victims of Sexual Violence are often to be blamed for their Assault. About 30 males agreed that women do manage to provoke their assailants and 10 females agreed. Some lawyers I spoke with held beliefs about certain ‘type’ of women for instance, ‘good’ women don’t get raped but the ‘bad’ ones do. Here too they have set concepts about the ‘fast’ type of women (referring to the modern woman). In my field study in one of the cases where a victim of acquaintance rape was raped by her neighbour the lawyers who were defending the rapists desperately were trying to prove that the victim was of a ‘questionable character’. Also, when I spoke with some lawyers they informed me that when they defend a rapist the policy they follow is to show the victim in a very poor light, and blame her for her victimisation through allegations of bad sexual conduct/character.

Women often Falsely Accuse Men of Rape. A sample item concerning this is “Women falsely accuse men of rape.” To this statement, 10 men agreed and 3 women agreed. Most of the respondents don’t agree probably because rape is a crime after which, as field work and literature suggests, the victim and her family feels dishonoured. There is too much shame and stigma attached that just to falsely accuse a person would invite associated troubles for the victim.

A healthy woman can resist a rapist. A sample item concerning this is “A healthy woman can resist a rapist if she really tries.” 30 men agreed that a healthy woman can resist a rapist whereas no woman agreed claiming that physically it may not be possible. Here too, it seems that some people believe that rape is not possible.

A woman who ventures outdoors puts herself in a position to be raped. To this sample item, 34 men answered in the affirmative and 25 women agreed. Here however, much in contradiction to the previous item, it is believed that rape can happen easily if a woman ventures outdoors. Some women I spoke with at leisure about this claimed that though they would love to stay outdoors for longer periods the fear of rape often grips them and they avoid doing so.
Most rapes happen outside and at night. 25 men agreed that most rapes happen outdoors and only 3 women agreed. Some women, outside of this survey shared their experiences of sexual abuse by male members of the family. These cases are widespread and most of the women I spoke with had a story to tell about one or the other relative. The reason could be also that such culprits know that it would be easy to 'get away' with anything because they are members of the family.

Most rapes are reported. All respondents, men and women alike disagreed. There seemed a unanimous response to this sample item. Here too the reason is the culture of silence which is encouraged by most people. Women are encouraged not to speak because of their family honour and shame. Many times it is the victim's family who wants to hush the matter. The legal procedures are so complex and conviction rates are low and this in turn discourages people from reporting.

The way a person behaves and dresses can socially invite rape. All the men agreed and 15 women agreed. Here again the emphasis is on victim precipitation of the crime of rape. Recently a murder in Delhi of a bar maid in an upmarket pub led someone to say, “if you wear shorts and serve beer at a bar at night what else would you expect?”. This statement underlines the attitudes prevalent.

About the question whether marital rape exists in society, all the men disagreed, one male respondent said, 'only in books'. All women agreed that marital rape is a reality. This clearly indicates the different ways in which men and women look at a similar issue. For men, there is no concept of marital rape but women, because probably they face it, agree that there is marital rape.

Despite the multitude of components, several of these factors reflect an attitude that may be characterised- in its virulent form- as unsympathetic to victims and tolerant of the existence of rape because it excuses rapists from being responsible for their actions. Clearly, the findings suggest that misconceptions about sexual violence are still prevalent and that individuals cling to stereotyped, prejudicial views of victims of sexual assault. These attitudes illustrate the common rape myths cited by feminists which pertain to issues of
credibility- blame- victims provoke rape by their mode of dress and behaviour; 
**deservingness**- women are 'asking for it'; and **trivialisation**- the way people respond to rape and how the Internet deals with it.

Persons who believe in rape myths have developed a broad ideology of values and beliefs that encourages the acceptance of myths about rape. The reasons attributed for holding these myths depend on the type of society one is living in. In order to understand the intricate web of ideology and myth surrounding the phenomenon of rape, we need to situate it in a broad historical and social context. We have to disentangle notions about gender, sexuality, norms and deviance, as well as examine ideology and the process of law, and the maintenance of rape myths in a popular consciousness.

Many persons reflect negative attitudes toward crime victims, to such an extent that they actually blame the victim. The response of blaming the victim is especially applicable to rape victims. No other crime offers a similarly personal intimate violation of the self. As cited in Allison and Wrightsman (1993) "short of being killed, there is no greater insult to the self". And the rape victim is unique, in another sense, in that no other crime looks upon the victim with the degree of suspicion and doubt that the rape victim must face. Such suspicion and doubt may ultimately result in attributions of responsibility, or even blame.

It can therefore be maintained that social and cultural conditions tend to intensify and perpetuate rape as the causes and reasons for rape are deeply entrenched in our social structure. It is the social institutions which are responsible for the perpetuation of beliefs, attitudes and myths which encourage rape. These misconceptions are widespread, subversive, ingrained and uncritically accepted. Rape myths directly affect the perception and treatment of rape victims. This occurs on both a personal and an institutional level, and ultimately the myths affect the way victimised women view themselves.

In the following chapter we will see the real life working of social institutions (indirectly) through the role they play in actual situations with victims of violence. This will be revealed through the voices of victims.
Questionnaire

Dear Respondent,

Please read the statements below and write 'agree' or 'disagree' against each. However, answer in brief to the questions. If at any instance you want to express some other thought you could write it very briefly against / below each statement:

1. Women provoke rape by their appearance or behaviour.

2. Most women secretly desired to be raped.

3. A raped woman is a less desirable woman.

4. A woman cannot be raped against her will.

5. A healthy woman can successfully resist a rapist if she wants.

6. During a rape a woman should do everything she can to resist.

7. Rape is mainly a sex crime and therefore an expression of an uncontrollable desire for sex.

8. Depiction of violence in the media affects society at large.

9. All rapists are 'mentally sick'.

10. A female cannot be forced to have intercourse against her will.
11. The victims of rape are usually a little to blame for their crime.


13. Women often falsely accuse men of rape.

14. A healthy woman can successfully resist a rapist if she really tries.

15. Men, not women, are responsible for rape.

16. A woman who goes out alone at night puts herself in a position to be raped.

17. A person cannot charge their spouse or date with rape because by consenting to be with them, she has consented to intercourse.

18. Rapes are usually committed by strangers.

19. The way a person dresses and behaves socially can invite rape.

20. Most rapes happen outside and at night.

21. Rape happens to women of all ages, races, educational levels, religions, and physical descriptions.

22. Does marital rape exist in our society?

23. What should be the punishment for rapists?

24. Most of the rapes are reported.
There is no difference between being raped and being pushed down a flight of cement steps except that the wounds bleed inside. There is no difference between being raped and being run over by a truck except that afterward men ask if you enjoyed it. There is no difference between being raped and being bitten on the ankle by a rattle snake except that people ask if your skirt was short and why were you out alone anyhow. There is no difference between being raped and going head first through a windshield except that afterward you are afraid not of cars but of half the human race.

Marge Piercy (1976)

I. INTRODUCTION
The most difficult task in studying rape is actually being able to find and record a rape victim's voice. As the chapter on social institutions has illustrated, the entire society operates to silence the incident. Since after years of efforts I did succeed in 'speaking' to and was 'spoken' by rape victims and close kin of rape victims, I have sought to present the narratives with minimal editing. The reasons for doing this are: 1) to capture the horror of rape and 2) the difficulties involved in speaking about it. The length of the chapter is therefore inevitable.

The actual process of getting a victim to speak was extremely complex and mediated the other people involved directly or indirectly in the case. I often therefore encountered alternative and contrary versions of the same incident. I seek to represent this tension by positing the voice of the victims or victims' kin along with either opposing or differing versions. I include among the victims:
- The sexual assault/rape victims of the Uttarakhand movement (The Muzaffarnagar incident of Oct, 1994).
- One victim of family rape.
II. RAPE AND SEXUAL ASSAULT VICTIMS OF THE UTTARAKHAND MOVEMENT OF OCTOBER, 1994:

Before I write on the incidents of sexual assault itself as 1) represented in the media and 2) voices of sympathisers and finally 3) victims, a brief note on the Uttarakhand movement may be in order.

II.1. Uttarakhand Movement - A Background:

The hills of western UP, popularly known as Uttarakhand (Uttaranchal), had always had a distinct culture due to their topography. The region differs also in demography, its caste and religious composition, the economy, the language, history and culture etc. The political assertion of the Uttarakhand identity articulated itself in the demand for a separate state for Uttarakhand comprising of eight districts of the hill regions of the state of Uttar Pradesh.

In March 1994, the Uttar Pradesh government decided to implement the Mandal Commission recommendations of reserving 27 per cent jobs in government and places in schools and colleges for socially economic and backward castes and classes.

Tension in the Hills:

On July 16, 1994, students met in the town of Pauri in Garhwal to discuss the Mandal recommendations and a government proposal to redraw village boundaries. By the end of July, Kumaon and Garhwal had seen numerous strikes. Struggle committees mushroomed to fight reservation. Government vehicles were stoned or set on fire, schools and colleges shut down, and thousands of pilgrims stranded as roads were blocked. Civil servants, post offices and banks joined the protests.

In certain instances, killings and firings lead to further agitation. The last case of violence which enraged the people of the hills was the Muzaffarnagar,
Rampur-ka-Tiraha incidents of October 2, 1994\(^1\) which involved women being sexually assaulted. As mentioned in the introduction I will briefly present the media version before I put forth the victims' own account.

II.2. The Media Version:

My interest in the media version was awakened by a comment reportedly of the District Magistrate of Muzaffarnagar on this specific incident where he said:

> Women hid themselves in the sugarcane fields. You see, it is human tendency when a woman is seen at a lonely place in the jungle, any man will be inclined to rape her. (*The Pioneer*, 10 October' 1994).

I followed this with an appointment with one of the senior correspondents of *The Times of India*, Dehradun.

He felt that more coverage should have been given to this incident by the media. He hinted that since the incident was pre-planned, the government asked the media to underplay the events that followed. The numbers, according to him, of the deaths and rapes have been controversial. In his words:

> Most victims of rape were not willing to talk in front of the women activists who had come from New Delhi because of the problems which would follow...I do recall how one woman was brave enough to speak about the happenings in front of the 'fact finding committee'. When I too started to make inquiries relating to that incident 'openly' and to the events that followed, I was toned down by the government and asked to maintain a low key. However, when I did ask about victims of *bura vyavahar* (bad behaviour) it was extremely embarrassing for me to ask questions relating to the rape because I was a man and also because these women were mainly from the villages and therefore were very ashamed to tell everything since most of them were as it is unwilling to speak. I could not muster enough courage to ask the details and therefore landed asking them very general type of questions. The people who came from New Delhi did not follow up the study...I don’t think they were really

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\(^1\) This incident is very important from the point of view of my fieldwork since some cases of molestation and rape are presented here and it specially reflects the role of the government. Therefore I have put it in a separate section.
concerned about what really happened to those women. The victims were not given the right kind of attention.

This suggests that even well meaning journalists are constrained by the state, by their gender and the very nature of the problem of rape. As the India Today correspondent also highlighted:

The NCW team met a few women who were raped and a dozen others who were molested. These women were physically examined and bruises, bite marks and scratches were found on their breasts. The state government claimed that rape could not be proved. As reported, one of the rape victims said, "It takes a lot for a woman to admit that she has been beaten in her private parts with a rifle butt, abused in the worst way and then gangraped by three PAC constables. But I did. I told them the truth." Another victim said, "I have become a victim of over exposure. Now everyone in the area knows me and calls me Muzaffarnagar wali." Far from sensitive handling the state tried to cover up for the misdeeds. Another victim said, "I pleaded with the constables and told them that we were all like their sisters. One of them said, 'Tum to Uttarakhand ki saaliyan ho'. But the worst was to come. Police constables got into our bus, reeking of liquor. They hit us with rifle butts, pawed at our breasts, snatched our chains, purses, anything they could lay their hands on."

II.3. The Official Version:
I spoke to an administrative officer of Dehradun who was familiar with the incidents. I inquired from him about the remark made by the then District Magistrate of Muzaffarnagar, I was told that it was a total lie. He claimed that:

a simple man like him could not have made such an outrageous remark.

The official version was that the rallyists were armed and they attacked police and PAC personnel who inspected the vehicles on October 1, 1994. According to a senior police officer from Lucknow:
The police and the PAC were forced to retaliate and all this talk about brutal attack on the agitators is propaganda.\(^2\)

II.4. The CBI Version:
The following are the central findings of the CBI:
- The CBI had recorded evidence that some women were assaulted and raped in the bus, while others were dragged out in the field.
- There was a 12 hour delay in the lodging of FIR's. Further, no witnesses from the public were associated with either the search or the recovery. None of the 11 country made weapons were recovered from any individual.
- According to recorded statements, the 345 persons were forcibly taken to the police lines and illegally detained.

II.5. The Activists' Version:
An activist who witnessed the event reports:

The police entered some buses and attacked women brutally. Women's clothing were torn and their breasts were clawed, they were mauled and beaten. When one woman started shouting at them and urged the women to take action women were molested and raped in the fields. In self-defence some people retaliated by throwing stones. One boy was shot by the police and he fell to the police's bullets shouting 'Jai Uttarakhand!'. The police were assisted by goondas of Western Uttar Pradesh. These goons were in plain clothes who would shoot at the slightest provocation.

When I witnessed the killing of the young boy, I demanded an explanation from the police of their erratic behaviour. It was brought to my notice that the then DIG of police fired at the people mercilessly.\(^3\)

She continued:

On the 3\(^{rd}\) of October' 94, after the horrible incident Ms. Mayawati said openly that "Jo Uttarakhand mahilaon ke saath hua hai, sahi hua hai"

\(^2\) Here, one notices a clear disparity between the official version and the version of the press.
\(^3\) Incidentally, the very same officer was given a promotion to the rank of IG police by the government of Uttar Pradesh led by Ms. Mayawati.
(whatever happened to the women of Uttarakhand was just fine).\(^4\) After all the looting, raping, beating and killing took place at Rampur Ka Tiraha some police constables ran to the nearby villages to inform them that groups of ‘jungle’ pahadis were on the loose, going wild and therefore should not be given any shelter by the villagers. The lights of some roadside shops were broken by the police. In desperation I and others with me started singing ‘Raghupati Raghav Rajaram’ and it was then that the people of the nearby villages heard us and came out for our help. The role of the residents of the nearby villages of Rampur Tiraha was immense. The residents of the nearby areas provided shelter and food to the hapless victims of violence. The area has a big Muslim population and inspite of being Muslims they helped the Uttarakhandis in a big way.\(^5\)

When I asked about the compensation which the victims got, she replied that most victims felt that money could not compensate for the lost izzat (honour) and therefore spit at the compensation. She was attacked and assaulted by the police, got a compound fracture on one leg and yet was ready to die for the cause of Uttarakhand. This activist has been involved in the movement from day one. She resides in Dehradun and some shopkeepers of that area when threatened by closure of shops by the activists claimed “doosra Muzaffarnagar kaand kar de yahan?” (Should we do another Muzaffarnagar episode here?). They always threaten the women activists.\(^6\)

According to the activist, the response of other people isn’t very encouraging. Some women also feel that the women involved in the movement have nothing better to do. As one man said to this activist, “Auraton ko bahar nahin nikalna chahiye.” (Women should not venture out of the house).

II.6. Sympathizers’ Version:

Mrs. And Mr. N:

\(^4\) For a woman especially in a position of power to say all this is definitely shocking. The people of Uttarakhand dislike both Mulayam Singh Yadav and Mayawati in similar ways.

\(^5\) This fact about the villagers being Muslim and yet so helpful was emphasised by the activist. The population of the Uttarakhand activists was Hindu and mostly upper caste Hindus.

\(^6\) These kind of threats are used in every situation where women are threatened to stay ‘in their place’ and not do daring things. The ‘teach them a lesson’ syndrome always seems to be the biggest weapon of the accused. Women become the easiest targets in such situations because they are threatened with sexual assault.
I met a couple who were sympathisers of the movement on the 29th of September, 1996. The gentleman felt that the incident could have been avoided had buses not plied at night. Also he felt that things would not have gotten out of hand had there been mixed crowd in the buses instead of all women's buses.

some men, even though carrying rifles, ran away for their lives when the PAC men were harassing them. Women fled with panic and were caught by PAC men. Some women were raped in the buses, others in the sugarcane fields nearby.

As others had already said, the gentleman also felt that women would be reluctant to speak about incidents of sexual violence. On the other hand, his wife who felt emotionally more strongly said:

The National Human Rights Commission and National Commission for Women were not very helpful. It was mainly public litigation and immense pressure through the media that a compensation was announced by the government. I am angry because earlier women's honour and dignity were highlighted as reasons to remain silent but what happened when compensation was announced? The women, before they left Uttarakhand, were in very high spirits and emotionally charged about the rally but the incident left them shocked, stunned and demoralised. However, some women were still enthusiastic after the incident. These atrocities were planned on the people of Uttarakhand to teach them a 'lesson', by the Mulayam Singh Yadav government.7

The gentleman had an explanation for the participation of women. He said:

Women have been suppressed immensely by their male counterparts. They work more than the men, they work for an average of about 18 hours in a single day. Whereas men spend most of their time gossiping, drinking and on the whole work much less than the women. The emotional outburst was symbolic of a woman's voice which was / is suppressed since a long time. In this region, women have been victims of male domination for a long time and the only platform for their voices

7 In cases of rape or other sexual offences many times the reasons for the crime are only to teach women a lesson or 'put them in their place'. These kind of things are vastly depicted in movies and often make the accused feel justified in their actions.
seemed to be this movement......probably their pent-up frustrations came out by agitating for a separate statehood. It is a fact that to change the current situation the youth and intellectuals can play a constructive role.

Meeting with Mrs. G:
Yet another woman I met who was an activist sympathiser, made an attempt to meet the victims along with CBI officials. She said:

Some women denied the atrocities and refused to speak. One reason given by a woman was the 'shame' it would cause to the family. She maintained that since paharis (hill people) were pavitra (pure) and clear hearted people it was a big jolt for them.8 There was a woman who was raped and suffered from regular fits after the rape. There was also a widow who was raped and whose parents were supporting her.

She mentioned that often these women were called 'Muzaffarnagar walis' by the local people. An interesting observation made by the woman was that since the women were awarded compensation a woman remarked:

jabse un auraton ko compensation mil gaya hai un ke dimaag charh gaye hain
(Ever since the women got compensation they are acting very snooty).

Another sympathiser Mr. R who was also an active member of the Uttarakhand Samyukth Sangharsh Samiti (non political pressure group) was very angry with the incidents of October, 1994. In his words:

Many victims weren’t given compensation even though they were raped because they never came forward to confess in front of the NHRC and the police. The NHRC played a major role in getting compensation for the victims (of police atrocities). It is actually the ‘culture’ which is responsible for their silence. Also, there is a difference in responses from married and unmarried women. Probably the unmarried women were

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8 The whole concept of pure and chaste came out very clearly in the conversations with people. The assumption of Paharis (hill people) being 'pure' came out in a very big way and the fact that pure people could be raped and molested was unacceptable by most of the people. Actually they were experiencing deep shock at the incident.
not willing to speak or not allowed to speak because of the stigma which society would attach to them.⁹

I met another activist sympathiser, Mr. Y.S.R in the October of 1996. He was angry when he said:

Many victims weren’t given compensation even though they were raped because they never came forward to confess in front of the NHRC and the police. The NHRC played a major role in getting compensation for the victims. It is actually the ‘culture’ which is responsible for their silence.

He further claimed that the controversial remark made by the district magistrate was true. He was very uncomfortable to talk of rape and sexual assault of the victims. He maintained that some women were still in a state of shock.

II.7. The Version of The National Commission for Women:
I met two members of the National Commission for Women in September 1997. One of them was part of the investigative team which visited the victims of the incident at Rampur ka Tiraha in Muzaffarnagar. They too affirmed the belief that women were difficult to speak with. According to one of the members:

It was really difficult to get through to them. The women were scared to speak even in front of their husbands because anything they said could have backlashed. They were scared that their families would react negatively. Women of this region are very careful about their shame, pride and honour. Therefore they were very careful about what they wanted to say. At that point of time, one widowed woman kept saying to the others, ‘these women will not tell you what happened, I will’.

I met with the other member of the National commission for Women who also spoke at length about the incident, the follow-up and violence against women in general. She was very sorry about the fact that officials who were involved in these atrocities actually got promoted instead of getting punished. She was also

⁹ While talking with people of this region I did mark that the term rape or balatkaar (the translation of rape Hindi) was not used by them even once. They were more often using the term zabardasti (taking by force) or kharab kaam (bad deed).
upset about the way the political leaders handled this incident. She claimed that rapists should be publicly hanged.

II.8. Victims of Sexual Assault and Rape:
In the winter of 1997, I met a woman of the USSS who was sexually molested at Muzaffarnagar. In her words:

Women were attacked by goondas who were wearing police clothing besides some of them being genuine police officials too. Women’s clothing were torn off and were chased to the nearby fields where they were tortured and some of them, raped. Sirf ham nange nahin hue par puri bharat mata nangi hui (it was not just us who became naked it was our motherland which was exposed). Yes, it was the rape of mother India. General Dwyer ne to jo atyachar kiye who to is hisab bhi nahi hue, yahan to hamare aadmi ne hamein dhokha diya (The atrocities committed by General Dwyer is nothing when compared to atrocities done on us by our own government).

Here Mulayam Singh Yadav, the then chief minister of UP is here seen as the betrayer of his own country men compared to general Dwyer who was after all a foreigner. She avoided speaking of rape and felt that their honour was lost and no sort of compensation could get back that honour.

I spoke with another victim who said:

Men never like it that women are ahead of them in the political sphere, if at all. In the Muzaffarnagar incident the High Court verdict declared compensation to the victims but this only helped to lower the morale of the people and break their confidence because a person’s izzat (honour) cannot be bought. The self respect could be got only if the culprits were hanged. A raped woman can only feel compensated if her rapists is hanged and not by money. We were being raped not only physically but also mentally. Yeh ek maansik balaatkilr tha. Jab pain hona hi hai to pati se, sasur se ya phir ghar walon se ho, bahar walon se kyon ho? (this was a mental/psychological rape of the women. If one has to face pain why not face it at the hands of one’s husband, in-laws or family, why should one
be pained by outsiders?)

Before the Muzaffarnagar incident women were fighting together. About two of the rape victims were left by their husbands and the others were tortured by their families. Sabhi auraton ka manobal gir gaya hai kyunki is gandagi ki kisi NE responsibility bhi nahin lee (All women have lost their moral support mainly because no one took responsibility of this dirt). Even if one of the accused would have got punished that would have brought solace to at least a few women. Hum yeh kaise bhool jaye ki aurat ke samman ko sabse bari thes lagi hai aur sabse bara dukh mahilaon par aya hai (how can forget that the worse affected were women and the main agony was caused to them).

She continued:

As I was getting back into the bus I saw some men running wildly towards me- they were in police uniform but bare footed. They caught hold of me as a result of which I bit one of them on the wrist. Following this they tore off my kurta and started to drag me into the sugarcane fields..... There was a lot of struggling and I was mauled by those men really badly. They were on top of me trying to get their hands on me and .....and...

Significantly she had her own explanation of rape:

Rape is one manifestation of male domination and there is a need to change values in our society. Mahilayen apne samman par kabhi aanch nahin aane deti lekin aaj hi unke samman ko sabse bhari dhakka pahuncha hai (women would not have let anything happen to their honour but because of this incident they have been harmed in the worst way). Muzaffarnagar kaand mein (in the Muzaffarnagar episode) if we had a lady judge and women lawyers to argue our case, it would have definitely been in favour of the women. There is therefore a need for women to deal with legal matters. A woman would be more sensitive to a woman's problems and pain. About 75% of men are biased against women. Pahaad ki nari ka apman matlab sampoorn nari jaati ka apmaan hai (the insult of the women of the hills means the insult of the whole women race). However, sab logon NE is kaaand ka wirodh nahi kiya (most people did not condemn this event).

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10 There is an outright acceptance of the fact that a woman must take pain under any circumstances, so why take the pain from an outsider? The bottom line is that pain she must take.

11 The whole concept of honour is of prime importance to women as it is emphasised by most of the people of this region.
She then recalled the condemning manner in which the District Magistrate spoke with them. She said:

Taiyyar hokar agar mahilayein raat ko ayengi to anjaam uska balaatkar to hoga hi (if women dress up and go out at night the result will definitely be rape). When I reached there crying and hurt I looked at him and said if the same thing had happened to your wife, what would you have done? How would you react? He promptly said: Uttarakhand ki randiyon yahan se hutt jaao varna gazab ho jayega (sluts of Uttarakhand move away from here otherwise there will be disaster). He used such abusive language for all us women...it was so humiliating. We women replied by saying that you are insulting the very mother that gave you birth- shame on you! You will never do good in life and you will suffer...this is our curse to you.

She had clear ideas of legal intervention in such issues. She claimed:

Sirf naam ka hai (its only for namesake) and it definitely needs changes. Mahilaon se sambandhit jitne kanoon hain unko strong banana chahiye (all laws pertaining to the welfare of women should be made strict) and women’s organisations should be able to take autonomous decisions. Like the NCW should be given more powers.12 Yeh jo auraton ke saath rape hua hai woh ek mansik rape hai, ek shareerik rape hai, ek financial rape hai....(this rape which happened to the women, is a physical one, a mental rape, a financial one) a feeling of guilt always haunts a woman who is ruined like this.

Another victim of rape who was a widow claimed:

It would have been better to die. But now I can neither live nor die. If my husband was alive, I don’t think I would have returned home. I came back only for my children.

A woman claimed that she was willing to be raped for the sake of Uttarakhand many times over, if the need arised.

12 This grievance was also highlighted by some members of the National Commission for Women, whom I met.
Above, we clearly have a pattern where rape and molestation for many victims meant a loss of self honour, family honour and community honour. Moreover, one of the victims also went a step further and claimed that it was a rape of 'mother' India. However, they and also others view them as martyrs for a 'just' cause. Their loss of honour is seen as a sacrifice for the cause of Uttarakhand.

II.9. The Legal Version:

Readers would discern the legal version the gaps between different versions. The victims whose voice should be most privileged in practice however not only gets marginalised but is not considered legitimate. In contrast, legal institutions have a legitimacy that makes their voice appear final. In fact they are in a position to give the ultimate verdict.

The judgement of the Allahabad High Court confirmed, on February 9, 1996 that: 15 men killed, seven women raped, 17 others molested, 12 victims of bullet injuries and numerous others seriously wounded (The Week, Feb 26, 1996). The Allahabad high court held the Uttar Pradesh administration guilty of human rights violations for firing upon peaceful demonstrators, for rape and molestation and ordered compensation for the victims.

The court awarded compensation of Rs. 10 lakh each in the case of death to the families of the victims. For grievous injuries resulting in permanent disability, the sum was Rs.2.5 lakh and Rs.50,000 was given for less injuries. A similar sum was awarded to about 400 people who were detained illegally.

Judging the crime of rape to be equivalent to causing death, the victims were awarded Rs10 lakh each, Rs5 lakh was awarded to victims of sexual molestation. In concurrent opinions, the two judges directed the officials concerned to be prosecuted and awarded damages and compensation to the victims. The court took a serious view of the indifference shown by state government, by denying that such events had occurred, concealing the offences, tampering with official records and trying to shield offenders. The court also suggested that the state government may establish a Human rights commission for complaints within the state as envisaged by the Human Rights Act of 1992. The court condemned
the roles played by the former UP chief ministers and his successor following police brutalities including killing and rape of Uttarakhand rallyists.

At one level the state is terrorising but at another level it is the legal system which brings redress to the people. In the case of this verdict, rape was equated with death and therefore compensation awarded for both were the same. This in some way reiterates the serious nature of the crime of rape.

III. FAMILY RAPE:

This case is of a 21 year-old middle class brahmin girl from Dehradun who was raped by her father on the night of Diwali in 1997. I met this girl through an acquainted lawyer in the local court. As the girl (along with two men and a woman) approached the lawyer I quickly faded into the crowd and observed. The girl was crying and asking the lawyer:

\[ \text{how will I convince the court that I am innocent? Will the judge believe me?}^{13} \]

On hearing this, I walked towards the girl and as I came closer to her I was taken aback as the two men who were with her came right before me and stopped me. They questioned my very presence. At first I was stunned but gradually gained confidence and stated the purpose of my visit.\(^{14}\) One of them shouted:

\[ \text{Ask us whatever you want to know but spare the girl.} \]

\[ ^{13} \text{Such questions rotate in the minds of most rape victims. A woman who has already undergone trauma must actually go through agony only to prove that she was raped. She is also worried about being accused of being a liar. Women who have been victims of sexual abuse are also scared of being accused of being liars especially if the abuse is caused by people known to the victim.} \]

\[ ^{14} \text{In most of the cases, in such situations I always had to convince the people that I was not a journalist, that their victim's identity would be sealed. I was always given suspicious looks by the others who accompanied the victim and not the victim herself.} \]
It is only at this stage that the lawyer intervened and asked the victim if she was willing to 'talk' with me. The girl gave me a quick nod. I took her aside much to the dismay of her uncle and brother.

She spoke tearfully:

I mainly agreed to speak with you because I needed to talk with someone besides my family members who are well aware of my case. I am very frustrated because I have been complaining to people very regularly that my father would sexually abuse me on and off. Whenever this would happen I would tell him that he was not doing the right thing. I threatened him that I would tell my mother and it is only that afternoon that my father came home, knowing well that my mother would not be there at the time, and pushed me to the bed, ripped off my *salwar* and got on top of me and ....

She cried and spoke about her fears. She claims that her mother supported her and it was she who took her for a medical check-up. About her father, she said:

Now my father....I don't want to call him that at all....I never want to see him again. It was the day of Diwali when he did this *zabardasti* (used force) with me. After all this happened my father ran away and I was left alone in the house crying like a mad woman, in pain both mentally and physically. I was restless and very shocked, my hands were trembling and I pushed my head further into the pillow and cried inconsolably. The thought which crossed my mind more than once was how would I tell my mother, would she believe me. I felt worried, confused, helpless and was breathing rapidly.

The girl feels that the punishment for such a rape should be hanging till death.15 The girl was soon whisked away by her family members and I was scolded by her relatives for talking to her. Before she left, she told me:

Don't ever trust your own family members, even fathers can do bad things to you. Watch out for bad boys in your house, keep safe from them, trust an outsider but not your own father.

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15 This sort of punishment is recommended by most of the women I spoke with. They always feel that for a crime like rape the punishment should be nothing less than death for the accused.
She had many nightmares and flashbacks about the incident even days after it had occurred. Although symptoms of anxiety predominate in the majority of victims within a few hours to a few days of the assault, some precursors to depression can be seen immediately including sad feelings about the assault, apathetic feelings about life, and suicidal thoughts. Within a few weeks of rape, depressive symptoms and frequently a full-blown depressive syndrome becomes apparent.

IV. ACQUAINTANCE RAPE:
This form of rape happens between people who are known to each other. I recorded five cases in this category.

IV.1. The First Victim:
This is the case of a 17-year-old Harijan girl, who was raped by her neighbour. Circumstances in which I got to know her were very difficult. I met her through my friend’s neighbours who were lawyers involved in this particular case. In fact I did not know until I reached the court that they were defending the rapist. I will highlight my meeting with the lawyers, followed by a brief account of my entry into court. I do so in order to capture the alieness and sordity of the court atmosphere.

The lawyers discussed their views on violence against women in general and rape in particular. As one of them promptly said:

You know it is difficult for attitudes to change, for instance, which man would want to marry a girl who has been raped, tell me? No one I am sure.

They emphasized that attitudes like these can never change and can’t be expected to do so soon. One of them continued:
A man thinks his wife is subservient to him and should therefore always obey him and till this attitude does not change, nothing positive can ever come up......

Regarding a rape trial, one of them said:

Yes, our society has double standards but that has always been the case, nothing new. A woman's character is always doubly checked and more easy to malign. However, a man may not even be questioned after committing a crime. An important reason why rape victims don't report the case is because the number of convictions in this crime are very few, the case takes years to get settled and by the time the final hearing is announced the victim and her sympathisers have lost interest and are too tired mentally and physically. To top it all, the victim suffers the trauma of seeing the victim go scot free.

They concealed the fact that they were defending the rapist and did not speak much about this particular case. The next morning we all left for the court together. I was scared all along that if the victim saw me with them she would become hostile so I parted ways once we reached the court room. As I entered I was given suspicious looks, however, my identity was kept a secret and I sat in a corner.

Standing about ten feet across my bench was the accused whose name was being called to give his appearance. Dressed smartly in a maroon sweater and grey trousers, neatly oiled hair brushed back and a moustache. He seemed confident and stern and looked like any boy next door. The accused was the victim's neighbour and there seemed to be a family rivalry of sorts between the two families. As I sat watching the activities of the court I saw a young girl walking in the court room with her mother, holding on to her hand tightly. She was the victim. Most of her and her mother's face was covered with a shawl. They came in (with everyone glaring at them) and sat besides me. A lawyer sitting in the middle of the room, looked at me and while pointing to the victim said loudly,
They became even more conscious and as it is, besides them and myself, there were only males in the court. The court proceedings began and the lawyers kept narrating the past hearings of the case. Meanwhile, a man from the court room it walked towards the mother and daughter and in harsh tones asked the mother to leave the room. She pleaded with the man and said that she did not want to leave her daughter alone in the room. The man did not pay heed to her and again said, *Bahar jaa* (go out). She however, stayed on.

I finally gathered courage to talk with the mother of the victim. She gave me a suspicious look and ignored me at first. I asked her about her daughter’s case and she was hesitant to speak. I told her that I was from a *Mahila Sansthan* or women’s organization and was interested to know about her case. She seemed more at ease after I told her this. Meanwhile, the girl was called on by the judge to show a sample of her handwriting to him. Apparently, this was a crucial aspect of the case. The mother, meanwhile came closer to me and said that the guy in the maroon sweater (the accused) should be hanged till death. She angrily said:

*Mera mann karta hai mein ise jaan se maar doon kyunki yehi who janwar hai jisne meri beti ko barbaad kiya hai* (I feel like killing him myself because he is the animal who spoiled my girl’s life).

She slowly narrated how her daughter was raped by her neighbour when she was going to the toilet which was a bit far from her house. About the case she said:

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16 I got to know later that her hand writing sample was being taken from her because her opponent lawyers had accused her of having an affair with her neighbour (the rapist in this case). So they could prove that she consented to have intercourse with the boy and therefore no rape took place at all. This is what most of the lawyers try to prove, that the girl is of a questionable character.
It has been very frustrating for us but I will not give up the fight. We are asked to produce new evidences every time. I don't even understand how we are being manipulated by these people. The boy's lawyers are very tez, they are asking for too many evidences, proofs for irrelevant things. It is a delaying tactics. I have a private lawyer and a state lawyer but neither of them are giving us proper guidance. There seems to be a new twist to the problem each day.

She claimed that she would rest in peace only when 'that animal' would get life imprisonment or a death sentence. She strongly felt that the punishment for rape should be pusahaan (hanging). She told me I could speak with her daughter after the hearing got over.

Her daughter was being harassed by all the questions which were being hurled at her by all the lawyers. At one point she was asked to give a sample of her handwriting for the case and for that a lawyer was dictating the matter. For the sample he was dictating very personal things about the rape, like, “then he came close to me and touched.......” He went on and kept asking her phir kya-kya hua, likho...(what all happened after that, write it). After this she was asked to go when a lawyer said, ab jaa yahan se (now, go away from here). She walked back towards her mother who comforted her. The court was adjourned till the next hearing which would probably fall after a month or so.

I rushed out with the girl and told her that I would like to know the details. On my way, her uncle stopped me from talking. He said:

Ladki bahut ghabrati hai aur baat nahin karti, aap kya poochhna chahte ho, humse poochho (the girl is very scared and therefore doesn't talk, whatever you want to ask, ask us).

I told him that the girl's mother gave me permission to talk with her. As I looked at the girl she said:

\[17\] In this case, the lawyer was coming too strong on the victim, who was as it is scared and skeptical of everyone around her. To test her writing sample, she could have been asked to write her name and address instead of narrating her rape for the Nth time. The humiliation was
One day, as usual, I went to ease myself to my toilet which is located outside our house. Out of the blue, a man came from the back, covered my mouth and held a knife to my back, I could feel a sharp weapon poking at my back very hard. Usne mere ko mara aur mujhe thodi si behoshi si hone lagi, phir usne mujhe ek lat mar kar jagaya, mere kapde phaare aur meri salwar niche khinchi aur mere saath.....mere saath kharab kam kiya. Bahut dard hua aur main zameen mein thi aur woh mere upar. Uske baad mein khoob jor se chillane lagi (he hit me and I felt like fainting, then he kicked me and woke me after which he tore my clothes off, pulled my dress down and then.....did the bad deed with me. It hurt a lot, he was on top of me and I was thrown on the floor, after that I started to scream loudly).

She cried bitterly for a while after that. She sobbed and said:

Ever since that incident I have not been myself. I often have severe headaches, sleeplessness, nightmares and I am not confident anymore. Even to leave the house I want someone to accompany me. My mother or little sister accompany me to the toilet now, it is really bad.18

By now her folks were angered on seeing the girl cry. Her uncle informed me that on that day he heard her screaming and immediately ran to find out what had happened and caught the boy on top of her. He spoke:

Maine use range haath pakad liya, us badmaash ki pant utari hui thi aur neechu se nanga tha, kya sochta hain ye log, kya kar raha tha who? Ye log sab jhoot boltein hain, kahte hain is bacchi ka us larke se kuch tha, kuch nai hain tha, ye log jhoot boltein hain, inke paas paisa hai to hamein tang kar rahe hain (I caught the boy red-handed, that boy's pant was removed and he was nude from below. What do these people think of themselves, what was he doing there? All these people lie, they insinuate that the girl had some sort of affair with that boy. There was nothing at all between the two of them, these people are lying, since they have money they are troubling us).

written all over her face and I noticed her eyes getting moist. It is almost like a 'second rape' of the victim and happens in most court trials.

18 What the victim was experiencing after the rape was the rape trauma syndrome. The term was coined by Burgess and Holstrom (1974). The term covers a constellation of symptoms commonly found in rape victims; these include sleeplessness, self-blame, headaches, and other characteristics that resemble those found in victims of other post-traumatic stress disorders.
After speaking at length about their opponents and how manipulative they were, they left the place. The girl was taken away as she cried. I apologized to them. At that instance, the girl came up to me and said softly:

*Aap to meri didi jaisi hain aur mujhe aap se baat karke ab achha lag raha hai, lekin jab yeh bade bade mard mujhse poochhte hain to bahut bura lagta hai, kya inki betiyaan nahin hoti? Meri Maa ke alawa aap hi hain jino ne meri poori baat suni hai. Ye rona to ab meri kismat hai* (you are like my older sister and I felt much better after speaking with you, but when these big grown-up men try to ask me what happened I feel very bad, don't they have daughters? Besides my mother only you have been sympathetic to my pain and my story. This sorrow is my destiny now).

After this they left. I too turned to go back to the court gates where the lawyers were waiting for me. They asked me all about my meeting with the victim. I refrained from saying anything and instantly one of them retorted:

*These rustics, they just don’t talk, ye aise hi hote hain* (they are like this only). Did you see the way she was putting on a show? This crying business is all drama.

I was told to forget about the case as one of them said:

*Yeh to aam baat hai aur aisee cheezein to roz hoti rehti hain. Tumko pharak nahi padna chahiye...*(This is a casual thing and such things happen very often so why bother about such issues?).

**IV.2. The Second Victim:**

The victim in this case is a married woman of 25 years with two children. She was raped by a person who stayed a few blocks away from her house. I met her when her case was being tried in the local court. I asked if I could speak with her about the incident. She agreed and said:

*I remember that ‘black day’ very well. I was in the house sleeping with my two children. My husband works out of town and so was not home*
that day. The accused broke open the main door and entered the house. He embraced me very tightly after which I woke up. Before I even knew it, he gagged me and raped me and immediately after that he fled. After that I started to cry loudly so that people of my locality could hear my voice. At first I told my neighbour of the incident. The accused now wants to compromise the case. I also want to compromise the case because after all we stay in the same locality and there is no point having bitterness. Moreover, my sons are growing up. If I compromise the case now then my sons won’t get to know because they are still young and if I pursue the case then they will all get to know.

After this incident my husband has been misbehaving with me. He has permanently taken a job here and stays at home now. He holds me entirely responsible for the rape and abuses me whenever he comes home. That really hurts, both mentally and physically. I hate sleeping with him because whenever we have intercourse he beats me up and is very aggressive and abusive. He only uses me to satisfy himself, treats me very badly and misbehaves throughout the night when he is awake. He never behaved like this with me earlier but now it’s bad... I cannot do anything to change the situation, I feel so alone because I have no support from my family. That is why I am willing for a compromise. My in-laws also are very angry with me. They, along with my husband beat me very much and take every opportunity to abuse me and taunt me about the rape. I have also developed so many health problems on account of my state.

She is being tutored by her husband, brother-in-law and next door neighbour to compromise the case. They are not letting her carry on with the case. They are also not liking the idea that she is talking with me about it. They have told her to stand in the witness box and say that the matter has been compromised. I asked her brother-in-law whether some money had been paid to them by the accused, they denied it. At this point her family members ask me to keep off their case saying it is their ‘family matter’. I still managed to talk with the woman. She has made up her mind that she would stand in the witness box and say exactly her husband wants her to, that is, call for a compromise. The public prosecutor told me that the villagers were acting like brokers in this case and was sure that they would compromise the case for a hefty sum of money. He told me that the husband was only interested in the money and nothing else.
The Trial:

In the courtroom I noticed that there were 5 male lawyers, 2 women lawyers, 1 judge, a courtmaster and a stenographer. However, the door was shut to keep the family members away. The trial began:

The Sessions judge announced:

I am not going to stand in between justice if the complainant wants to save the accused. I am not going to stand in the way.

The victim arrived on the dock and began by giving her introduction, her husband’s name and place of residence. She was totally nervous. She was whispering and at this point the judge screamed at her for suppressing facts. Everybody was aware that she was scared and therefore trying to suppress facts. She slowly narrated the following:

The incident took place about 5-6 years ago on a night at about 7-8 PM. At that time I was inside my house along with my children aged 4 years and 6 years. My husband was out of town. There was a bang at the door, I ran to open it and when I opened it I saw the accused standing there, who, upon seeing me ran away from my house at once.

I was totally shocked and also sad because what she had narrated to me was totally different. I also notice the judge’s face, who is very upset with the girl’s statement. He looks very unhappy and feels helpless. The sessions judge then addressed the court and said:

Now, tell me what I can do, how can I protect her. What is the need for legal aid, even when it is provided it is not being used. This girl does not know that later she will be ditched and will have a miserable time. She is not realising this at all.

The victim repeatedly maintained that the accused did not do anything to her. He simply saw her and ran away from her door step. The public prosecutor and
judge kept reassuring her but she did not change her statement. The lawyer of the accused kept laughing at the situation, he was truly mocking the state of affairs. **The victim continued:**

I screamed when the accused ran away because I was scared. I narrated the entire matter to the neighbours who had gathered there.

The judge kept asking the victim to look at him and speak. She was perspiring and trembling by that time. She lied blatantly standing in the box. **The victim then said:**

Yes, the police had brought me to the magistrate in the course of investigation. I narrated the entire incident and my entire statement was written after which my thumb impression was taken.

This was seconded by the public prosecutor who claimed to have read the entire confession and again said that the entire incident was noted there. **The victim continued,**

The police had sent me for a medical examination and I was examined by the medical officer.

By this time the public prosecutor has declared the victim 'hostile'. According to him the F.I.R. lodged and the magistrate's statement and medical reports were not tallying. The public prosecutors prayer for declaring the victim hostile was granted because the victim had narrated the entire incident exactly in her language and the magistrate had noted it. The sessions judge repeatedly told the victim that there was nothing to be ashamed of or scared of. He reminded her that since she had already told the truth in front of the magistrate earlier, she should not be afraid to speak the truth. **The judge seemed frustrated and said:**
You did not say the truth and suppressed a lot of facts to save the accused, is it true?"

The victim replied:

Yes I have suppressed everything so that I could save the accused.

The most depressing was the fact that in the trial she suppressed the true story in front of the judge. The judge was trying to be supportive and reassuring but the victim did not listen to anything. She stuck to the fact that she was not harmed in any way by the accused. I was totally distressed especially since she narrated her true story to me before she entered the courtroom. The judge and the public prosecutor tried their best to get the truth out of her but she kept denying the incident. The public prosecutor and the judge also said how helpless they felt in a case like this. By the end of the trial the victim was pale and looked scared. She was visibly nervous and upset.

Sometimes even if the opportunity is available, the victim is in so much pressure by others to suppress her feelings that the case is futile.

The truthfulness of a person who reports being sexually assaulted is more likely to be questioned, doubted, and challenged than are statements of victims of other crimes. Recounting in public one’s victimization is exceedingly stressful, but the reactions by police, attorneys, judges- including skepticism, cynicism, and in some cases, harassment- only compounds the agony. Observers suggest that this second victimization- by representatives of the criminal justice system and officers of the court- is just as bad, if not worse than, the original rape (Brownmiller, 1975; Medea & Thompson, 1974). In fact, one study found that the primary reason given by rape victims for not pressing charges against their

\[19\] In the case of the victim discussed above, she was almost re-living her rape when she was asked by the legal experts to write about her case all over again, only for a writing sample. She had already narrated her story many times before. She confessed to me that to be questioned by a number of officers about the same case was her most humiliating experience.
assailant was the desire to avoid the ordeal of courtroom testimony (Holmstrom & Burgess, 1978).

In contrast, it would be interesting to highlight what it would be like if a victim of a holdup were interrogated in the same way as a person who reports having been sexually assaulted. As cited in Allison & Wrightsman (1993):

Did you struggle with the robber? Why not?
You said you didn’t struggle because he had a knife. Can you show us any signs that he had a knife? I don’t see any wounds.
Did you scream? Why not?
Have you ever been robbed before? If so, why didn’t you take precautions to avoid it happening again?
Can you prove that you had $125 in your wallet? Do you always carry this much money with you?

A victim of a knifing or a mugging may or may not have a history of victimization; the police and the courts are not that curious either. But the courts have long established that the prior sexual history of the complainant of rape was relevant evidence to be admitted at trial.20 In one appellate decision in India, the court’s moralistic decision was made clear:

Penal Code, S. 376- Rape on unchaste girl- Sentence of seven year’s rigorous imprisonment is too severe.
Where evidence showed that the girl who was raped was unchaste the sentence of seven years rigorous imprisonment was held to be too severe. In this case, the judgement convicted the accused as rapist and the evidence of the victim who was raped, corroborated by the evidence of another person, left no doubt that the girl was raped as she alleged. However, at the same time the medical evidence of the girl showed that she was used to sexual intercourse and as she was unmarried it followed that she was deemed ‘unchaste’. “I consider that the sentence is too severe

20 This may also happen in day to day life also. When I was in college, a group of girls got molested very badly in a DTC bus. When they all created loud noises, the bus came to a halt and these traumatized girls got off the bus in dishevelled conditions and the first man who saw the plight of these girls walked up to them and asked what they were doing in the bus at 8 pm in the night. Why weren’t they in their hostel, he inquired. He shifted the blame on to them rather than the molesters.
and I reduce it to four years' rigorous imprisonment. The appeal is accepted to this appeal only.\textsuperscript{21}

IV.3. The Third Victim:
This is the case of an 18-year-old girl who was raped by her boyfriend for whom she left her husband with whom she was forcibly married at the age of twelve. At first very reluctant to talk with me she finally decided to share her pain (as she told me later). In her words:

One day, he came to my house when my parents were away and tried to talk to me about our future and how happy we would be etc. Meanwhile, he started coming towards me and touching me, I resisted and told him that I was not ready for it. He paid no heed to my plea and pushed me on the floor, tore my saree and became very rough with me, he even beat me. That was the first time that he ever hit me. I cried and cried and begged him to leave but he ignored me and finally did zabardasti (used force) with me and left. Ever since that day he has not come home......I was and still am shocked and depressed, I feel cheated. Soon, worse was to come, I realized that I was pregnant. I tried to get in touch with him to tell him of my pregnancy, but his parents are totally against me and would not let me meet him. Only once I met him and begged him to marry me but he just turned his back on me and walked away......never to come back. I hear that his family has forcibly married him off to another woman, his wife is rich.

She says further:

Yes, Anwar is aware of this child but he now denies having anything to do with me. How could he be so ruthless? He had always assured the village people that he would marry me but...... The village people are very angry with me and are rude and sarcastic to me.

After getting to know of my pregnancy, I was beaten severely by my parents. I just lost my father a month back. They used to always scold me because they felt that maine unka naam mitti mein mila diya (that I was responsible for putting their family honour and name to shame). Nobody talked to my parents after this incident. My mother used to work as a domestic helper but now she has lost that job too. None of my friends

\textsuperscript{21} A.I.R. 1927 Lahore 772 (2). Ibrahim v. Emperor. These kind of judgements and attitudes prevail even today. The character of the victim is scrutinized at all levels even today.
meet me, let alone talking to me, they have all left me. My mother always cries and tells me how difficult it is to support me and my child. I feel totally betrayed and let down. I hear that Anwar is leading a happy married life and here I am...burdened with a child, with all my miseries and almost dying. Even now I am willing to forgive Anwar if he marries me and accepts the child. His father also offered money to me so I could get the child aborted but I was always under the impression that the boy would definitely marry me. It is only now that he is married and I am giving up hope.

Everybody in the village knows of the incident. I feel very bad that I hurt my father so much and caused him pain when he was alive. My father had asked me not to continue meeting Anwar till he married me, but I never listened to him only because I believed that he would marry me, he always said so. My father was so hurt that he left our house and stayed with my step-sister. He fell ill and died thereafter. Usne mujhe barbad kar diya! (he has ruined me totally).

She informed me that she cries most of the time. She continued:

I didn’t tell anyone for a while. In fact, I wouldn’t even admit it to myself until about four months later when I realized I was pregnant and when the guilt and fear that had been eating at me became too much to hide and I came very close to a complete nervous breakdown. I tried to kill myself, but fortunately I chickened out at the last minute only because of my baby. I was losing control and I’d never been so terrified and helpless in my life. I felt as if my whole world had been kicked out from under me and I had been left to drift all alone in the darkness. I had horrible nightmares in which I relived the rape and others which were even worse. I was terrified of being with people and terrified of being alone. I couldn’t concentrate on anything and I was convinced that I was going mad.

After the incident she told me that she felt mentally and physically used and abused. She was not aware of the law on rape and informed me that she did not inform anyone immediately after the incident because she was too scared of her parents’ reactions. However, she kept hoping that Anwar would return to her and marry her. It was only after two months of the incident that she informed her parents. Also, she never was aware that she got pregnant till the symptoms were happening and her mother detected it. She has lodged a complaint but......
even now, when people hear her story they feel it is her fault because she loved the man and knew him before marriage.22

IV.4. The Fourth Victim:
The following is the case of a sixteen-year-old who was raped by a family friend whom she was fond of. In her words:

I liked a this boy who was about 25-years-old. His uncle and older brother got to know about our friendship and seemed to dislike it. One day, sometime during the month of August we met and he said that he would take me home with him so he could talk about my problems. When we reached there, he made me sit in the room outside and told me to wait till he kept his cycle in place. He never came and instead his sisters and aunt came and started to beat me. They started accusing me and were surprised that I had the audacity to go to their house, they were angry and started shouting at me. They also let their dog loose on me and I was bitten by it. They asked me to get out of the house at once. I told them that I did not come alone but was brought there by the boy and therefore he should take me back. The boy denied that he ever got me there. I was hurt and very humiliated. However, the panchayat was informed and I was sent back home. I felt so bad about this incident that I stopped all communication with the boy from then onwards. He tried a lot to get in touch with me but I ignored him.

She pauses for a moment and then continues:

A few days later, he came to my house when I was alone. He walked in the house and shut the door behind him. I asked him to leave the house but he did not do so. Instead he came close to me, pulled me on to the bed and `forcibly loved me' 23 after which he ran away from the house. I was shocked and before I realised it I was feeling faint and tired. I sat on the bed and cried and cried a lot. When my parents got back, the same night I informed them of the incident and we went to the police station the next day to lodge a complaint. I did sign the F.I.R. The boy is in jail and will get bail in three months. The act happened against my will and was very painful, physically and mentally. I have always been very shy about such

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22 In issues of rape many times the actual incident gets sidelined and ignored and other factors get more importance. The pain which the victim is undergoing is totally lost in the aftermath of rape.

23 When I asked her what she meant by this phrase she explained it only to mean that she was raped. Its just that she did not use the word.
things since I was a child. While he was forcing me, he also slapped me many times when I refused to 'love him'. He mercilessly tore off my clothes and did not listen to me when I was screaming at him. He is much bigger than me physically. However, I did kick him in his stomach but it did not effect him, he was stable and on top of me.

That night I cried a lot and tried to commit suicide at about 4 in the morning. I hung myself with a rope, to the branch of a tree, after which I fell unconscious on the floor. My parents took me to the hospital where I regained consciousness only in the afternoon that day. There are many nights when I don't sleep even though my family is fast asleep. I just stay up and cry and feel very depressed. I feel like a burden on my parents. Everyone around knows about my rape. I can't get married also. I sometimes feel a lot of pain around my vaginal area, a burning sensation. Now I don't feel the physical hurt but it was there for many days after the incident. At times I get very angry at the boy for ruining my life like this.

I know that my parents face a lot of humiliation because of me. I know that no one else will marry me. I do want him to go through a similar trauma like I underwent so that he can feel what I feel.

The victim is unaware that there is a concept of rape or that forcible intercourse is a crime. The boy is in custody and the victim was asked to take money and compromise the case. She is not willing to let him go scot free but says that if he offers to marry her she will because she has no one and as it is no one would marry a rape victim like herself. Everybody in her village knows about the rape. She feels very guilty about the whole thing because she says that had she not liked him so much, the incident would not have happened. She keeps repeating that she feels like a burden on her parents.

She confesses:

_Hamesha rone ka mann karta hai. Mujhe usi din mar jana chahiye tha us di, mein zinda kyon hoon_ (I feel like crying all the time, I should have died that day, why am I still alive?).

**IV.5. The Fifth Victim:**

The girl is an unmarried 18-year-old who was raped by her Aunt's son in September, 1998. To hush the matter the Aunt promised that she would get her son married to the girl. The victim did not want to talk of the incident and
ignored most of my questions. She was expressionless and in a state of shock. The mother of the victim was more vocal and often spoke whenever she felt like. The village people talked ill about her and her mother and blame them for the incident. Also, no one wants to marry the girl because she was raped. In the victim's voice:

One day my favourite Aunt took me to her house. As we talked I noticed my aunt's son staring at me from a distance. I had always liked him though would not talk with him often. I, however, continued to talk. My aunt informed me that she was going out for a while and asked me to wait there till she got back so that we could go to my house together. As I was just sitting my Aunt's son called me in the house to show me something. He caught hold of me and dragged me to the nearest room. I screamed as loud as I could but no one heard. He tore off my clothes from below and forced himself on me, usne mere sath zabardasti ki (he forced himself on me). I pushed him but he was a big man and I could do nothing about it. It was painful and more so because I was so shocked. He ran out of the house after beating me and threatening me that I should not tell anyone of the incident. I kept lying on the floor weeping loudly. After my Aunt came back I narrated the entire incident to her. She was more scared of the fact that I should not tell anyone that her son was involved in the misdeed. She assured me that she would get her son married to me at the earliest. I went home after that and narrated the incident to my mother.

From what she and her mother told me her uncles and their sons have told the accused to deny that he had done anything to the girl. He was being tutored to wash his hands from the crime. The accused also told the victim to tell everyone that it was not him who raped her but someone else. When she refused to do so she was beaten up by his family and him and thrown on the road. The girl and her parents lodged a complaint with the police and the victim also signed the F.I.R. According to the mother:

It is because of lack of dowry that the boy is not marrying my daughter, even after spoiling her life so mercilessly. Usne usko kahin ka nahir chhoda (he left her in the lurch). The accused has told us that only if we give him and his family a sum of Rs. 50,000 will he marry my daughter, where can
we get that kind of money?? Now, I just want things to be fine with my daughter, I do not say anything to her, what is the use she is so depressed and still in shock. She does not take interest in anything anymore. She is totally ruined. At such a young age she has lost everything. What do we do? The village people also want us to compromise the matter. They beat her on many occasions only so she would maintain that the rapist was someone else. If the boy marries her its fine. I really feel like killing the boy, His family is looking for wealthy people so they can get their son married off, they are very greedy and also worried about their son's reputation.

I asked her whether she could trust the accused again even if he married her daughter, meaning that would it not be easy to keep beating and torturing the girl and making her miserable. She said:

Once she gets married it is her look out then not our responsibility. Even if he beats her everyday that is her destiny and she must live with it. What can the women do anyway? I also accept all this as a part of our destiny. All I can say is that my daughter committed a mistake by going to her Aunt's house that day.

The mother is totally frustrated because she does not know what to do next. Her daughter is too upset to speak anymore.

Many times victims don’t want to talk of the incident of rape to anyone because of fear. She may fear the stigma of being a rape victim or being blamed for provoking the rape. These fear are similar to those that inhibit victims from reporting a rape to the police. A victim may have encountered negative responses in earlier attempts to disclose or discuss her rape with her family and friends. If earlier attempts were met with disbelief, silence or victim blame, the victim may be scared to bring her assault up again. Again, self-blame does not

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24 In this case the victim felt very let down by her aunt who had promised that she would get the accused married off to her, but ignored the whole issue later and joined other people in beating the victim up.

25 In this case, ultimately the mother of the victim said that had her daughter not gone to her aunt’s house the rape would not have taken place. This too is resorting to victim blame. The question is how and when is a girl to know that she is going to be raped especially by people she is familiar with?
occur in a socio-cultural vacuum. It is prompted both by general ideologies and by specific responses from others.26

IV.6. The Sixth Victim:
The victim is an 18-year-old dumb and deaf girl who was raped by her 70-year-old neighbour. The victim’s mother was present with her to narrate the course of events. The girl’s family is poor and since she is always at home, the neighbour (the accused in this case) and his wife suggested to the girl’s mother that she be employed by them as a domestic servant. The reason given by them was that she could bring income to the family and also keep busy. This job would require the girl to stay with the neighbours and do their household chores.

The accused is a well-off, educated and respectable person of the locality as claimed by the victim’s mother. The victim’s parents immediately agreed to their proposal. The girl worked in the neighbours house for one and a half years.

One day suddenly, the accused and his wife returned the victim to her own house with the excuse that she wasn’t physically fit to work any longer. The parents felt that probably the girl was not healthy enough to carry out all the work in their house and therefore in good spirit the neighbours were returning their daughter to them. The wife of the accused added that the girl did not work properly and therefore should stay with the parents. It was only after one and a half months that the girl’s mother suspected something was ‘wrong’......she says:

I noticed that she was having a lot of physical discomfort and also was not having her periods in time. On asking her what had happened at the neighbours house she was able to explain to me in her own sign language that the man of the house had raped her. She cried a lot after that and would not stop. I was shattered and shocked to know of this. I informed her father of the incident and the two of us took her to the accused’s house. The accused and his wife were angry when we confronted them and claimed that she was lying about the whole thing. Since they are rich

26 In this case too, the family of the victim has got no support from other people of her village. They too are asking them to forget the whole thing and get the girl aborted. The mother therefore seems most frustrated with this. She now blames everything on her daughter’s ‘mistake’ and her phooti kasmat (ill-fate).
and well known people, my husband thought they might be right. However, we informed people of the locality about the incident.

Thereafter, a meeting was called by all the people of the locality, more like a panchayat and the accused was present. On the intervention of the panchayat head, the accused confessed of raping the girl and agreed to pay us a sum of Rs.20,101 to us as compensation against the case. An agreement was signed by him with the panchayat. Later, the son of the accused tore the agreement. We then lodged a complaint with the police. The girl’s father has signed the F.I.R which was lodged 4-5 months after the rape took place.

The victim looks on helplessly as her mother tells the story. The mother cried when her daughter tried to take over the conversation and talk to me. With her hands moving frantically and some noises from her mouth, she tells me that she tried to run away from the house of the accused after the incident happened. But she was threatened by the accused that her family would be destroyed if she said anything to anyone. He raped her twice in his house. After the second time he raped her she threatened that she would run away. It was then that the accused, along with his wife returned the girl back to her parents. The mother continues:

Yes, she was raped by that man who is old enough to be her grandfather! We are not aware of any rape laws or legal procedures. We are poor and simple people and don’t know anything. Whatever is decided by the panchayat will be his punishment but right now he has cheated us by tearing the agreement paper.

The mother informed me that the victim has a child since her pregnancy couldn’t be aborted on time. She further adds:

We did not pester on her abortion because she had to have her child in the womb till the matter was settled by the local panchayat. There is/was no eye-witness to the incident. We had lodged a complaint in 1995 but now want to compromise the case. As it is my daughter can’t talk. What is the use of having enmity in the same locality? Jo hua so hua (Whatever had to happen has happened). Now, the accused wants to pay the compensation and settle the matter. What is the use of staying in the same locality and
having enmity with such influential people? I have other children also and I cannot afford to jeopardise everybody’s life.

She further confesses:

Yes, my daughter is in deep pain and cries very often, she is very unhappy and cannot express it in any way except through her tears. She is a handicapped girl, who would marry her anyway? And now everyone knows of the rape. I will compromise the matter if the accused pays us the money he had agreed to pay. I do get angry at that man but what is the use of getting angry since my daughter is ill-fated. The people of the locality ridicule us even though everybody knows the truth. I know my daughter is not at fault, so I can’t blame her. My family is cursed to have a handicapped child and then to live the rest of our lives with this kind of incident... and now with a child in the village, it is worse.

The impact that communities have upon the psychological experience of individuals is best understood in terms of the functions that communities perform for community members. For instance, it is known that communities grant identity and a sense of belonging to community members, serving as contexts for the development and expression of personal identity. If, in the aftermath of rape, a victim’s membership in the community is affirmed, her recovery will be facilitated by awareness of the support and concern available to her. On the other hand, if rape marks her as deficient or causes her to be shunned and avoided, the community will have exacerbated her trauma.²⁷

Communities may also teach and foster traditionally valued behaviours and provide members with a vehicle for expressing community values and tradition. In too many communities, the victim’s behaviour is called into question. Victim’s may often find themselves explaining, for example, why they did not scream or fight back, why they went to such and such place or, simply why they ever found themselves in a situation of risk. The inquiry can heighten a victim’s sense

²⁷ In the case above, the victim’s mother wants to compromise with her daughter’s rapist, even though she is too angry with him, only to be part of the community, so that they don’t lose the confidence of the other members of the community.
of responsibility and complicate her recovery by promoting an unfounded sense of shame.

Each community of which the rape victim is a member will help or hinder her physical and emotional recovery from rape. When a woman is raped, the geographic community that purports to include, serve, and support her is revealed anew. Its traditions, moral codes, and social values are subjected to new scrutiny. Although communities can be differentiated by a variety of topologies, all perform essential functions for community members and each can have tremendous impact upon the physical and emotional prognosis of rape victims. Because the victim is always a member of diverse communities, she will experience a wide range of reactions: compassion and hostility, advocacy and abandonment, service and skepticism.

IV.7. The Seventh Victim:
This is the testimony of a 19-year-old victim who was 17 when she was gang raped. Gang rape occurs when more than two people rape one person. In this case the hooligans were acquainted to the victim. They wanted some information from her which she was genuinely unaware of. In order to punish her and 'teach her a lesson' she was brutally raped, beaten and abused in every inhuman way. The victim's only aim in life is to bring her culprits to book. The accused people in this case are influential and wealthy, apparently drug peddlers. She is one among seven sisters and a brother. In her words:

On that fateful day of Shivratri (the birth of Lord Shiva) in 1995 I had gone to the temple to offer prayers. Over there a couple came up to me and inquired about a girl by the name Mita, who is a friend of mine. Apparently, Mita was having an affair with their son. Mita and their son eloped and they were sure that I knew where they had gone. I denied knowing anything about her whereabouts. They asked me to go along with them as they wanted to talk with me in private about Mita, I obliged

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28 In most of the cases I have interviewed, the victim and her family are treated with contempt by the community (the village or locality) in which they reside. Often people start disassociating themselves from the rape victim's family. This in turn has a very negative impact on the victim and her state of mind.
and went with them. As I entered the house they immediately shut the
door behind me. About ten men, who were already present there were
staring at me. They all started asking me about Mita's whereabouts, I
reassured them that I knew nothing. On hearing this they pushed me
inside a room and started to beat me with a bamboo stick. The main
accused pulled me by my hair and dragged me into a van standing
outside their house which proceeded to the police station.

The victim was taken to the police station and beaten mercilessly in front of the
police officer. The police also tormented the girl immensely. She said:

While he was talking with me the police officer kept using abusive
language and said that he would extract the required information from
me anyway. I kept crying and pleading with the police not to let me go
with them. I was then dragged to the field in front of the office where I
was stripped naked. The police kept watching while there were seven
other men doing this to me. I begged him to save me and told him that
they would torture me, he said that I deserved it after which he pulled me
by my hair and slapped me hard and walked away. The police walked
back to me and held me, handing me over to those men and said to them,
'do as I instructed only then things will work out'. He then looked me in
the eye and said 'tomorrow morning when you get back after being
raped, I won't help you because you deserve that treatment'. He watched
silently while the seven men pushed me back in the van.

She was put on the last seat of the van where she was brutally raped by the men.
Each of them raped her for five minutes while she was gagged. The main
accused informed the other men that the police officer was bribed with a sum of
Rs.50,000 to ignore these atrocities. In her words:

It was painful and I was crying like a mad girl. By this time my body was
aching very badly. Even the driver of the van wanted to rape me and
said, 'what about my chance?' The van was driven to a nearby primary
school and I was dragged out of the van on to the field of the school. It
was pitch dark. The driver then raped me. I had fasted the whole day and
felt faint then. They started to rape me again and after the fourth man
raped me, my vagina was bleeding profusely. I fainted and fell
unconscious thereafter.
After this she fainted and around 4 am the next morning was thrown in front of her house in a nude state. She continues sadly:

In the morning when I regained consciousness there were so many people from my village who were coming in flocks to see me. Earlier my parents were sympathetic but not anymore. My sisters don’t talk to me very well anymore. I feel like the accused because this incident has brought too much shame to me and my family. My sisters, who are of marriageable ages are not getting married on account of this incident. When I went for a medical test no doctor even touched me, there was no medical test done. I told the doctor concerned that I was in deep pain and my lower portion of the body was ‘wounded’ but she did nothing. My body was not touched by the doctor. I was brought back feeling very let down.29 I then went to the district kotwali where I lost the case.

The main accused in this case is a 60-year-old local drug pedlar who wields wealth and power in the locality. He managed to bribe everyone who was concerned with the incident. She continues:

He wants me to compromise the case for a sum of Rs.1 lakh sixty thousand. I don’t want to compromise the case under any situation. The atmosphere around me and my house is a very hostile. The rapists stay close by in the same locality and keep threatening me and my folks. They often throw stones inside my house and verbally abuse me. They have asked me to withdraw the case or they would kill me. I and my sisters are constantly threatened by these men constantly.

She informed me that she wasn’t aware of any rape laws. She experienced health problems, mental stress, nightmares, loss of appetite and immense body pain even after two years of the incident. Her sisters are not getting married. Her friends and family avoid her ever since this incident took place. In her words:

I feel totally shattered and lonely and don’t want to live anymore. This incident has definitely affected my relationship with my family members.

29 The victim informed me that her medical examination actually took place after one and a half years of the rape incident. The policeman who troubled her earlier made sure that no one did her medical examination. He was totally ‘bought off’ by the main accused in this case.
negatively especially my sisters because they blame for them not getting married.

About her reactions towards her rapists, she said:

They have destroyed my life and at times I wish I could kill each one of them. They have killed me, my personality, my happiness forever. Given a chance I want to make them experience exactly what I went through and what I am going through at present. Everyone in the village knows of the rape. I don't understand why everyone blames me for my plight.

V. STRANGER RAPE:
Stranger rape takes place between people who are not known to each other.

V.1. The First Victim:
The is the case of a 17-year-old girl who was raped and killed thereafter. I got information about her from the people of her locality. The first thing that I was told was that the victim was very beautiful. The people started to talk of her in regretful tones and would repeat that she was very good looking. She was a student in the local high school and the only daughter of her parents. The victim’s parents do not live in the locality and have re-settled somewhere else. After the incident they were shattered and could not bear to stay in the same place.

It all happened when one day the victim had gone to the toilet in the morning. On her way, two men caught hold of her from the back, gagged her, tied her hands and legs. She was dressed in a salwar kameez which was ripped off after which she was raped by the men. The people told me that the culprits had burnt both her breasts with cigarette buds and a lighter. She seemed to have struggled a lot on account of which there were burnt marks on her inner thighs. After she was sexually tortured and raped, her neck had been slit with a knife.
The villagers found her body in the field in an isolated area. The body did not have a stitch of cloth on it. There were numerous burnt marks on the body and the victim bled profusely.

An F.I.R was lodged by the victim's father, but the accused are absconding. The police are still hunting for the criminals. The villagers claim that the police are not taking any interest in the case because these people were poor and now they have also left the place. They are not pursuing the case because they are too shocked to do so. They are totally shattered. The villagers feel totally alarmed after this heinous incident took place in their locality.

This sort of rape is what Nicholas Groth (1979) would term 'sadistic rape'. Although the sadistic rapist is by far the least common of all the types categorized by Groth, this type is also the most brutal and frightening. Because the sadistic rapist eroticizes aggression, he actually finds gratification in tormenting his victim and observing her suffering and anguish. For the sadistic rapist, the whole experience could be very exciting. This type of assault may involve torture and may eventuate in murder. The assault is often premeditated and very deliberate.

V.2. The Second Victim:
This 21-year-old victim was 17-years-old when she was raped and was married only after her rape. Her mother is also with her and speaks about her daughter's incident whenever she feels the need to. In the victim's voice:

One morning at around 9 am I had gone to the field to ease myself. Suddenly someone caught me from the back, pulled my chunni and tied my hands and eyes with it. I was stiff and scared. He beat me and dragged me to the field nearby and raped me. I was wearing my nighty so it was pulled up and he forced himself on me. I could barely get a glimpse of him. I only remember that he was short and dark but could not recognize him fully. The accused fled after that. I came back home, shivering and crying. I was feeling scared and my shivering would not stop for a long time. I saw my mother and kept crying.
The mother adds:

She was in a state of shock and kept crying for a long time. She then told me what had happened. I immediately cried for help and screamed out to the people in the locality. In some time the people of the locality got together and we all went towards the field where we saw a guy ploughing the field. Thinking that he might be the culprit we dragged him out of the field but my daughter could not recognize him. My daughter is a stupid girl, she is foolish and *buddhu*. We beat the boy a lot but what could we do after that, this silly girl could not even recognize him.

The victim continues to talk,

A case was lodged in the evening on the same day. I could not speak for several hours after the incident but later in the evening I went to the police station where the officer-in-charge refused to lodge a complaint. Later, my mother went to the police station with a mob of people and then only the police was forced to take down the case. I do not know the accused, have never seen him before but the people here say he is a Muslim boy. The way he forced himself upon me was painful and I can’t forget it. Often, I get bad dreams about the whole incident and get up in the middle of the night crying and shivering. He dragged me by the hair to the nearby field which had very tall and dense grass and that is why no one could see what was happening. I could not speak for a very long time after narrating the incident to my mother.

The mother says that the incident has left her daughter mentally imbalanced. She claims that the incident has affected the girl psychologically. For her daughter she says:

*Chup-chap pagli jaisi ho gayee hai, kuch bolti hi nahin. Is hadse ke baad usne itne din tak kuch nahi khaya aur woh itne dino tak so nahi payee kyunki usko dar thaa kahin bure sapne nahin aye. Uska dimaag kharaab ho gaya. Kahin akele nahin jaa sakti, darti hai, bathroom bhi nahi. Mujhe uske saath jana parta hai.* (She has become quiet and remorse. After this incident she did not eat for days and refused to sleep because she was scared to get nightmares of that unfateful day. She has become a psychic wreck. She does not go anywhere
alone and is very scared to go out anywhere at all, even the toilet. I have
to accompany her till the toilet now).

Her mother says again that her daughter has become a psychological case after
the incident. Other family members agreed with their mother. Two women from
the locality also joined her and said:

Initially all her friends refused to talk to her after they got to know of the
incident, but now things are changing. There family has been shamed and
it is her bad luck and her mother's ill-fate that this has happened to them.

The mother kept blaming her daughter for the incident repeating that her
daughter was too foolish and stupid and therefore she fell prey to that rapist.
She exclaimed:

Had there been any smart girl instead of her, she would have protected
herself from the guy and prevented the rape.

The mother seemed more infuriated while talking and kept looking at her
daughter while talking but her daughter was in a total daze by now. She also
mentioned that her daughter gets nightmares and for the first few months after
the incident the mother would sleep with the daughter because she was too
scared to sleep alone and would often get into fits of crying. The angry mother
screams:

I feel like killing him. No actually I want to turn him into a hijra (eunuch)
and I will make sure that if ever I get my hands on him I will castrate him
as soon as I can, I will make his life miserable.30

Much later, the mother confesses to me that she has managed to get her daughter
married off to an impoverished man. The man is totally destitute and stays with

30 Many women I spoke to at random feel that men who rape should be castrated at the earliest.
In fact their response was that along with other punishment the first is that they should be
castrated.
the girl and her mother in the mother's house. The mother says that the husband knows of the incident but does not say anything to the girl. The mother said:

The guy has nothing for himself. After this kind of an incident no guy was willing to marry my daughter and therefore only those who are not doing well will marry her, either widowers or those who are useless in all senses. The boy is very poor. I feed them but it is still better than keeping my daughter unmarried all her life.

The other women present there started to talk and said that in such situations they generally try to get the victim forcefully married off to the rapist because no one in the community would marry the victim. I look at the victim who looks so sad. She opens her mouth a little and said,

I have a baby out of wedlock, who is one year old now. My life is sad and will remain so forever. I am very sad....

She breaks down after saying this and is crying and her mother takes over and says:

Usko to latka dена chahiye aur hijra banana chahiye (he should be hung and made a eunuch). The police had also come but what can the police do if my daughter could not recognize the rapist, she is so foolish and dumb. It is all her fault. Because she could not recognize the culprit we lost the case. None of us in this locality will ever forgive him for this bad deed of his. Imagine how many women’s lives he must have ruined till now.

The girl was totally silent after the first few questions. She does behave unusually and seemed very disturbed, psychologically perhaps. Any talk of the incident or anything which has to do with the rape gets her totally ‘frozen’, stiff. She also sat next to me, expressionless, like a stone. Her mental set up has been affected, I could observe that very clearly.

The mother’s anger is largely directed at the daughter because she was unable to recognize the accused. She informed me that the man they had caught
in the field and beaten thinking him to be the culprit was produced in court but his semen test sample did not match the same as the one on her daughter's night dress. Therefore he was acquitted.

Even within the category of rapes by strangers, variability exists. The sexual assault can be carried out by one person or a multitude of people. The stranger rape is most closely associated with the streotypical rape, and is among the most feared of all crimes. When they think of rape, many people visualize a sex-starved man waiting with a weapon for his prey. Despite the consistency in the stereotype, characterizing the stranger rapist requires diversity. There is no one type of stranger rapist just as there is no one type of stranger rape victim. There do seem to be consistent motivational themes underlying the stranger rapist, including power, anger and sadism. Although one of these motives may serve as the primary motivation for the stranger rapist, all three are important in understanding why stranger rape may occur.

V.3. The Third Victim:
This victim is one of the four victims (aged between 20-22 years) who were raped by Army men in the Muri express train on the night of 11th February, 1993. The four victims were part of a group of six tribal women from Chotanagpur coming to Delhi for domestic work. Six of the accused escaped before the train reached Delhi and one Dhir Singh was arrested.

It was most difficult to get access to this victim. I did meet her after going through many intermediaries, including her employer. Finally, in August, 1998 I met her. In her words:

We were coming from Chotanagpur in Bihar and six of us were travelling together. The first night went off peacefully without any bad thing happening. The second day was also fine but during the evening around 4:30 pm a fauji (army man) came to us and told us, Dhyaan se rahna, raat ko tumhare paas do sardar ayenge (be cautious, at night two sardars will come to you). On hearing this we got hassled because we knew no one else in the train. It must have been around 11 in the night when a sardar kept walking up and down the compartment. He came towards me
and held me by my hair and tried to tie my hair to the train chain and abused me verbally. I screamed for help but no one seemed to bother. The other girls were frightened too. The lights of the compartment and the bathroom was switched off for about an hour and a half. There were people sitting around us but no one bothered to help us. We girls got together and sat closely, by now all of us were horrified. The sardar came again with another sardar and some other army men and they started grabbing us. Two of us were pulled towards the bathroom. The others were being pawed by those men. I was beaten very brutally by the sardar.31 In the meantime I witnessed my friend getting raped by the other faujis. Two men held her hands and the other two raped her one after the other. I was in pain and screamed aloud in desperation but there was no help from any side. My turn came and my saree was torn open and I was overpowered by one of them and........as it is, by then I had lost all my energy and was barely conscious of everything around me...

She then continued,

The faujis tried to pay money to us. One of them handed twenty rupees each to us and said that we should keep it and be silent, that we should use it for medical aid, the wounds and general ilaaj for us. My friend took the money and threw it on his face and told him, hame tumhare paise nahi chahiye. Hum log achha kama lete hain aur izzat se kamate hain. Agar hamain aise hi paise kamane hote to hum itni door Dilli kyon jaate? (we don’t want your money. We earn well and we do so with dignity. If we really needed money in this manner so badly why would we come so far to Delhi to do so?). We were so humiliated and angry. Then we went to the railway station where the train halted and met a policeman and told of our plight. We told him that some of us were raped and that he should help us and catch the culprits. Hum tumhare liye kuch nahi kar sakte, yahan se chale jao (we can’t do anything for you, go away) he said. We were sad and sat quietly for Dilli to arrive.

On reaching Delhi station they complained to the police and managed to get one of the accused caught. They were questioned rigourously by the police and sent for medical check-up at LNJP hospital. The victim said:

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31 This particular victim was beaten the most by the men. She was pulled by her hair and was beaten black and blue apart from being raped. Another victim also revealed that this girl was beaten the most out of all of them.
I have tried to forget the bad experience over and over again but there are moments, even now, when I am alone, or while I am doing the household chores, and my mind is reminded of that night, I get scared and feel very depressed and wonder why it happened me.

I inquired whether any compensation was given, she said that the rape victims got Rs 10,000 and the rest got nothing. She feels that with money, the experience doesn’t fade away and money could not buy her peace of mind. To my question, how this incident has effected her relationship with men, in general, she said that earlier she was not so scared but ever since the incident, she is very scared and skeptical about males in general. She feels that all men are alike and can’t be trusted. She said that men are all similar especially when they see a lone and vulnerable woman. In her words:

I usually avoid going out alone, only if it is very urgent I go but otherwise I try to go with two or three other girls. I do not want to mention this incident to anyone. Finally, I don’t want to stay in Delhi, I want to return home......maybe after earning more money I can think about it. Now I stay busy with my work. I have two friends who stay near by and we all meet in church every Sunday.

She maintains that she is more cautious in her behaviour with other people, especially men. This incident was the first most humiliating, painful event of her life and she feels especially sorry because it happened in a public place. She said:

Even now my body pains a lot, especially the lower part. When I work too much it gets aggravated. After the beatings my sister had done malish (massage) on my body for a few days, I was also under medication for the wounds and pain. Even now when I hold a bucket of water my body pains but I can’t do much because I have to work. I feel that if any of those men come in front of me I will shoot them because they have done all this to me and my friends. About the police I would like to say that they never help in time and even if they do they are just looking out for money. Even after taking money they don’t help.

She continued:
When this incident happened, the first person I thought of was my father because he was persuading me not to go to Delhi and then the others in the family also said the same. Had I listened to my father, all this would not have happened to me.

The punishment for rapists should be very severe, they should be tortured gradually so that they can get the feel of pain gradually too; and rape is rape whether it be on a child or a grown-up person, so all the rapists should be punished alike. I will never forgive those men because they took from me something which was so precious. If I ask for the days I lost in crying and feeling depressed, will they be able to give those days to me? Also, I have heard some people comment on our characters and claimed that it is us who are like that and like this...

The government does not do anything. Even the court cases take so long, our case took two years and I don't know whether all the guys were punished. One was definitely taken into custody as soon as we reached Delhi but the rest, I can't say...I think so.

Nothing that can be said about the trauma of rape is more poignant than victims' testimony, "the most humiliating and painful event of my life" as the first victim of the Muri case narrated. The way a rape victim responds to her situation depends much on the environment she is surrounded in. An ecological model of rape trauma is concerned with the interrelationships among the characteristics of the person who has been victimized, the rape event that has occurred, and the social environment in which the recovery must take place (Harvey & Koss: 1991).

Intense fear of death or serious bodily harm was usually experienced by the victim's interviewed. The victim I interviewed, who was brutally beaten, was scared that the beating might actually lead to her death. Also, another victim became unconscious after she was raped and later was ill for a very long time after the incident. Symptoms of fear and anxiety predominate in most of the victims of rape. Also, some become depressed including sad feelings about the assault, apathetic feelings about life and suicidal thoughts. Victimization is clearly a major life stressor outside the realm of ordinary experience. One of the most painful experiences of the trauma survivor is finding themselves 'constantly haunted' by vivid, traumatic memories. As one girl said, "I can't stop
crying....all the memories come back to me." Post-traumatic dreams are often replicas of the traumatic event. They appear more like a memory than a dream and may appear throughout life during periods of stress. As one victim of the train rape said, "especially when I am alone and in stress, the event seems to re-occur in my mind, I often get flashes of it and it makes me tremble" (this type of reaction she still gets after five years of the incident).

Self-blame is very common among victims of sexual violence. In one of the responses the victim kept feeling guilty about the incident because she had come to Delhi against her father's wishes and therefore kept saying that had she listened to him, she would not have been on the train and had she not been on the train, she would not have been raped and beaten so brutally. In fact, she confessed that when she was been abused, she thought of her father and what he would think since she had disobeyed his wishes and came to Delhi. For a fairly long time she would blame herself for the incident.

Sexual assault may be viewed as a traumatic life event which produces overwhelming stress and demands the extensive use of personal adjustive resources to restore a stable level of pre-crisis functioning. In the clinical literature, maladaptive symptoms arising from rape and other forms of sexual abuse are generally classified post-traumatic stress disorders (PTSD); this acknowledges that the psychological, emotional and behavioural disruptions are transient and that they are due to severe stressors which would typically overwhelm even the most stable and competent individual. Post traumatic stress disorders are particularly devastating if the distressing life event is unexpected and unfamiliar as in the case of sexual violence, other cases of sexual victimization, and serious accidents.32

32 At this point I would like to mention the case of a woman called Aruna Shanbaug. For twenty five years now, her life has been spent in a 'twilight zone', brain-dead for sight, speech and movement. Yet hopelessly alive in pain, hunger and terror from that evening of November 1973 when she was attacked with a dog chain and brutally raped in the hospital where she was a staff nurse. Aruna's true story is written by Pinki Virani (1998) and I shall talk about it at length later I the chapter on law.
An ecological model of rape trauma is concerned with the interrelationships among characteristics of the person who has been victimized, the rape event that has occurred, and the social environment in which recovery must take place (Harvey: 1990). The Rape Trauma Syndrome is often divided into three stages (Burgess & Holmstrom: 1974):

1. **The Acute Stage:** This stage occurs immediately after the assault. It may last a few days to several weeks. During this stage the victim may: seem agitated or hysterical or appear totally calm (as a result of shock), have crying spells and anxiety attacks, have difficulty concentrating.

2. **The Outward Adjustment Stage:** During this stage the victim resumes what appears to be from the outside her 'normal life'. Inside, however, there is considerable turmoil which can manifest itself by any of the following behaviours: continuing anxiety, sense of helplessness, persistent fear and/or depression, vivid dreams, physical ailments, preoccupation with personal safety, hesitation about forming new relationships with men, disruption of normal everyday routine.

3. **The Resolution Stage:** During this stage the rape is no longer the central focus in the victim’s life. The victim begins to recognize that while she will never forget the assault, the pain and memories associated with it are lessening. She has accepted the rape as a part of her life experience and is choosing to move on from there. Some of the behaviours of the second stage may flare up at times but they do with less frequency and less intensity. In this fashion the person who has survived has moved from being a “victim” to a “survivor”.

The victims of sexual violence that I spoke to did experience one or the other feelings of the stages mentioned above.

**VI. MARITAL RAPE:**

If rape itself is so difficult to be socially recognised, the problem gets more compounded when we talk of marital rape.

The man who is not master of his wife is not worthy of being a man
Marital rape is a concept that many find it difficult to comprehend. In India, marital rape is not legally recognised. The following are some responses I got when I asked some adults about marital rape:

Marital rape, what’s that? -24 year-old male.

Once a girl is married, she belongs to her husband and what he does with her is his business ...but... na, India mein toh ho nahi (no, it doesn’t happen in India)- 27 year-old male.

If I am frustrated and tired after work and my wife refuses to cooperate then probably I would force her, what is wrong with that? -25 year-old male.

Hum toh apni biwi ke saath zabardasti karte hain, sab karte hain, kyoon aap nahi karte kya? (I force my wife, everybody does it, well, don’t you do it?)- An ex-Minister of the Congress government talking to a man on TV.

Most Indian brides are raped on their first night of marriage, what is new?- 25 year-old woman.

Kuch cheezain toh karni partii hain shaadi ke baad, usko balaatkar thodi na keh sakte hain....yeh toh hain har ek aurat ke saath, shadi ke baad (some things have to be done after marriage, one can’t call it rape, this happens with every woman after marriage)- 38 year-old woman.

Shaadi ke baad balatkar? Kya bekar baat kar na hoi (rape after marriage? What rubbish are you saying?)- 45 year-old woman.

If there can be rape outside of marriage, then why not in marriage? After all, rape is a rape- A 30 year-old woman.

Shaadi ke baad, ye rape-wape kuch na hota (after marriage, this rape and all is rubbish). Rape in marriage has no meaning at all. After all, isn’t marriage a legal license for sex?- A 32 year-old man.
A number of questions are always raised about this subject. For example, what actions should be defined as rape when the acts involve husband and wife? When women are forced to have sexual relations with their husbands, do they accept this as part of their marital duties or does the use of force have long-term negative consequences for the marriage? The general rape literature associates marital rape with other forms of marital violence. That is, marital rape is most likely to occur in a relationship which is violent in other ways as well.

This case agrees with the statement made above, that marital rape may occur in cases where violence is already present in the relationship. The victim is a 37 year-old married woman who has three children. She was abused, beaten and raped regularly by her husband ever since they got married. She was ill-treated by other family members of her husband as well. In her words:

How can I feel anything for a man like him? I cannot! A day before marriage my mother-in-law came to our house and demanded cash from my parents. After I was married all hell broke loose...... My mother-in-law took my purse and keys and left nothing for me. Everyone was rude and sarcastic to me. On the first night my husband was very violent with me, he commented negatively on my looks and weight. I was raped many times throughout the night. It left me shocked...I cried a lot because I knew that this was just the beginning........

She is distressed as she speaks on:

One such night was very awful. He came home and demanded I go near him, I refused and he started to shout like a mad man. Thinking that the whole house would know and to avoid any show down I walked up to him. He caught hold of me and ......as I tried to move away but he forced me violently to stay on. He started misbehaving regularly. Mostly during such times he would compare me with other women and say how ugly and undesirable I was. The whole act was so unpleasant and humiliating that rather than retaliate and get beaten, I would quietly bear all the agony and be eager to get over with it. My life is a living hell
The aim of both physical and psychological violence is the same: the disempowerment of persons: the disempowerment of persons which ensures domination over them. The despair and anguish that many women experience in violent marital relationships is one manifestation of their disempowerment: they can neither terminate the relationship nor change the situation. In this case the violence took the form of verbal abuse which takes many forms depending on the context, situation and state of the marriage itself and is often accompanied by physical violence. Imposition of sexual activity when the woman does may not desire it is another form of violence. Another form is exhibited in the husband’s lack of commitment to the family. Violence in the nuclear family is often not visible to an outsider. A woman may be physically abused or psychologically oppressed but this is not always perceived by another person. In the case of this victim, when they were staying with the in-laws she narrated instances when her husband would abuse her in front of his mother or sister while they would listen and walk away. It is also argued by Stanko (1985) that women “learn to define their worlds and thus their experience as less important than men’s”. They tend to “internalise and silence many of their experiences of sexual and/or physical intimidation and violence.”

In the West, prior to 1978, most people had not thought about the possibility of a man raping his wife. Even professional people ignored the matter; Finkelhor and Yllo (1985) found that of 31 textbooks on marriage and the family published in the 1970s, only one mentioned anything related to marital rape.

Sexual acts may be accomplished against a person’s will by physical force, threats of force to her or a third person, or implied harm based on prior assaults

33 In the case of this victim her family would always tell her that things would improve but they did not. The final intervention came from family members who insisted they stay separately from her in-laws house and try. They kept having problems. For a couple of years the girl shifted to her mother’s house with her kids and stayed there. This also led to tensions between other members of the family and her parents. Finally, she is back to her husband’s house but no one knows how she actually feels. Life goes on.
causing the woman to fear that physical force will be used if she resists. Some women have been hurt in the past for not cooperating with their husbands. For example, some may have been physically beaten, or had money or other necessities taken or withheld from them, or their husbands may have used emotional or psychological abuse, such as threatening to leave her. A woman who has experienced such things in the past when she has not agreed to her husband’s sexual advances may choose to minimize the harm to herself by resisting as little as possible. Studies reveal that some husbands have demanded sex directly following a beating, as proof that the woman ‘forgives’ him for beating her. When a woman submits to sexual acts out of fear or coercion, it is rape.

Women raped by a partner are being violated by someone with whom they share their lives, homes, and children. In addition to the violation of their bodies, they are faced with a betrayal of trust and intimacy. Sadly, victims of wife rape are least likely (compared to other rape survivors) to see what is being done to them as a violation of their rights. This is no surprise, however, as society does not recognize wife rape as a crime. A married friend of mine confessed:

Yes, wife rape does exist. Many times the wife is not in the mood, she is tensed or tired and the husband is waiting to do things to her. I guess when she is not willing then the forced intercourse she undergoes is as painful as having been raped by any other man. However, a wife won’t take the bitterness or resentment too far because the perpetrator is after all her husband.

Some people may believe that wife rape must be less harmful than stranger rape. Research indicates that wife rape victims are more likely to be raped

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34 In this case, the victim’s husband would beat the children to get the kind of attention he wanted from her.
35 In the case of this victim, at many instances, her husband would threaten her and say that she should consider herself a widow. That he would leave the house and never return. He even packed a suitcase in the morning but returned only late at night on the same day.
36 This victim told me if the man was not her husband she would consider complaining to the police about him.
multiple times when compared with stranger and acquaintance rape victims, and women who experience wife rape suffer long lasting physical and psychological injuries which are as severe or more severe than stranger rape victims. Husband rape is believed to occur mostly because husbands try to reinforce their power, dominance, or control over their wife or family, or to express anger. Stereotypes or myths about women and sex such as: women enjoy forced sex, women say “no” when they really mean “yes”, its a wife’s duty to have sex- continue to be reinforced in society through mainstream media and pornographic material (as in the West). Such messages not only mislead men into believing that they should ignore a woman’s protests, but also mislead women into believing that they themselves must have ‘sent wrong signals’, blaming themselves for unwanted sexual encounters, or believing that they are ‘bad wives’ for not enjoying sex against their will.

The reason why wives would ignore the concept of marital rape would be many. The reasons are also complicated. Many women believe it is part of their “wifely duty” to have sex with their husbands, even if it is violent sex against their own will. Many religious doctrines include phrases which have been interpreted as implying that sexual acts are a “duty” for wives. In the Indian context, the Vedas are very clear that the woman’s body is not her own, and she should always surrender to her husband without a murmur (Bhattacharji, cited in Moitra: 1996). Many women cannot leave a relationship because they do not have the financial resources to do so. If she has children, a woman’s ability to leave is complicated by the added problem of moving her children with her or abandoning her children. She may not leave for fear of what the offender may

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37 In Hindi movies many times such things are highlighted. Like scenes where the husband is being violent to his wife or where she refuses to oblige sexually. Often the husband retaliates by saying a dialogue like mein tumhari pati hoon (I am your husband).
38 Most of the time women don’t even realise that a violation is taking place. They often are trying their best to make the man happy at any cost.
39 The great sage Yajnavalkya says that if the wife refuses to come to the husband’s bed, he should coax and cojole her with sweets words, if that fails he should ‘buy’ her with promises of jewellery, etc., and if she still refuses, he should thrash her with a stick or with his palms (in Moitra: 1996).
do to her children. In addition some women may not leave due to love and loyalty to the husband which may override her own pain and suffering. The decision to leave a person one cares about or loves can be very difficult, even when the relationship is unhealthy or violent. No one deserves to be beaten or raped, and no one is required to live in a climate of fear and violence. Everyone has the right to live in a safe home.

Wife rape has presumably been prevalent as long as the institution of marriage itself - at least in western culture. Susan Brownmiller (1975) does address the issue in her comprehensive history of rape in general, Against Our Will. According to Brownmiller: “The exemption from rape prosecutions granted to husbands who force their wives into acts of sexual union by physical means is as ancient as the original definition of criminal rape, which was synonymous with that quaint phrase of Biblical origin, 'unlawful carnal knowledge.' To our Biblical forefathers,” she continues, “any carnal knowledge outside the marriage contract was 'unlawful'. And any carnal knowledge within the marriage contract was, by definition, 'lawful'. Thus as the law evolved, the idea that a husband could be prosecuted for raping his wife was unthinkable, for the law was conceived to protect his interests, not those of his wife.”

As Brownmiller and other writers have shown, the idea that females are the property of the males is the key to the understanding of rape in general and the notion of wives as the property of their husbands, more specifically, the sexual property of their husbands is the key to understanding wife rape. As John Stuart Mill pointed out in The Subjection of Women published in 1869:

[A] female slave has (in Christian countries) an admitted right, and is considered under a moral obligation, to refuse to her master the last familiarity. Not so the wife: however brutal a tyrant she might be chained to—though she may know that he hates her, though it may be his daily pleasure to torture her, and though she may feel it impossible not to loathe him—he can claim from her and enforce the lowest degradation of a human being, that of being made an instrument of an animal function contrary to her inclinations.
The viewing of wives as husband's property is also part of our patriarchal heritage and the concept of wife rape must be seen in the context of the patriarchal family. Patriarchy refers to "a form of social organization in which the father is recognized as the head of the family." Outside of the family it also refers to "government by men." The key elements of the contemporary patriarchal family involve the husband-father as the primary breadwinner, and the wife-mother as having the primary responsibility for child-rearing and housework. Whether or not the wife has paid employment outside the home is significant, and often has some impact on the balance of power within the family, but it certainly does not equalize the power between husband and wife as long as the basic division of labour and responsibility within the family is unchanged. The typical division of labour in patriarchal societies places the husband in the position of economic power, and the wife in the position of economic as well as status dependency. If there are children, this economic dependency becomes economic vulnerability for the woman; if either the husband or wife decides to end the marriage, the wife-mother can find her in a critical economic situation, particularly if the children are young.  

Therefore, the division of labour in the patriarchal family both reflects and perpetuates the husband's power over the wife. This is the context within which wife rape and wife beating occur, and often continue. Wife rape and wife beating are two very serious and cruel forms of husbands' abuse of their power over their wives. They are both extreme acts of domination. Other forms of domination that are effected without violence can be as devastating— for example, extreme verbal cruelty, or inordinate possessiveness.  

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40 Many wives in this situation can be coerced by their vulnerability into living with objectionable or abusive husbands. And if their husbands become disaffected with the marriage, wives may be forced to placate and accommodate them in an attempt to prevent being abandoned.

41 I am aware of a case where the husband, would lock his wife in the house and go for work and only open the door when he would get back because (he felt) she was 'too beautiful' and
who has power in an unbalanced power situation abuses it, but in general, where there is power imbalance, there is abuse.

The first article to appear in a scholarly journal on the subject of wife rape was Richard Gelles' (1977). He deserves credit for being one of the first to introduce the problem to the scholarly community, he made some very questionable statements. For example, he writes that “labeling sexual intercourse forced on a wife by the husband `marital rape' implies a major value judgement by the labeler concerning appropriate interpersonal relations between family members” (cited in Russell: 1982). He next raises the question: “If the victim herself is unlikely to view the behaviour as `rape', how can we discuss the phenomenon `marital rape'? Nicholas Groth (1979) included some discussion of wife rape in his book Men Who Rape and observed that: “Some offenders assault only their own wives, others rape only strangers, and some sexually assault both. However, based on our clinical experience with identified offenders, it makes little difference whether the victim is wife or stranger, the dynamics of the offender are the same.”

In Indian culture, there is a total failure to acknowledge the issue of rape in marriage. There is no concept of rape in marriage in our culture. We know only that intercourse outside marriage is illegal, and if it is by consent of the partner, it can be termed adultery; if it is without consent then it is rape. But inside marriage everything is sacred and worthy to be taken for granted. In the Indian context legally, section 375 IPC deals with the offense of rape and it is clearly mentioned, as an exception, that sexual intercourse by a man with his own wife, the wife not being under fifteen years of age, is not rape. However, intercourse

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therefore not ready for the outside world to see. He was too possessive and would suspect her with any man who came by.

42 In our society, from the very beginning girls are told to `adjust' totally in their marriage. Many or most of them give in totally to the husband and don’t even think of issues like rape in marriage. The concept of `first night' reiterates the notion that the wife must give herself fully to her husband, she is not supposed to think otherwise. Also, some married friends inform me that rape in marriage is very common but not a subject to be discussed with anyone.
by a man with his wife during separation without her consent is a crime and hence punishable legally.\textsuperscript{43}

\textbf{VII. CONCLUSION:}

This chapter has looked into differing narratives about rape. The most dramatic finding is the shattering experience of rape on the victim herself.

One of the most difficult tasks about coping with rape is the way victims try to deal with their own selves. Most of the experiences discussed reveal that the victims at one level feel very alone and sad. The pain they are undergoing is unimaginable to any common person. Their pain is entirely theirs and often they have not got the correct atmosphere to deal with their situation. Any common person cannot understand the devastation which the victim feels. The common emotional reactions which victims undergo are:

\textbf{Emotional shock and Disbelief:} The whole “how could this happen to me” syndrome. The question which mostly haunts the minds of these women is “Why me? I never did anything to deserve this.”\textsuperscript{44}

\textbf{Powerlessness, Helplessness and Shame:} The feeling that one is no longer an independent person is a common one. Many victims want to commit suicide or claim that “I don’t want to live anymore.” They report being confronted with feelings that they no longer have control over their lives and what happens to them, that they may have to rely on those close to them to make decisions.\textsuperscript{45}

\textbf{Fear of being alone, Fear of being around men:}

\textsuperscript{43} In the Indian context, to hold a husband accountable as a rapist if he is guilty of the crime, would meet the cannons of fairness, but such a law would be virtually unenforceable and it is unlikely that a successful prosecution could be made. However in the west there have been cases where husbands have been prosecuted for wife rape (Russell: 1982).

\textsuperscript{44} Like in the case of the victim who was gang-raped, she kept asking me over and over again why this happened to her without any fault of hers. Why her locality boys were taunting and verbally abusing her after the incident. She could not understand why in this whole episode she was made to feel like the accused.

\textsuperscript{45} In the case of the married woman who was raped in her house at night (cited above), she totally gave in to the demands of her husband and other family members
This fear often develops amongst many victims. There is a total change to being 'too cautious' when amongst men and not trusting them.\textsuperscript{46} The impact of being a victim of sexual assault cannot be overestimated; it often re-creates the world into a scary place to live in. Often feelings resembling paranoia result.

\textbf{Guilt, Hostility and Blame:} It is widely believed that responding by blaming oneself may be the second most common reaction after fear. For instance many victims say, "if only I had not gone there". There is also a feeling that no one is on their side.

\textbf{Disruption and Depression:} Most victims appear very depressed and almost never feel like smiling. They are too pressurized to react positively to any situation.\textsuperscript{47} Also, victims may respond with varying degrees of personality disorganization. Some may appear confused and disoriented; they often are fearful and trembling. Others do not exhibit observable emotional symptoms. These type of victims are often dazed and numb, and hence appear to be unresponsive to their environment.\textsuperscript{48} The depression seems to very high among victims. They are unable to share their feelings and experiences with others and this tends to 'bottle-up' their emotions which in turn may lead to depression.

\textbf{Paranoia, Nightmares, and Compulsions:} are sometimes delayed reactions. They may surface in a victim who displayed relatively little emotion after the rape. They may arise as the time of trial draws near and the victim experiences new anxieties and reactivated fears and depression.

\textsuperscript{46} The case of the girl who was raped by her father is one where she does not trust any male member of her family anymore. The trauma of being raped by her father is one thing she has not been able to come to terms with. Her image of father as 'protector and provider' stands totally shattered.

\textsuperscript{47} This kind of feeling is often revealed in Hindi movies where a victim of rape must revert to the concept, \textit{mera sab kuch loot gaya} (I have lost everything) or \textit{mein barbaad ho gayi, ab jee karo kya kareen} (I am ruined, what is the point of living?). The whole idea of being ruined looms large over the victim of sexual violence. Society in a big way contributes to such feelings.

\textsuperscript{48} There was a victim who was constantly referred to as dumb and \textit{buddhu} by her mother after the incident occurred. She kept calling her daughter a \textit{pagal} and claimed that she acted like a \textit{pagli} after the incident. What I felt was that she was unresponsive because of the shock she was in.
Following the immediate terror of rape, victims are often with the challenging job of putting the broken pieces of their lives together. This task can take anywhere from a few months to years for completion. Their collection of feelings may contain some that are contradictory with others; experiencing fear, sadness, guilt, and anger all at the same time is not uncommon. Some develop an overriding belief that because they have become victims, they will always remain victims. Victims continue to report manifestations of fear and anxiety. Clearly, the nature of the conditioned associations to the rape leads victims to alter their lives in many ways.

The cumulation of fears may be one cause of the fact that relatively few victims report a rape to the police. Fear of being embarrassed in court or simply not believed also contributes to this. The victim of gang-rape felt this as she said:

I never felt more vulnerable than the day when no one was believing me in the police station and hospital and I was sent back after they called me a liar.

It is quite common for victims of sexual assault to experience resulting problems in dealing with routine aspects of living. Many are not able to eat on a regular basis.

Victims often complain that their problems are exacerbated by a lack of understanding or compassion for them by their family and friends. Such

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49 The victims are unable to put their lives together also because of the lack of affection and support they require from their family and friends. In most cases, victims report that their family and friends did not behave normally with them after the incident.

50 The society is responsible for such beliefs among victims. The community, geographical or otherwise, often do not let victims forget their pain. The victims are reminded at every step that they are rape victims. In the Muzaffarnagar incident, the raped victims were labeled 'Muzaffarnagar walis'. In another case (gang-rape) the victim was verbally abused by the locality boys who would ask her 'how was it?' or point to her saying, "see, she is the one". In another case (gang-rape) the victim was verbally abused by the locality boys who would ask her 'how was it?' or point to her saying, "see, she is the one".

51 The victim of the gang-rape confessed of totally losing her appetite. She forces herself to put something in her stomach by way of food. She seems to have lost her appetite totally. Before the incident she would eat fine.
reactions create a self-perpetuating escalation of deteriorating relationships.\textsuperscript{52} The first recipient of disclosure for many victims will not be the police; more often a friend or family member is contacted, and the decision about telling this individual depends on how close the victim feels to this person, who is usually a female.\textsuperscript{53} How this person responds to the victim is of utmost importance. Bard (1982) stresses that a combination of tolerance, stability, and reassurance are essential. Also what is of most importance is acceptance, empathy, and support.

Unfortunately, being a close friend or family member to a victim of rape does not guarantee that such an individual will be able to provide the support that the victim so desperately needs. Often, maybe even unintentionally, friends and family adhere to the rape myths; many conclude that the victim was in some way responsible for the assault and the rape could have somehow been avoided. The acceptance of rape myths by those closest to the victim can be devastating to the victim, who may sense that they are blaming her for the incident. In addition, because those who are usually contacted first by victims of rape closest (or sometimes not even the closest) to the victim, they are themselves sometimes unable to offer her the quality of assistance that is needed—these individuals are going through their own complex emotional reactions.\textsuperscript{54} Most often coping with the problem themselves becomes difficult for the significant others. Generally, the kinds of reactions of the significant others that may interfere with their

\textsuperscript{52} The married victim of rape disclosed that her husband's behaviour towards her totally changed after the rape. She was constantly blamed for it and she faced much physical and mental abuse from him. He never understood her pain and silence after the incident. Most of the victims experienced loss of friends and also a total lack of understanding from family members. One victim whose sisters constantly looked up to her earlier, stopped behaving well with her after the rape incident. They often blamed her for their not being able to get married.

\textsuperscript{53} What I noticed was that in some cases the victims told their mothers bout the rape incident, but in others, the more 'public ones', the victim was unable to tell anyone in the family immediately except some close colleagues (like in the Muri rape case). The female as confidante played the most important role in most cases.

\textsuperscript{54} The reactions of these people are also governed much by other members of society as well. They are often worried about what others would think or say. For instance, in cases cited, the victims were mostly in the age group below 22 years. What emotional trauma the mother
ability to be empathetic are anger, guilt and confusion. An important distinction to be made here is between the feelings of these emotions and the expression of these emotions. It is very natural for someone to be angry and confused when they learn that someone close to them has been raped. But the important thing is that the anger should not be directed at the victim. Such anger that is directed at the victim is certainly harmful to any victim. Many significant others may also experience guilt about not being able to protect their loved one. If the significant other is a husband things are complicated. In most of the cases, significant others forget that the victim may be experiencing a number of different emotions, they don’t accept these emotions.

One cannot tell in definite terms how much time it takes for a rape victim to recover. However, individual differences in recovery rate always exist. Exactly how a person will respond after being raped may depend on several factors, including demographic characteristics, the circumstances of the rape, and the availability of later social support. Rape is the ultimately personal act, and each victim is going to respond as a person who possesses a unique combination of qualities. However, it is difficult to identify these qualities.

Just as there are several types of rapists, so too are there many types of rapes. Some may be similar, but no two will ever be exactly alike. Some may be particularly violent and brutal; others may involve little or no violence. Some may last a few minutes, others hours or even days with repeated assaults. The number of assailants may vary from one to several. Some victims may know their assailants; others will be complete strangers. Some victims will be forced to

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55 In one of the cases of the Muzaffarnagar incident, a husband abandoned his raped wife claiming that she was no longer ‘pure’ and since she was raped she was a ‘fallen’ woman. In the case of the rape of the married woman cited above, the victim’s husband was least sympathetic to her emotional needs, stress and pain which she was experiencing as a result of the rape. He in turn, tortured her more than ever before. He started to abuse her physically and mentally.

56 The victims cited in the cases above have taken from 2 to 5 years and have not yet recovered fully from the trauma of rape and its aftermath.
comply by the threat of a knife or gun in their face, while others are overcome by the physical force of the rapist. Still others may be coerced by sheer words alone. Some rapes may occur in the victim’s home, while others may occur in isolated places like fields. Although vaginal intercourse usually comes to mind when one is talking about rape, other form of sexual assault can be just as traumatic or even more so; for example anal sex, or even forced fondling. The different possibilities are seemingly infinite. How such differences affect the adjustment process of the victim is an important concern.

A study conducted by McCahill et al. (1979) expected a positive relationship between the amount of violence and the difficulty in readjusting, with those who received the most physical and sexual aggression hypothesized to have the most problems dealing with trauma. However, counter to the original prediction was the reaction of victims of the least violent rapes; these victims reported just as much difficulty as those in the violent incidents. In the cases highlighted above, the girl who was raped by the boyfriend was traumatized just as the one raped by her cousin. The victim of gang-rape faced what others did not, multiple assailants. Here, the agony multiplies manifold, both mentally and physically. Victims of the less violent crimes may question themselves more often and may be prone to blaming themselves, and hence experiencing higher levels of guilt. This guilt may get worse if the rape was done by someone known to the victim.

57 Here again reference needs to be made of staff nurse Aruna Shanbaug who was brutally raped by a sweeper of the same hospital where she worked. The accused got away with less punishment because in her case anal rape took place and it was not recognized legally. He was sentenced to prison for seven years for ‘robbery and attempt to murder’. The result of the rape and torture (with a dog chain) left her brain dead for sight, speech and movement. I shall deal with her story subsequently. Victims of molestation are equally traumatised and it must be recognized that there are many women who face sexual violence just short of rape which can be very traumatic and have long-lasting stress symptoms.

58 I have met women who have been violently molested by family members but have not been able to reveal it to anyone so far. The trauma they face till date when they have to associate (unwillingly) with the accused is beyond comprehension and may include feelings of guilt, self-blame, fear, paranoia.
These victims may be accused by their family or friends of not adequately resisting or of crying rape in time.\(^59\)

It is found that those who are victims of only unwanted fondling and caressing are usually acquainted with the assailant. Also, acquaintance rape may be a catalyst for more feelings of guilt and self-blame and thus decrease the victim's overall trust in others.\(^60\) Rape by a someone known to the victim is an even more personal attack than rape by a stranger. It usually is done in a situation previously associated with safety and privacy. Often having been raped by someone she knows causes a woman to question her own judgement. The important point is that each rape is a complex and perhaps idiosyncratic event.

Characteristically, women receive little social support after being raped, even in the most severe types including use of weapons, beatings, and life threats. Cynical responses by potential caregivers are especially disturbing, given that victims view social support and talking about the rape as most helpful.\(^61\) The problem gets precipitated when the victim is viewed as a burden thereafter, especially an unmarried victim.\(^62\)

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\(^59\) In one case where the victim was raped in the field by a stranger, the mother of the victim kept screaming and blaming her daughter for not fighting back. She, in turn, kept calling her daughter stupid and foolish for not reacting. She thought her daughter could have avoided the rape had she physically resisted, pushed or hit the rapist.

\(^60\) The victims of acquaintance rape often felt responsible for the rape because they knew their rapist, in some cases closely. Also, to accept that they were raped by people they respected or even cared for made their path to recovery very difficult.

\(^61\) What actually happens most of the time is that victims are unable to express their innermost feelings, their pain to their near and dear ones. Having told them that they were raped is about all, beyond that no one bothers to know. Also, many victims, in fact most of them felt that talking to me helped them in a big way. Talking about their fears and depressions helped them feel better. Their pent-up emotions got a chance to come out and be expressed.

\(^62\) In the Indian context, marriage of a girl is given prime importance. If an unmarried girl has got raped the first thing that seems to bother her family is not the state of the victim but what would happen about her marriage especially if others know of the incident. Most of the family members (particularly mothers) were depressed on the account that their daughters would remain unmarried forever. One mother even forcibly married her daughter to an impoverished man and tried to justify it. In other cases the mother cried and blamed everything on the daughters' ill-fate. Still in another case, the victim's sisters are not getting married because of her rape. Most often, it is the mothers who carry these notions and beliefs and influence their daughters' vulnerable minds. The role of society is prime in cases like these.
The psycho-social symptoms arising in connection with sexual assault/abuse may emerge as a direct effect of sexual violence or may be linked to accompanying life changes or stress situations. In this context it is useful to refer to the distinction between primary and secondary victimization (Taylor, 1983). The former refers to the psychological, behavioural and the emotional consequences of the sexual assault itself; the latter relates to responses engendered by the negative reactions of hostility, derogation and rejection that can follow sexual abuse. In the case of secondary victimization, experiences with the police, courts, medical authorities, social service agencies and friends and families may affect victims' psychological recovery. These experiences influence victims' self-perceptions and attributions.

Social psychological theories of self have emphasized that self-concept is acquired through social interaction. More specifically, the primary way we come to know about ourselves is through the reflection of ourselves provided by others. This was originally articulated by Charles Cooley, who first coined the term 'looking glass self'. Cooley's (1922) theorizing was later extended by George Herbert Mead (1934), who adopted a dynamic view of self and emphasized the interaction between our own behaviour and others' responses to it. In his theory of symbolic interactionism he proposed that the self develops as a social process in which we view ourselves reflexively as an object from the perspective of others. In this reflexive viewing Mead reiterated the importance of attitudes and expectations.

In the broadest sense symbolic interactionists have argued that society shapes self and self shapes society. This is consistent with the feminist position that women are socialized into a victim role which leads them to accept responsibility for the victimizing events which befall them (Brownmiller, 1975). Again, on a general level if society responds to rape victims with the clear

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63 After being raped, victims have to endure the humiliating ordeal of callous policemen, insensitive doctors, inadequate rape laws and trials which question their character. This has often been termed 'The Second Rape'. A lawyer I met claimed that forcible rape isn't possible. With attitudes like these one can imagine the kind of treatment victims get.
message that they are deserving of sexual coercion, that they are demeaned and devalued by their abuse and that they should accept blame for sexual violence, this is likely to result in their internalization of these negative appraisals and have detrimental effects on their behaviours and self-concepts. In fact, some have argued that self-blame merely reflects victims' internalization of the negative perceptions held by society at large (Goffman: 1963).

The outcome is a vicious circle involved in moulding self-concepts of rape victims, particularly the dynamics of blame attributions and perceptions. Social attitudes frequently reflect victim blame, victims often internalize these attitudes and then, in turn, others respond negatively to victims who admit to self-blame for sexual assault.64

Although rape victims are required to confront a variety of pressing demands in the recovery from sexual assault, a fundamental response is centered on the cognitive understanding of sexual violence. Victims have a basic need to find meaning in their sexual abuse, to understand or to explain an essentially incomprehensible event. It is usually emphasized that victims' cognitive interpretations are inherently influenced by pervading misconceptions of sexual violence. As such, rape myths exert direct and indirect influences on self-concept and mental health. In some cases, victims may already hold negative and prejudicial attitudes toward sexual violence which affect their interpretation of rape, undermine their self-esteem, and have detrimental consequences for their emotional recovery.65 In other instances, stereotyped

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64 Rape seems to bring in its wake social ostracism. It changes their lives to the point that it becomes impossible for rape victims to readapt to their former lifestyles. For instance in the Hindi movie Rocky, a young woman is raped in her own home. She attempts suicide, and later chooses to become a courtesan, a profession supposedly befitting her defined existence. One of the victims I met also tried to commit suicide but was saved in time by her father. The guilt and blame often lead victims to do such acts. The vicious circle often becomes harmful for the victim.

65 Some women who are victims of sexual abuse often hold views of the 'good woman' versus the 'bad woman' themselves. They have grown up often associating sex and sex-related issues with everything that is 'dirty and bad'. Also, they may have internalised the myths of rape themselves. Therefore, if they become victims of sexual assault they are scared to tell anyone. Some victims told me that even though they mentioned it to their mothers, they were asked to keep quiet.
misconceptions of coercive sex can influence others’ responses to victims, which, in turn, colour victims’ perceptions of themselves, and influence their subsequent emotional and behavioural reactions to rape.

There is considerable evidence that cognitive elaboration of sexual violence in itself facilitates recovery. Understanding the incomprehensible appears to be a fundamental need for victims of sexual abuse. Stereotypes of rape, reflecting dominant societal values and attitudes, can affect a victim’s psychological recovery, decision to deal with authorities and, most significantly, her perceptions of self-blame. Not only do victims internalize society’s tendency to blame them for their sexual assault, but the factors which affect self-blame attributions largely reflect popular misconceptions about sexual violence. A study revealed that women who were raped by strangers engaged in less self-blame and perceived themselves in a more positive light than those raped by acquaintances (Katz, 1991, cited in Ward: 1995).

The functions and consequences of self-blame are intertwined with issues of control and with the dynamics of self-derogation. Characterological blame is viewed as self-defeating; it reflects negative, dispositional attributions which evidence poor self concept and lowered self esteem. The consequences of behavioural blame are less clear, but it has been postulated that victims may

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66 Most women who experience sexual abuse during childhood make sense of their abuse only years later from the time of occurrence. In most cases it may even take 10-15 years to realize what actually happened. When I was a child, I remember this particular uncle who used to visit our house and be ‘over affectionate’ towards me and my sisters. There was something uneasy and uncomfortable about the way he touched us. It was only years later, when we got talking of sexual abuse, that we made sense of what was actually happening then. It took many years to comprehend what was happening.

67 When at college, I distinctly remember how a group of about 15 girls got molested and sexually abused in a bus while returning to the hostel. After the bus actually stopped, girls came out crying, in a totally dishevelled state, with some had their clothes torn, slippers and bags lost, bruise marks and actually devastated. It was around 8PM and a man who noticed them in that state asked them what happened. After hearing them, he said, 'Is samay wapas lautogi to ye to hoga hi (if you come back at this time, this is bound to happen). He seemed cynical, taunted them and left. These girls took very long to get over it and often got nightmares about the incident.

68 The victims I spoke also revealed similar trends. The one’s raped by people known to them seemed to be guilty more often than not as compared to the others (though the others were also feeling guilty due to other factors). Even the community around them seemed to reveal similar
regain a sense of control and diminish feelings of vulnerability by attributing sexual violence to changeable, situation specific behaviours.69

Therefore, self-blame does not occur in a socio-cultural vacuum. It is prompted by general ideologies and by specific responses from others. Often unsupportive responses tend to increase self blame amongst people. Self-blame is often associated with aversive psychological outcomes such as fear, anxiety, depression, sleeplessness, relationship problems and often negative attitudes towards men. Again, the circular relationship between attitudes and behaviours of others and victim self-perceptions is demonstrated.

Social Support:
A variety of factors affect stress and coping of victims of crisis, and both situational and dispositional factors are important in predicting adjustive outcomes. In the field of interpersonal influences on victims' stress reactions, basic perceptions and expectations of significant others are of obvious importance; however, their broader capacity to render social support is also critical to the recovery process. Social support has been defined as `social interactions or relationships that provide individuals with actual assistance or that embed individuals within a social system that is believed to provide love, caring or a sense of attachment to a valued social group or dyad' (Hobfoll, 1988 cited in Ward: 1995). There is literature which has documented the relationship between social support and enhanced well-being.70

Social support has much of its theory and research situated in stress and coping literature. In this context it has been argued that the use of social networks is a major factor in the moderation of the relationship between stress feelings. However, there was no difference in their perceptions of the clarity with which they communicated their own non-consent.

69 One of the victims of the Muri Express rape, after 5 years of the incident, seemed very confident to face the world (though she still has her fears) in the sense that now, if she goes out alone she carries a small weapon for her safety for self-defence. She is over cautious because she does not trust anyone but always is ready to 'fight back'.

70 Social support seems to reduce stress and facilitate coping with life changes in general and may serve an adaptive function in relation to certain events. What most victims often lacked in the cases above was definitely positive social support from their near and dear ones.
and adjustment. Social support often serves to influence individuals' perceptions of a stressful event, coping responses and their resultant self-esteem. The assumption upon which support is based are often recognized by individuals in crisis and, whether positive or negative, are tacitly accepted and subsequently internalized. This indirectly may exert an influence on self-concept. People rely on a variety of sources for social support when they are confronted with crisis situations. However, studies reveal that individuals turn most frequently to family and friends for support.71

Often, people who are intimately related to the victim may be a negative influence for the victim also. Unsupportive responses from intimate others are particularly difficult for crisis-stricken individuals to manage.72 More often than not, stereotyped misconceptions of sexual assault can limit an individual's capacity to render the much needed social support to victims. In such a situation the psychological recovery of rape victims may be directly impaired by the absence of supportive responses of significant others. Also, the rape:myths (which supporters might believe in) could be implicitly or explicitly filtered back to the victims through the inappropriate or unsupportive reactions of friends.

71 In this regard, professional services may be used but only as the last resource. In India, unlike the West, there aren't many counselling centres specifically for victims of sexual violence. Victims (of rape) I talked with do not even know the concept of a counselling centre. The resources available in villages or small towns are not at all adequate for such issues. In these cases, they have had to ultimately rely on themselves for coping but still, it was the mother to whom the victim turned to at first, for solace. In most cases however, the mother was unable to make the victim feel fully secure either (only because she does not possess the right frame of mind to react to such issues and is often herself a victim of societal pressures in these matters). The 'culture of silence' which prevails often makes victims and their families suffer within a web of sorrow and blame for a long time. Sometimes that sorrow never goes away. Women who experienced sexual abuse/violence during childhood were never able to tell anyone, some told their sisters and others told their mothers, and some told me for the first time.

72 In the case of the married victims I spoke with, their spouses seemed to be the least supportive of their rape. In one instance, the husband of the victim turned abusive towards her. She, however, never experienced sexual violence before the incident. I was told a night in the Muzaffarnagar rapes, a husband threw his wife (who was raped in Muzaffarnagar) out of the house when he learned she was raped. Apparently, when the compensation was announced, he set out to look for her. Often, such people may be unfamiliar with the crisis situation and may lack the competency to be supportive. Also, partners are often more preoccupied with the damage they have
and family members. This in turn may affect the cognitive appraisal of sexual violence and have detrimental consequences for victims' self esteem and mental health.

Research has shown that rape victims tend to view reassuring behaviours, staying in close contact, talking, understanding their emotions, providing an open atmosphere to express thoughts or feelings without a view of criticism, encouragement to resume normal activities, and provision of information as supportive responses. In the main victims look to their support persons to be sympathetic and understanding.73

Social support can also come to victims via the social institutions with which they must interact. The successful handling of rape cases by the police or the criminal justice system in terms of case clearance and successful prosecution of the offence in the courts can validate victims' experiences, contribute to their perceptions of a just world and enhance their sense of control. Yet both survey and field research have shown that victims of sexual violence rarely receive satisfaction from these authorities. Professionals frequently espouse victim blaming attitudes and manage sexual assault cases from that perspective. The policeman's attitude towards a victim is mostly dismissive, apathetic and offensive.74 Institutional responses can also affect victims' self-concepts and psychological well-being. Victim interface with the police and legal experienced, rather than the victim's trauma. Some husbands blame their partners for the incident. These responses, in turn, precipitate negative psychological consequences in victims.

73 In reality, what happens, as I observed, is that the victim is reminded of the assault over and over again by all those who are supposedly her supporters. Often, the victim is encouraged to keep the assault a secret. Also, she is blamed for her situation and further blamed for bringing dishonour and shame to the family. In India, in particular, it is normal to blame any form of disaster or accident on one's 'fate'. The rape was also seen in this light by some mothers of the victims. A situation which can't be fixed and therefore must live with it forever. This is unhealthy for the victims by all standards.

74 What the victim of gang-rape (cited above) experienced was a dismissive, apathetic and offensive attitude from the police officer she pleaded with. She was tortured by her assailants in front of the policeman and yet the policeman kept calling her a lier and did nothing to save her from the rape. He too, beat her and verbally abused her along with the rapists. He was hand-in-glove with the perpetrators of violence. In spite of her begging, crying and pleading, the policeman ignored her.
establishment exerts a direct influence on mental health. In some cases, victims face flak from the doctors. They are often treated suspiciously.

The main premise which binds together the literature on rape attitudes, institutional management, attributions of sexual violence and victim reactions is that rape myths are widespread; they have been documented over time and across cultures. The second premise is that these myths, or misunderstandings, about the socio-cultural phenomenon of rape have far-reaching consequences for both individuals and societies.

Just to name a few myths: Rape is rare. It happens to 'other people' and generally involves sex-starved, deviant men and/or provocative, deserving women. Rape usually occurs between strangers, and physical force and coercion distinguish it from consensual sexual intercourse.

These inaccurate stereotypes persist despite evidence which shows that rape occurs most frequently between people who know each other, often quite closely, that coercion is more commonly achieved by threat or psychological tactics, and that victims may only occasionally show signs of physical

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75 The part played by the legal system will be elaborated at length subsequently. Both the outcome of the institutional intervention and the manner in which the victim interfaces with the system can affect psychological responses to sexual assault. In the case of rape of a married woman in her house, the legal system was very sensitive to the victim. The judge and prosecutor were trying to help the victim and even said comforting words to her but she did not listen because her husband and his family forced her to deny the rape incident. However, most of the time this sort of compassion is lacking on the part of lawyers and judges. Some lawyers I met very proudly stated that no woman could be forcibly raped. They also stated that, whatever the case be, if the victim is above 18 years of age, they assume that she consented to the rape.

76 The victim of gang-rape was only properly medically examined after one and a half years of the rape incident. Before that she was denied assistance from the hospital staff in this regard.

77 Most people fall prey to these myths. Men and women both strongly support these myths, consciously or unconsciously.

78 It was interesting to note that some women I interviewed regarding their attitudes about rape condemned the crime very verbally and emotionally but fell prey to most of the myths that surround rape. One agreed that women secretly love being raped and another said that 'particular type' of girls get raped if they behave in 'that' way. The connotations are clear from the statement. I have heard many people say, in passing that Jaise woh behave kar rahi thi aur baat kar rahi thi, uska rape to hoga hi (the way she was talking and behaving would definitely lead to her rape) A very senior lady I met laughingly exclaimed, “Nuns are not the same now, they even get raped. Thank God! Goes to show how human they are.”
Most people also fail to recognize that rape is a form of sexual coercion which often falls along a continuum of male violence and control of women. In this context, unsympathetic attitudes abound, and tendencies to blame and denigrate victims, to trivialize their experiences, and to doubt their credibility is common.

These inaccurate and biased stereotypes are linked to attitudes about male and female roles, the nature and control of female sexuality, and the acceptance of interpersonal violence. They are also associated with perceptions of rape victims, the attributions of blame, fault and responsibility. For example, victims are seen as more to blame if they are acquainted with the rapist, if they are dressed in a provocative fashion and if they have had previous sexual relations.

The cognitive structures and processes, which include attitudes and attributions are linked to behaviours. From this perspective therefore, treatment of victims by social institutions can be viewed as a consequence of pervading rape myths and attitudes. Indeed, it is clear that institutional responses, such as clearance of police cases, convictions in court and sentencing outcomes reflect the common misconceptions of rape.

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79 In one of the cases I interviewed, the accused had a knife in his hand. This is enough to scare any body. One victim was also brutally killed also by her assailants after being raped. So absurd is the law in India that even if the woman said she protested, it is not always enough. Legally, she must show she resisted. In 1972, a young tribal girl, Mathura, was raped by two policeman. Sexual intercourse was established, but the courts could not decide if it was rape or consensual intercourse. Finally, the Supreme Court acquitted the policemen, unconvinced that Mathura had resisted.

80 Some victims I spoke with, who were assaulted by acquaintances also showed signs of guilt because they knew their assailants. Two of them who trusted their rapists were very let down and had to hear a lot of snide remarks from people around them only because they knew their assailants well. The married victim almost daily heard from her husband that she enjoyed the attack by her assailant (who stayed close to their house) and also was somehow responsible for it.

81 For example, convictions and length of sentencing are affected more by victims' moral character than by features of the crime. In 1984, a young woman, Suman Rani was raped by three men in a Haryana village. One was acquitted by the high court, the other two were sentenced to 10 years imprisonment. In the Supreme Court, the defense counsel’s argument revolved around Suman being a woman of "questionable character and easy virtue with a lewd and lascivious character" linking these insinuations to Suman's five day delay in reporting the crime. The Supreme Court responded by reducing the sentence to five years on the basis of "the
The consequences of rape myths can be observed not only in macro-level analysis of institutional responses to sexual assault, but can also be considered on the micro-level in connection with individuals' responses to victims of sexual violence. In this context, as well, it appears that rape myths and attitudes colour the behaviour of significant others, in particular their ability to render social support.\textsuperscript{82}

Therefore one can see that rape myths have serious consequences for victims of sexual abuse. Victims' acceptance of pervading stereotypes of sexual violence and their encounters with others who are similarly influenced by myths and misconceptions perpetuate a vicious circle of self blame and denigration. As social psychological theories of self have indicated, we come to form our self-concepts based on others' reactions to us. If friends, families, spouses, courts, hospital and police blame victims of sexual assault, they are likely to blame themselves. And as research confirms, this, in turn, has detrimental effects on psychological recovery from sexual violence. Self-defeating cognitions and behaviours in victims of sexual abuse not only adversely affect their psychological well-being but also serve to sustain prejudicial and destructive rape myths.

\textsuperscript{82} Research has shown that husbands and boyfriends are incapable of being supportive because they view rape as a sexual crime of infidelity and question what their partner might have done to precipitate sexual assault (cited in Ward: 1995).