CHAPTER 1
INTRODUCTION: PROBLEM, INTERVENTION AND METHODOLOGY

The research is based on the premise that sexual abuse is a crime, the crime is committed against the abused, it is not the fault of the abused and nobody has the right to sexually violate another person. The study which focuses only on child sexual abuse (CSA) is also based on the premise that the body of the girl child is not the private or public domain of men where all acts by them have to be suffered silently. By sexual assault, men assume power over the most private aspect of a child’s life: her body. Sexual assault is an attack against children on a physical, emotional, psychological, moral and social level.

The research arose out of a personal process of healing and the mission to save children—particularly the abused ones—from this deadly crime. As a social worker and activist, the researcher was well aware of the high incidence of the crime but the fact that the statistics of reported cases, spanning the period since 1997 to 2002 crossed 500 almost startled her. The crime had spread like an epidemic but no venerable person from the intellectual circles had admitted or acknowledged the issue. It was yet dismissed as a minor incident not worthy of serious attention, with hardly any repercussions on the child
concerned. Several professionals from a varied spectrum shared the view that mostly CSA was consensual. These (distorted) views hardly allowed for placing the problem in the right perspective. It was felt that the problem needs to be probed in depth and detail and the study was embarked upon to understand the extent, nature and causes of the problem and the impact it has on the affected children. The process also involved an attempt to acknowledge the problem and to convince our society about the gravity of the issue.

Objectives

The major objective of the study is to map the Kerala scenario of CSA and to suggest ways and means to tackle the problem and to prevent it.

It aims at examining

(1) the experiences of the child victims of sexual abuse along with the socio-ecological factors, cultural factors, social relations or the personal and familial predispositions that could precipitate abuse,

(2) the psychological impact it has on the child and how the abuse affects the self-image of the victim based on the extent, nature and type of disclosure,

(3) how effective the legal system is in providing relief to the victimised children and perception of the victim regarding the legal system,
whether the abused has approached any woman’s organization, or social work organization for help and perception of the victim regarding such organization.

how supportive the educational system especially teachers have been, whether they have intervened and what has been their role,

the media’s approach to and portrayal of the problem,

whether a psychiatrist has been approached and support received.

the process of healing.

how the power structures exercise control over childrens’ sexuality through its machineries and programmes. As it is an action research it aims at the conscientisation of the family members, the police, the judiciary, the doctors and the public at large by actively intervening in the cases of children and survivors of child sexual abuse and extending emotional and legal support. Finally, the study, being an action research, aims to achieve the arousal of the social consciousness of Kerala society to the seriousness of the problem and promote concerted action for its prevention.

Methodology

The research is done keeping in view a women’s studies perspective. It has an action research component inbuilt into it. The method of the study would be to listen to the abused children, to
understand, discuss and record as faithfully as possible their experiences in their own words, flow of thought and expression. Care was taken to take down the oral histories and ask questions when necessary. Case studies were made as part of the method employed for collecting data.

Action research, from the start, was involved with practical issues and problems, concerns and needs. Action research was also seen as research specifically geared to bringing about change. The thinking here is that research should not be used merely to gain a better understanding of the problems which arise in everyday practice, but actually set out to alter the situation as part and parcel of the research process. A third defining characteristic of action research is its commitment to a process of research in which the application of findings and an evaluation of their impact on practice becomes part of a cycle of research (Denscombe Martyn, The Good Research Guide, 1999). Action research sees knowledge as socially constructed and therefore all research is embedded in a system of values. So the positivist's position of objectivity and value-neutrality is contested here. Also, as action research is collaborative research, it would expect the stakeholders to challenge the injustice as part of the collaborative research endeavour.

Attempt was made to put oneself in the position of the abused child and then try to understand the agony, the trauma, the slow healing process and finally the empowerment. The study looked at how the abuse affects the self-image of the abused. The study did not look
at children merely as an object of research or make them answer a structured schedule and reach conclusions on the basis of data so obtained. Since the child was forced to forego her right to privacy when she revealed the innermost details of her personal life, it seems unjust for the researcher to preserve her own privacy. The “dialogical method” of sharing information through dialogues with adults and conversational and play method with children was considered the most appropriate method. Whichever questions a child was expected to answer were the questions which she, in turn, could ask the investigator and the lives of both were opened out to each other. Hence, the respondent is a participant rather than mere object of research.

Case studies were conducted with a view to collecting details. In the case study method, followed in this study accent was on conversation and not on question-answer interactions between the investigator and the respondent. The distinction is important because it is a conversation or a series of conversations between two persons who try earnestly to know and trust each other and not a formal exchange between two strangers. There is reason to believe that such conversations become increasingly free and unguarded over time and as a result gives the researcher a better and clearer view of things and matters he or she has set out to investigate. Here the subjective component of the researcher and the respondent comes into operation, lending a qualitative dimension to the study.
In doing case studies like this, one never takes an answer to a question as final. It is, in fact, a work in progress. So one raises the same question in several ways, if not on the same day then on subsequent visits. Since one has more time on hand, one has the opportunity to reformulate one’s questions as one gains insight into the thinking of one’s respondent. This makes the attempt more open, flexible and a two-way exercise. It also makes the researcher to adopt a reflexive attitude to her own thoughts and behaviour.

Moreover, there is scope to check and recheck information given by one’s informants. One does not have to accept everything that the respondent says or the others say about the respondent at face value. One can verify things for oneself by actual observation.

Any researcher’s judgment depends on his/her sensitivity. It requires a keen sense of observation and intuition. It is not only what a respondent articulates in words that matter but also what a researcher makes of the respondent’s expression, pauses and other gestures in reaction to various situations that arise from day to day.

The study was not clinic-based as several earlier studies have been. The researcher spent several hours in the community with children, families and the general public. It is an ongoing process and though the thesis has been submitted, work with the children, survivors and families continue. The information was collected over a period of 5 years and this has ensured that there are very few chances of incoherence. As the method was interactive and not extractive the
information generated by the respondents serves as a tool for their own empowerment. So it may be said that it is an empowering methodology. Interaction was also carried on with several segments of the society including the children, adolescents, graduate students, students in the Universities, women in the villages, the police, lawyers, the judiciary, the doctors, etc.

The researcher had detailed sharing sessions with the children and their families for a long period of time extending over various sessions of several hours on end. Emotional and legal support was extended to the child and the family. The researcher spent various sessions listening to how the child felt. This was done after the researcher felt sure that proper rapport has been established and the child felt the need to speak to the researcher. The researcher tried to convince the parents or caretakers that they should consider it as an accident and not give undue importance to it. A conducive atmosphere should be created for the child so that her/his sense of guilt and fear is allayed. They should help the child to channelise his/her energies in a positive direction. This also suggests that an unhurried approach is called for in such cases unlike time-bound conventional research.

Workshops were conducted with the police. The police department can play a pivotal role in the elimination of this crime and doing social justice to the victimized children. Several procedural complexities and legal loopholes have always relaxed the proceedings against the accused. Attitudinal changes and a reviving spirit to uphold our children’s human rights can go a long way in preventing this
crime. A fair and quick investigation and an empathetic approach towards victimized children and their families can deter this escalating crime rate. Hence, an urgent need was felt by us to discuss this issue and explore possible solutions.

The objective of the workshop was to elicit opinions on how to develop an understanding about the administering of a just and fair investigative procedure and recommend children friendly changes in the existing legal system as well as to explore the attitudes and sensitivity of the workshop participants on such issues.

The discussion was based on the following points:

1. What is CSA? Conceptual definition of child sexual abuse?

2. What they think are the causes and consequences of sexual abuse on the child?

3. How should investigation be conducted?

4. What are the lacunae in the existing legal system?

5. What corrective measures need to be taken?

The consequence of the workshop resulted in the support from the police as and when the need was evinced.

Workshops were conducted with college students, social workers and activists with the objective of generating a discussion about the issue, increasing awareness about the impact it has on the
children and to bring about an attitudinal change. The workshops began on the concept of childhood, gender identity, sexuality and child sexual abuse. Various exercises, group discussions and role-plays were used to invite discussions. It received good co-operation from the participants as it was the first time they were getting an opportunity and a space to share their opinions, apprehensions and experiences in relation to sexuality.

A few perpetrators of child sexual abuse also approached us and were counselled. They had been abused in their childhood and had now resorted to child sexual abuse as a habitual practice. A youth who had fallen in the habit of even molesting women in buses and could not control his behaviour was counselled and helped to channelise his energy in a positive direction, yielding good results.

Interviews in two TV programmes in Asianet and Surya channels resulted in phone calls asking for help and emotional support. Adolescents called up to satisfy their curiosity/inquisitiveness regarding sexuality. There was an instance of a man who had called to seek some advice on how to help his sister, a 11th standard student who got pregnant due to sexual abuse. The brother wanted to know how he could help her. The parents refused to take her to a psychologist but just wanted to get her married. He spoke in hushed tones over the phone and had to be counselled as to how he could help her sister by providing a friendly atmosphere at home, helping her disclose and thinking of the abuse as an accident and helping her deal with emotions.
of guilt and fear. Several such doubts and fears were listened to and addressed over the phone.

Classes were conducted for women in the villages and adolescents who shared various experiences. Courage was built up on the issue of how molestation in the public spaces could be braved. Some women shared personal experiences about how their children were molested. Time and space was devoted to sharing experiences and explaining how it was difficult for children to disclose the experience due to lack of verbal abilities and inability to communicate and the feeling of guilt and shame inculcated since childhood about sexual issues which prevented them from freely discussing their experiences of abuse. They were numbed and paralysed after the abuse. Power mechanism and threats also operated in making the experience secretive. The position of trust and respect occupied by the perpetrator overwhelmed the child.

These disclosures were too painful for them as it was the first time they were opening up. Life-skill education classes for adolescents had a tremendous impact in helping them open out, clarify doubts and seek counselling. It was for the first time in their lives that they were getting a space to raise their apprehensions and discuss freely about sexuality.

A short play was written on the issue of child sexual abuse but could not be performed because of the non-availability of participants to perform the role of an abused survivor of child sexual abuse, but it
has generated interesting discussion among college students and several survivors of child sexual abuse came forward to disclose their experiences and were extended emotional support in braving the consequences.

Detailed letters were sent to the directors of State Council for Research, Training and Education, the Directorate of Public Instruction and the Education Minister. Details about instances of child sexual abuse in Kerala. its horrifying aftermath was explained and they were requested to introduce sexuality as a compulsory subject in the B.Ed. and TTC training programmes for teachers and as part of curriculum for children. Teachers, if trained to discuss the issue during their teachers training would feel confident to address it in a children’s group. As far as children are concerned, it should be linked with life-skill development. Incorporating sex education as part of curriculum will be a major preventive strategy in saving our children.

Interviews and focused group discussions were held with the police, lawyers, doctors, teachers, educational officers, people in the media and social activists with the dual objective of understanding their perception and attitude towards the issue and building up awareness on the consequences it has on the psyche of the child. Efforts were also made to bring out an attitudinal change by taking the discussion to a personal level. The action content was held under the banner of “Kooottam”, a voluntary organization founded in 1992 in Chengaloor, a village in Thrissur.
The researcher’s role in the whole process was formidable. There were occasions when she was overwhelmed; but the action part of the research was carried out with the involvement and detachment such a pioneering study as this required. Equally formidable was the task of bringing together the insights from the multiplicity of techniques used for selecting information into a coherent format.

Feminist analysis tries to see how power is exercised, in what ways they have been inimical to the free human growth of woman and what therefore are the strategies needed to overcome or eliminate these sources of power; the legal structure is an example of entrenched power which has dealt unequally with the rights of women and men and has meant misery to women in many cases. If the subordination of women arises due to the powerlessness, then the focus of the feminist struggle is to retrieve the power. This is applicable in the issue of CSA taken up for study in this work.

Structure of the study

The thesis comprises of 8 chapters consisting of introduction, a discussion of the theoretical issues, survey of literature, describing the methodology followed, reporting of case studies, analysis of data, report of workshops conducted, proposed legal amendments and conclusions and suggestions.
The theoretical chapter explores the aspect of sexuality, Foucault's views on it and the feminist interpretation. The study looks at statistics, collects, collates and analyses the viewpoints, attitude and mind-set of various professionals ranging from the police, legal personnel, doctors, educational officers, teachers and media personnel. In-depth case studies were conducted as part of the methodology where the child was extended legal and emotional support and it extended over several sessions. Public Interest Litigations were filed in the High Court as a result.

The process was as important as the conclusion derived or suggestions made as dissemination of information and an attempt to bring about an attitudinal change to the issue of CSA in various sections of society was part of the research process itself.