HOLD YOUR STORY

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REFLECTIONS ON THE NEWS OF SEXUAL VIOLENCE IN INDIA

Edited by Chindu Sreedharan,
Einar Thorsen and Asavari Singh

CESJ
Centre for the Study of
Conflict, Emotion & Social Justice
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CS, ET, AS

FOREWORD

AMMU JOSEPH

I would not be exaggerating too much if I said *Hold Your Story* is a dream come true for me, after nearly four decades of engagement with its subject matter. In a 2014 article on reporting rape I had called attention to the "urgent need to step up and institutionalise ongoing efforts to improve media coverage of sexual violence". I believe this book could catalyse the process of mainstreaming a critical concern that has for too long remained a niche preoccupation.

For me, and many in my generation, the 'Mathura rape case' — or, more accurately, the strongly worded open letter to the Chief Justice of India written by four professors of law in 1979, criticising the Supreme Court's infamous judgment in the case (Tukaram vs. State of Maharashtra) — was a call to arms. As young journalists then, we participated in public demonstrations, helped organise public meetings, and tried to create more public awareness through our professional work.

I was Assistant Editor of *Eve's Weekly*, a leading women's magazine of the time, in the early days of that initial campaign against rape. The International Women's Day 1980

edition included a special supplement flagged on the cover with a banner that declared, "It's time we looked rape in the face". Leafing through that issue now, I cringe at many of the illustrations — visual representations of the kind I and many others have been criticising for more than a few years. However, I note with some satisfaction that we were probably the first in the popular press to publish articles on rape as a means of social oppression (based on caste, class, religion, etc.) and rape within marriage. I am also chuffed to be reminded that we had reproduced the script of a one-act play written by two members of what was then known as the Forum Against Rape, and performed at the first-ever public meeting on rape in India, in order to enable anyone anywhere to make use of it and join the ongoing campaign, which eventually led to the first set of changes in the law relating to rape in 1983.

I recall sessions on the media during the first two National Conferences of Women's Movements, held in Mumbai in 1980 and 1985, with journalists and activists sharing perspectives (often arguing, of course!) about what can be done to improve media coverage of rape and other concerns.

Whose News? The Media and Women's Issues, first published in 1994, included a detailed analysis of the coverage of rape (among other issues) in the press in English and four Indian languages between 1979 and 1988. By the time the second edition was published in 2006, the media in India had undergone a sea change; the new Introduction was titled, "The Media and Gender in the Age of Globalisation"! Revisiting media coverage of sexual violence in the new millennium to update the (then) new edition, Kalpana Sharma and I found that it was "something of a mixed bag, ranging from the serious, concerned and gender-sensitive

through glib, superficial and celebrity-oriented to sensational, irresponsible and intrusive".

That assessment is still more or less applicable today, nearly 15 years later, although heightened competition in the burgeoning news media space has added new dimensions to the coverage. Privately owned Indian television news channels — with their characteristic high-pitched reporting and confrontational panel discussions that invariably generate more heat than light — now play a dominant role in setting the public agenda. So does social media, with predictably polarised "debates" making it increasingly difficult to have thoughtful, nuanced dialogues. The double whammy has, unfortunately but unsurprisingly, had an impact on the style and substance of news coverage in sections of the print media as well.

The status quo persists despite the fact that considerable work has been done over the years to change the situation — at many levels, in different parts of the country, by various individuals (including journalists), collectives, and organisations. In the early 2000s, when I was teaching a course on Covering Gender at a journalism school, reporting on gender and sexual violence was the first of the four modules I included in the syllabus. It appeared to be a logical starting point since students related easily to the subject; it also seemed to make sense to promote awareness and encourage critical thinking among young would-be journalists.

Statements and petitions calling attention to inappropriate coverage have also helped raise and spread consciousness. The Network of Women in Media, India, for example, has issued several statements over the years calling attention to problematic coverage of sexual violence, among other matters. At another level, members of the network have approached

editors and been invited to facilitate informal, in-house interactions — sometimes even workshops — on issues concerning the coverage of sexual violence. Most of the senior editors, reporters, as well as sub/copy editors who participated in such conversations appeared to welcome the opportunity to discuss the dilemmas they face in this context. These exchanges, in turn, have enabled network members to alert editors to necessary corrections in subsequent coverage. They have also led to editors and staff becoming more self-critical and vigilant.

Experiences such as these were subsequently incorporated into a chapter on reporting sexual violence in the 2010 book, *Missing Half the Story: Journalism as if Gender Matters*, a collaborative venture of five women journalists. The idea behind the book was to provide practical guidance on how to integrate gender concerns into media coverage of a wide range of subject areas, including gender violence.

To give the devil its due, sections of the media have at various times demonstrated a sense of responsibility, highlighting the injustice often suffered by victims/survivors of rape, in addition to the trauma of sexual assault, sometimes due to insensitive media coverage. Also, while there are alarming levels of over-confidence and intolerance of criticism among many media professionals today, there is also a parallel, healthy trend within sections of the profession towards self-examination, self-evaluation, and self-correction.

However, the fact remains that despite all the research, reports, articles, statements, guidelines, workshops and conversations — both public and internal — over the years, coverage of sexual violence in the Indian media remains hit-and-miss. That is why a contemporary, comprehensive book like *Hold Your Story* holds out hope. Chapters on media coverage in books on gender/sexual violence and chapters on sexual violence reportage in books on media have surely contributed towards enriching and advancing the

conversation so far. Still, a book that focuses on and examines the multiple dimensions of "the news on sexual violence in India" today is, I think, well placed to move us further — hopefully faster — on the journey towards more consistently accurate, fair, balanced, and sensitive coverage of what is widely, globally recognised as an extremely serious human rights and public health problem.

Ammu Joseph
July 2020

INTRODUCTION

CHINDU SREEDHARAN, EINAR THORSEN,
AND ASAVARI SINGH

Historically, and perhaps universally, the journalism surrounding rape and sexual assault has been fraught with problems. Over the last decade, scholars and writers have pointed to a range of issues that permeate such reportage. News of sexual violence is criticised for being sensationalist, insensitive, and superficial. Rape is often — and openly — 'sexualised', explicit in detail, lurid in presentation, capable of causing moral panics amongst news audiences[1]. Multiple studies have highlighted the journalistic tendency to spread 'rape myths'[2], and blame female victims for men's violence, to the point they are silenced. The news media, in essence, contribute much to cover "rape in shame culture"[3].

That is not all. Journalist and author Ammu Joseph, who has written extensively on the many manifestations of this problematic phenomenon, and whose foreword graces this edition, underscores another enmeshed news practice: the tendency to direct media outrage selectively[4], to cases that feature violence against 'people like us', involving victims of 'our' strata, in 'our' cities, by perpetrators from the socio-

economic underclasses. What happens elsewhere, outside 'our' world, to 'others' in the small towns and villages that make up most of India, is less deserving of attention. "Today the media often determine, directly or indirectly, which cases 'outrage the nation' and which sink without a trace in public consciousness," Ammu Joseph and Kalpana Sharma wrote in *Whose News? The Media and Women's Issues*[5]. They further noted:

> [M]edia coverage of rape... generally conforms to a predictable, episodic pattern: long spells of routine reports regularly, if randomly culled from police hand-outs, broken by brief periods of intensive and extensive coverage catalysed by one or more cases that happen to grab the imagination of the media and public — usually in that order.

Causes often cited as responsible for such deeply damaging journalism include the skewed gender balance and patriarchal attitudes that pervade many — most — Indian newsrooms. Also blamed is the increasing competition for eyeballs among the nation's diversity of news outlets, burgeoning in numbers but faltering of finance. If one were to take a more philosophical view, looking through the prism of 'news values'[6], the responsibility could equally well rest on the very nature of news itself. News, after all, is about timeliness, drama, proximity, conflict, human interest[7] — and the victimhood perpetrated on one of 'our women' ostensibly by someone ***unlike*** us, well, if that's not something to be outraged about, what is?

All this attributes a certain naivety — even implicit villainy — to the news narrators of today. But that tells only half the story. Much less acknowledged is what goes ***behind***

the production of such content, why even well-meaning journalists contribute to the larger, problematic narrative — the variety of challenges they face when dealing with sexual violence.

Like other incidents involving trauma, sexual violence is exceedingly difficult to depict with 'adequate' sensitivity and context. The abundance of demands from the 24/7 news cycle is unrelenting, but information scarce. Cultural and societal norms silence survivors, limiting journalistic enquiry. As our own (forthcoming) national study underlines, many reporters face safety issues themselves, including sexual harassment in their professional environments. And many find the experience of reporting on sexual violence highly unsettling and traumatic, constraining their journalistic abilities.

To make a bad situation worse, reporters also face an institutional vacuum in this area. There is little editorial direction on covering instances of violence, few (if any) written newsroom policies; gendered role expectations and patriarchal attitudes decree who is assigned what; and training opportunities to develop specialisms around this challenging 'beat' are conspicuous by their absence. The result is that the journalism surrounding sexual violence is a grey zone, shrouded in ambiguity, mostly undertaken by reporters with many unanswered — and unasked — questions.

It is into this grey mist that we wade in with *Hold Your Story*, hoping to part it, just a little. The book emerges from our work on *NewsTracker* (www.newstracker.maar.in), a single-issue web site that published 'journalism on the journalism of sexual violence in India' in 2018 and 2019, as part of a larger research and capacity-building project[8]. The idea behind *NewsTracker* — a joint effort between Bournemouth University and Ashoka University, in collaboration with several leading institutions in India[9] — was to create

conversations around the problematic journalisms outlined above. Much of what fills this book is the work of young 'citizen journalists', undergraduate and postgraduate students of different disciplines from across India, who poured their hearts into a project they were passionate about. It was, for us, for all of us, a way of bringing into public discourse not just the questions around news content, but also the news *processes* surrounding sexual violence; of understanding what journalists — often at the receiving end of scathing criticism from academics, feminists, and other stakeholders — make of their role, their responsibilities, their reportage.

This book is divided into five sections. Our opening section engages with some key questions around media responsibility and ethics while reporting on sexual violence. In Chapter 1, Sourya Reddy argues that new business models that prioritise quantity over quality have encouraged problematic reportage on sexual violence; he also acknowledges that such content would not proliferate without there being a market hungry for it.

Tejaswini Srihari, on the other hand, makes a case for compassionate reporting in Chapter 2, positing that empathy does not necessarily contradict objectivity. Yet, compassion fatigue is a real problem when there are dozens of sexual assault cases reported every day. It is this reality that Anunaya Rajhans grapples with in Chapter 3.

What do survivors and victims of sexual assaults expect from the media? In Chapter 4, Tasmin Kurien speaks to 'Anitha', a young woman who approached the media to help her get justice after she was sexually assaulted in a hospital. In Chapter 5, Urvashi Butalia explains why journalists need to be trained in ethics, while in Chapter 6, Nisha Susan, the founder of the *Ladies Finger*, points out to Meghna Anand

that much of the current coverage of sexual violence involves too much fear and not enough impact on the ground.

The media often perpetuate stereotypes due to their ignorance about correct sexual terminology, says queer activist Bindumadhav Khire in an interview with Pranati Narayan Visweswaran in Chapter 7. Forensic professor Jagadeesh Narayana Reddy makes a similar point to Spurthi Venkatesh in Chapter 8, where he explains how incomplete understanding of medical procedures can lead to disastrous journalism.

In Chapter 9, victimologist Beulah Shekhar tells Harikesh P that irresponsible media coverage of sexual violence can deter victims from approaching the police. In Chapter 10, anti-child abuse trainer Megha Bhatia tells Saumya Agrawal that when journalists do not respect the laws around reporting on POCSO cases, there could be serious consequences for child victims.

Our second section, Language and Representation, delves into how word and image choices reinforce problematic tropes around sexual violence, and also offers solutions for newsrooms. In Chapter 11, Saumava Mitra explains the many things wrong with the visual representation of rape in the news, and also proposes alternatives that are more meaningful and empowering.

Pranati Narayan Visweswaran and Ankita Mathur compare the coverage of sexual violence in three Indian newspapers — one Hindi, one Tamil, and one English — in Chapter 12. In Chapter 13, Saumya Agrawal explores this theme further to make some fascinating observations about the almost evasive and euphemistic treatment of sexual crimes in a regional publication.

In Chapter 14, Pradyumna Pappu argues that the portrayal of "vulnerable" and "blameless" victims is part of rape culture, while Aarathi Ganesan, in Chapter 15, describes

how the media — explicitly as well as implicitly — communicate sympathy for rapists. In Chapter 16, Shahina Nafeesa, the journalist behind the #IamNOTjustANumber campaign, explores the issue of representation further in an interview with Spurthi Venkatesh, questioning the ban on revealing victims' identities and photographs.

Behind the Headlines, our third section, looks at the factors that make some stories 'bigger' than others, as well as the media coverage of high-profile cases. In Chapter 17, broadcast journalist Padmaja Joshi speaks to Aakanksha Singh about her experiences while reporting on the Kathua case. In Chapter 18, former *News Minute* reporter Korah Abraham tells Tasmin Kurien about the power of media "anger".

Asavari Singh analyses the frantic news reporting in the Hyderabad gang-rape case, in Chapter 19, and how this may have fed into the "encounter killings" of the four suspects. In Chapter 20, Arkadev Ghoshal elucidates on how the Nirbhaya case changed India, in no small part due to the news media's sustained investment in it. In Chapter 21, Simran Singh examines how the Pinki Pramanik case revealed media biases about who can be a victim, and who the offender.

In an interview with Saumya Agrawal, in Chapter 22, Bharat Nayak of the *Logical Indian* makes a case for the superiority of digital media when it comes to conversations on sexual violence. In Chapter 23, Yeshaswini Srihari takes a closer look at how news of sexual violence is created and consumed on platforms such as Twitter and Facebook.

In Chapter 24, Karuna Banerjee interrogates the factors that turn some incidents into 'high-profile' cases, while in Chapter 25, Saumya Agrawal visits the stories that disappear after a single appearance in the inside pages.

The fourth section — Culture, Society, and Justice —

ventures into a range of discourses and subject positions that shape and mediate how sexual violence is understood in India. In Chapter 26, Zinnia Sengupta's interview with author and academic Madhavi Menon brims with insights on literature, law, news, and sexuality. The lens shifts to that of economics and gender justice in Chapter 27, in Ananya Gouthi's interview with noted economist Lekha Chakraborty. In Chapter 28, Sandhya Menon, one of the leading voices of #MeToo India, speaks to Sanjana Thandaveswaran and Sharin D'Souza about what journalists can do for the future of the movement.

The next three chapters highlight the voices that are either missing from or in the periphery of the discourse on sexual violence. In Chapter 29, Anunaya Rajhans unpacks why men prefer to stay "off the record" on matters of sexual violence, while in Chapter 30 trans activist Rachana Mudraboyina tells Manisha Koppala about the hegemony of the gender binary in the India media. In Chapter 31, filmmaker and anti-child abuse activist Insia Dariwala talks to Shreya Gautam about male sexual abuse and the questions that are not asked enough by journalists.

The last two pieces in this section ask crucial questions about the media's framing of 'justice' in the context of sexual violence. In Chapter 32, Sukanya Sriraman concludes that the media's engagement with retributive justice tends to be highly superficial and unchallenging of populist ideas, and in Chapter 33, Pranati Narayan Visweswaran interrogates the lack of news interest in "reformation" as an alternative to retribution.

The final section, The 'Other' India, travels to parts of the country that are largely neglected by the mainstream media. In Chapter 34, journalist Soni Sangwan talks to Simran Singh about how mainstream news and development journalism can together help address the problem of sexual

violence in rural areas. In Chapter 35, Shreya Gautam explains why she thinks the news media normalise rape in rural India, and finally, in Chapter 36, Meghana G S argues that organisations working at the ground level can be the catalyst for better reporting of sexual violence.

PART I

MEDIA ETHICS AND RESPONSIBILITIES

CHAPTER 1

THE RECIPE FOR IRRESPONSIBLE COVERAGE

SOURYA REDDY

The news industry in India is going through a period of exceptional turbulence. The competition is fierce, and the financial and political pressures on media organisations have never been tougher. The demands of a 24/7 news cycle where an ever-increasing number of platforms vie for the same eyeballs, it can be argued, have had considerable impact on the quality of journalism that we see today, particularly when it comes to the news reporting of sexual violence.

As scholars and journalists such as Shakuntala Rao[1], Deepa Fadnis[2] and Ammu Joseph[3] have pointed out, the news media have often characterised rape in sensationalistic and simplistic terms. Such coverage does much harm to the victims and survivors, as well as the society as a whole. What lies behind this trend of irresponsible journalism? There are two lenses through which we can view the underlying causes that allow such coverage to thrive — production (why media houses produce this kind of content) and consumption (why there's a market for it).

Churnalism

Why do media organisations focus on quantity rather than quality? A possible answer lies in how business models have changed, especially in the last 15 years or so.

Traditionally, print news depended largely on advertisements for sustenance. As the internet came about, legacy outlets started either moving online entirely or at least had an online division. Given the low cost of production for the digital space, several new independent publications (such as *HuffPost* and the *Wire*) were born, attracting newer, younger audiences. As the competition grew, advertisers started to move to the digital space as well; their revenue from print saw a decline, and the prospect of an interconnected network that cut across geographies promised more eyeballs than they could reach through print.

The bottom line then became about getting more traffic on your page — the more views you get, the more money you make. But now, faced with intense competition, how does one actually stand out from the crowd? By either being everywhere (producing large amounts of content) or by being unique (producing new formats of news consumption). With the popularity of search engines and the traffic they could produce, many media houses started concentrating on the former — pushing out as much content as possible. This has made journalism organisations susceptible to misinformation, disinformation, and irresponsible coverage; outlets chase eyeballs to secure ad dollars. And there is a push for quantity of articles over quality.

The second factor that came in with some force was the entry of big business into the media. Lakshmi Chaudhry, part of the founding team of *Firstpost*, shed some light on how Reliance buying over Network 18 (*Firstpost*'s parent company) had an effect on everyday operations[4]:

> The full consequences of the new ownership became clear just over a year later, when two Reliance-appointed board members ducked into the *Firstpost* office to deliver an unambiguous message to its stewards: It's time to mind your manners. There would be no more 'personal criticism' of the ruling party's leaders on *Firstpost*. I tendered my resignation 10 days later.

Journalistic standards and ethics have come under more pressure than ever to bow down to corporate demand, not just in India, but across the globe. With big businesses entering the scene, management of the stories and day-to-day issues of media houses came under the control of corporate-backed appointees. This, mixed with the mantra of 'more content', saw editorial control slip out of the hands of those who actually reported the news. This also resulted in changes in the structures of media houses, especially with cost-cutting deemed as necessary. "The newsrooms that have traditionally provided most original journalism are radically shrinking," wrote Margaret Simons[5], the director of the Centre for Advanced Journalism, University of Melbourne, in an article in the *Guardian*. Nick Davies, the author of *Flat Earth News*, further explained the costs of "churnalism"[6]:

> After 20 years which have seen a great many cuts and occasional bouts of new hiring, average staffing levels across Fleet Street companies are now slightly lower than they were two decades ago. But the amount of editorial space which those journalists are filling has trebled. To put it another way, during those 20 years, the average time allowed for

> national newspaper journalists to find and check their stories has been cut to a third of its former level.

With such pressure on journalists, the likelihood of producing subpar stories only increases. A journalist at one of India's largest online platforms, who asked not to be named, said: "We're constantly under pressure to produce stories from sources that are given to us. At this point, we don't even have the time to verify these sources or properly fact-check what they've given us. I feel like journalists, especially entry-level ones, are simply content creators and aggregators and not journalists".

The third factor at play here is that media organisations have become much smarter at targeting their audience; they know exactly which demographic of society can relate to which piece, and they actively try to tailor their journalism to cater to this formula. Similarly, they also know how they can alter a piece to get the most eyeballs — whether one reacts with outrage or just treat it as a casual read, it doesn't matter. With the rise of aggregators — Google News, DailyHunt, Inshorts, etc. — and social media as disseminators of news, making the piece, and especially the headline 'clickbaity' has also become a common feature.

It is a combination of all these factors that results in what has been described here as irresponsible journalism, especially with respect to stories about sexual violence. *Newslaundry*'s Manisha Pande came up with a great analysis that showcased irresponsible journalism[7]:

> TOI [*Times of India*] decided to disclose the survivor's identity and basically make a case to suggest she was 'asking for it'. TOI's headline leads with the detail that a "Nagaland woman"

> had alleged rape. In its report, TOI goes into details of what preceded the rape. We are told the girl had been "pub-hopping" and that she ended the night of "revelry" at a restaurant. None of these details are related to her rape, but they do add to the image of someone who doesn't conform to the image of a "sanskaari nari". The report also slipped in a completely-inconsequential detail that she worked at a spa. Appallingly, not only did TOI give out details of the area in which the woman lives, but also the location of her workplace, making it painfully easy for anyone to identify her.

Eye on the audience

The second lens we need to examine this phenomenon is through that of the consumer. Why do we want to read news like this? What about this kind of coverage attracts us to it?

Newslaundry's Manisha Pande touched on the three key aspects of the human psyche — gossip, violence and a penchant for sensationalism — that media organisations target while covering such issues. Yuval Harari, in his book *Sapiens*, argued that it was when we started to gossip that we actually became a superior species[8]. Before this, Homo sapiens were in the middle of the food chain; we were not even the strongest of the diverse group of human species. Gossip enabled us to build bonds with our group and to know the other members' relationships, which improved our cooperation and our competitiveness. In doing so, Hariri provided some rationale for why 'gossip' attracts us.

With violence, although it is widely debated, there is a strong school of thought that believes we are attracted to it. In a study conducted on mice[9]— the mouse brain is thought

to be analogous to the human brain — it was found that the brain reacts to aggression the same way as it does to other rewards. It found that mice actually sought violence for no other reason than a feeling of reward. This study could shed some light on why humans are attracted to brutality — from experiencing it entirely (in the form of say, brutal sports) to experiencing it indirectly (like reading violent details about a crime). The study team said that we seem to crave violence just as much as sex, food, or drugs.

But why exactly are we attracted to sensationalised news? Evolutionary psychologist Hank Davis answered this question from an evolutionary perspective in a 2003 study[10]:

> From an evolutionary point of view, the emotional impact of these stories makes sense. Our ancestors would likely have increased their reproductive success by gaining certain kinds of information about the world around them. Thus, stories about animal attacks, deadly parasites and tainted food sources remain salient topics, even millions of years after their likelihood of occurrence has become marginal in industrialised nations.

NYU journalism professor Mitchell Stephens's *A History of News* echoed Davis's study[11]; sex, violence, and conflict appeal to wide audiences because it "strengthens the social fabric". A 2012 paper published by researchers in the University of Milano-Bicocca on television viewers showed that people are more attracted to programmes that are more sensational in nature, even though they might not derive satisfaction from them[12]. In addition, researchers at McGill University found in a lab study that "regardless of what participants say, they exhibit a preference for negative news

content"[13]. Thus, the media ends up catering to our collective want to read, hear, and remember bad — and sensational — news.

A conundrum for journalists

With all this behaviour knowledge of audience at hand, mixed with cut-throat competition and a volatile business landscape, it does not seem so surprising that some organisations cross the line. For journalists, the issue is two-fold. On one side, they are being pressurised to put out more content in less time — even a good, well-meaning journalist might slip up at some point. On the other, with their awareness of audience behaviour, they know sensationalism works, so they twist facts, add unnecessary details, create an atmosphere, or subtly imply things to gain more attention, much as was demonstrated in Manisha Pande's analysis.

And there you have it, the recipe for irresponsible coverage.

Reversing these trends is not going to be easy. With the media industry still trying to adjust to a world where traditional business models are floundering, everybody is worried. Despite this, some things have to be sacrosanct. Endangering and shaping public ideas about victims of sexual violence to attract readers is thoughtless, for lack of a better word. The fourth pillar of democracy must take a step back, introspect, and radically evaluate whether, quite literally, an extra eyeball is worth someone's life.

CHAPTER 2

JUST 'FACTS' ARE NOT ENOUGH

TEJASWINI SRIHARI

One thing that the Indian media cannot be accused of is neglecting sexual assault as a topic. Ever since the Delhi bus gang-rape of 2012, largely known as the Nirbhaya case, there has been a notable and sustained increase in the news coverage [1]of sexual violence. Such reports typically cover specific incidents, the victim's actions after the crime, and, less frequently, court proceedings and verdicts. Most focus on the known 'facts' of the cases, and it is rare for the news narrative to be informed by the complainant and others in their social context.

While this approach appears to be in keeping with the principle of journalistic objectivity, many media reports suffer from problematic language, implicit biases, and a lack of *compassion* — which is a value that several media thinkers are increasingly promoting as essential to good journalism.

The 'ethic of empathy'

The language of evidence is vital in covering a case objectively, which is the style almost all newspapers follow.

However, what is missing — to use the words of professor of journalism and author Janet Blank-Libra — is an overarching "ethic of empathy". In an article for the Poynter Institute of Media Studies, she asserted that when journalists practice "an ethic of empathy and compassion, they do not forfeit their objectivity". This is because, wrote Blank-Libra, empathy "seeks to understand the other, not produce agreement with the other. For this reason, empathy compels fair treatment of all sources." She also made a case for journalism education to incorporate "the study of empathy and compassion alongside its study of the objective method"[2].

Now, empathy is often a by-product of sensitivity, which is a quality that has often been criticised as missing in the Indian media's treatment of sexual assault cases. This 'insensitivity' is evident in the kinds of facts that are often chosen as relevant in reports: the specific bodily violations inflicted on survivors/victims, headlines that suggests the victim was somehow responsible for coming into harm's way (for example, victims who committed transgressions such as 'running away' from their home, or stepping out of their marriage), the use of language that minimises the nature of a crime (for example, 'oral sex' instead of oral rape).

For instance, in one *Times of India* report[3], about a teenage girl who was sexually assaulted and murdered, the language used was matter-of-fact and casual, with little context given other than the man (referred to as a "tippler") being "inebriated" and the girl being attacked when she went out to "relieve herself". Often, the mere presentation of the 'facts' of a case does not do justice to the extent of harm caused to the victim, and communicates a lack of compassion.

This can change when journalists pay attention to the language they use, the type of information they include in

their stories, and when they examine different aspects of the incidents they cover, including social and cultural contexts. Several benefits can accrue as a result of adopting a compassionate approach, in general. As an article published on the website of the University of Wisconsin-Madison's Center for Journalism Ethics noted, "Compassion can establish valuable connections with sources that can help journalists get beneath the surface of a story. It can aid in relating stories to the audience, and triggering an informed emotional response that encourages civic engagement".[4]

Another aspect of compassion is to widen the scope of the types of stories that are covered. In general, 'high-profile' sexual assault cases in India often share certain newsworthy characteristics. Such stories are covered from many angles and for a sustained period of time, do lead to public outrage, such as the communally motivated Kathua gang-rape and murder and the Unnao case where a well-known politician was eventually convicted, but there continues to be an invisiblisation of many categories of victims/survivors, including men, trans people, and rural women. Investing in building compassion, and thus mobilising public awareness and action, for these groups has in general been neglected by the Indian media. But do we have enough compassion for everybody?

Compassion fatigue

The frequency with which incidents of sexual violence are reported (and then shared incessantly on social media) can have the unfortunate effect of desensitising people and 'normalising' such crimes. How, then, does a journalist ensure that the audience stays interested? Does the solution lie in more graphic details, dramatic imagery, and sensational

headlines to grab attention in an increasingly saturated media environment? I believe not. Indeed, doing so could cause already overwhelmed readers to switch off even further.

Making a spectacle of suffering through graphic language/imagery inspires voyeurism more than it does any real engagement or action. This kind of reporting presents sexual violence as an 'event' rather than an issue. Sensationalised stories also lead to mistrust towards journalists (and journalism), which is counterproductive when the ultimate objective is to not just tell the news but to build awareness and understanding. Thus, in only choosing stories that have more 'shock value' and can more easily inspire outrage, journalists may be doing a disservice to the larger cause of fighting sexual violence.

The alternative is to frame news narratives that, through a considered use of language and facts, foster a sense of community and tell compelling stories that make it easier to identify with victims. Such narratives should not stop with mere 'episodic' reporting — merely chronicling the event. Instead, they should highlight systemic issues and injustices that lead to sexual violence, which affect anyone regardless of their social positioning or geographic location in India.

Translating values into practice

While there is some clarity about what journalists should ***not*** do in order to report sensitively about sexual assault, questions remain about the steps they can take to tell stories that not only reflect compassion but evoke it, even as they adhere to the journalistic principles of objectivity and balance.

For one, empathy is not the same as sympathy. Sympathy indicates an emotional response to the suffering of another,

which could lead to biased reporting. In contrast, empathy indicates an 'understanding' of another's feelings, beliefs and context. This is a crucial distinction, and allows for multiple truths to exist and thus be portrayed in reporting.

So, how does this translate in practice, especially with journalists in a constant battle against deadlines?

According to journalist and author S Mitra Kalita, how journalists deal with the "arc" of a story is important — not just an event or incident (the peak of the arc), but what led to it, and what came after[5]. This arc could involve a number of stories taking different angles — in the case of sexual assault, this could mean stories on not just what happened, but the incidence of gender-based violence in the community, what took place in the aftermath of the assault (how was the victim impacted, what did the police do, what are the proceedings in court), and the reactions and concerns of various stakeholders. Such smaller stories can be reported over a period of time, demonstrating empathy and engagement with a community.

The American Press Institute also has a list of guidelines[6] that can help journalists incorporate empathy in their work, including tips on how to interview sources and how to address public criticisms of news reports. Of course, the responsibility cannot lie with individual reporters alone. As journalist K Kim Bui explained[7], "Without lasting changes in coverage, an act of empathy can become another instance of parachute journalism. This isn't just the reporters' job. It's up to the whole newsroom, including senior management..."

In India, we do have some notable examples of empathetic reporting on sexual assault. This includes the *Quint*'s award-winning reporting of the case of infant rape survivor 'Chhutki', (and through the lens of this story, the systemic issues that befall many child sexual cases in India),

and *Firstpost*'s multi-pronged coverage of the #MeToo movement. However, this approach of in-depth and sustained reporting is the exception, and the challenge is to make it the norm.

CHAPTER 3

WHEN NUMBERS BECOME 'JUST' NUMBERS

ANUNAYA RAJHANS

When I started working with *NewsTracker*[1], a single-issue web site that published 'journalism on the journalism of sexual violence' as part of the Media Action Against Rape project[2], my engagement with the problem was rather cursory. Like many Indians, I had keenly followed 'high-profile' cases such as Nirbhaya and Kathua, but I didn't quite grasp the superstructure of rape culture, of which each particular rape is but an instance. As for the news media, I thought I knew what role they could — and should — play in combating the issue. Off the top of my head, I could list out some of the obvious problems: disproportionate coverage, lack of follow-ups, and trials by media, among others.

What I had not realised was the constant compromise that news media have to make between focusing on individual cases of rape versus rape culture as a whole. Given the limited resources, mind space, and reader attention, there appears to be a constant trade-off, where highlighting individual cases and following up on them requires picking certain rapes over others; targeting the larger rape culture seems to detract from the assumed responsibility to report each individual case.

Trying to balance out the competing strands, most news outlets follow a compromise formula where the magnitude of the problem reduces most individual instances to statistics while arbitrarily highlighting certain cases. What is almost invariably missing is attention to the socio-cultural framework that perpetuates the problem in the first place. It certainly was a more complex issue than what I understood when I joined *NewsTracker*.

May 2018. I looked away from the newsfeed I had been staring at. I became aware of the numbness I felt as I went through one rape incident after another. I was putting together a comprehensive newsletter of all the reported incidents of rape in the past couple of days. I quickly realised that I wasn't prepared for the impact it was beginning to have on me.

In the time I had been working on *NewsTracker*, my previous understanding was constantly challenged. I began to realise that rape is so much more than a crime and that the solution cannot be limited to punishment. I also saw that 'fixing' the media's coverage is not as easy, or the same, as pointing out obvious problems.

It is not that I wasn't aware of the statistics — I knew that according to the official (and understated) figures, there were at least 91 rapes in India every day. But statistics make India's sexual violence problem more palatable than it should be — they do not sicken the way stories do. It was overwhelming to take stock of dozens of reports about sexual violence and rape culture every day, reading about the survivors and victims, their families, the horrific details of the crimes, the public response (if any) and, sometimes, the absurd reactions that came from political leaders in the wake of such incidents.

Given the sheer number of sexual crimes that happen in India, the news media have to walk a tightrope between sensationalising and normalising rape. I realised the enormity of this challenge when we started promoting *NewsTracker* stories on social media platforms such as Twitter and Facebook.

We thought it would be useful to have a single source of information on sexual assault news, so we decided to create a Twitter feed that would use a keyword-based algorithm to tweet out fresh stories as they appeared daily. But the number of stories was staggering. By tweeting out each one of them, we ran the risk of being mistaken for a spambot and being banned by Twitter. The irony of the situation, where a particular story getting widespread coverage made it suspicious to the spam filters and algorithms, wasn't lost on me.

Every evening, I would enter that list of keywords separated by "OR" in the search bar and would notice the shrinking size of the side-scroller as the results poured in. I would say to myself, "Seventy stories have come in the last 16 hours? That means 70 tweets! Surely people aren't going to read all that"!

Being a teacher at a university has taught me that if I get too eager and give my class a lot of readings, it will have the opposite of the intended effect. Students would simply start ignoring all the readings. Were we being counterproductive by tweeting out each and every news article? Is news of rape best served in small portions? Any story, no matter how well researched and written, cannot do much if it gets buried under a deluge of content. I tried to find a way around the problem: perhaps, I figured, we don't have to share *all* reports of one incident across newspapers. A glut of information is often a dicey proposition, with or without its veracity confirmed. How do you get people to actually care

about something, anything in particular, for the amount of time that is needed to bring about a change, when there is so much to care about, so much that is more current and more shocking?

Even within my first days on *NewsTracker*, it was clear to me how easy it was for a reporter or even an interested reader to get numbed by the ubiquity of sexual violence, and thus internalise rape as part of India's socio-cultural fabric. The big story doing the rounds in this time period was the Muzaffarpur shelter home case, where 34 inmates (all minors) were systematically sexually assaulted for years. And this was just the tip of the iceberg: a social audit reported that many other shelter homes needed further scrutiny for physical and sexual abuse. Even though the story was sufficiently gruesome and was given wide and sustained media coverage, the public outrage was limited.

Despite the magnitude of this systemic lapse, people in Bihar (which is where I come from) and the country at large treated it as 'just another rape story' not worthy of any long-term commitment. The trajectory it followed at the time was familiar: exposure, some outrage, and a political blame game. Nonetheless, this case did inspire the Central government to commit to auditing shelter homes across the country.

It is significant to point out that the story surfaced because of a social audit of all shelter homes in Bihar, conducted by the Tata Institute of Social Sciences (TISS), Mumbai. What is considered as an academic exercise led to this expose — something we would normally associate with investigative journalism. It dawned upon me that media and academia need to realise that their work is complementary when it comes to combating sexual violence and rape culture, and that they are natural allies in this battle. This insight

motivated me at points where I found myself questioning the impact our work would have on the ground. I was convinced that collaborations between the media and academia are essential in the fight against sexual violence.

Connecting with other stakeholders on Twitter also made me aware of the large number of organisations and platforms that are working in their own specialised ways to combat rape — including legal aid and awareness, therapy and rehabilitation for survivors, socio-cultural interventions for the public, data collection, policy research, sensitising police and medical personnel, activism for or against the death penalty. However, there is little coordination between different stakeholders.

THOSE OF US WHO IMMERSE OURSELVES IN PROJECTS dealing with sexual violence probably experience a gamut of emotions — anger, a drive to bring about change, helplessness, numbness. I think is important for us to acknowledge the last. After a point, the numbers that once shook you look like any other depressing data. The stories take on a certain sameness, blurring into each other as your ability to care takes a hit. It is not surprising that the term compassion fatigue was first used to describe the burnout that affects caregivers and results in a "loss of ability to nurture". When this happens, it is time to stop and remember why the fight against sexual violence — violence against humanity — matters.

In her essay, "The wreck of time", Annie Dillard[3] tells the story of a soup kitchen in the small town of St. Mary's which serves 115 people a night. Having deliberated on the statistical enormity and incomprehensibility of human suffering, she wonders, "Why feed 115 individuals? Surely so few people elude most demographics and achieve statistical

insignificance". Compassion may be hard to square with such a statistical spin on the issue, any issue for that matter; but compassion is surely not an end in itself. We may not have an answer to this problem but we must remember that a dispassionate approach is not the same as a defeatist one. It takes persistence, patience, coordination, and courage to tackle this mammoth issue, and every dent we make is worth the effort.

CHAPTER 4

WHAT JOURNALISTS OWE SURVIVORS

'ANITHA', INTERVIEWED BY TASMIN KURIEN

What duty do the media have towards survivors who approach them for help in getting their stories across?

Anitha (name changed) was 23 years old on 18 August, 2018, when she was admitted for high fever to the high dependency unity (HDU) of a Chennai hospital. That night, at around 2.30 am, she said that a duty doctor sexually assaulted her under the pretext of examining her when no one else was present. When the hospital refused to take action against the doctor, Anitha and her family approached the media.

The story gained some traction and the hospital finally replied to a legal notice from Anitha's family, although the fight for justice was far from over at the time of publishing this book. Four months after the incident, Anitha spoke to Tasmin Kurien about how she was still awaiting action against the doctor, as well as her experiences with and expectations of journalists. Edited excerpts.

. . .

I HAD ALREADY BEEN EXAMINED BY TWO OTHER DOCTORS, both of them men. They took my consent and they made sure there was another woman present in the room when they examined me [as is mandated by the government]. But this guy came in and asked me if I felt any pain, and then he started touching me. I don't remember any explicit permission being asked. He didn't explain what the examination was for either.

It was a huge hall and each patient had their own screen around them. How I remember the nurse not being in the room was because during his examination, one of the screens slightly opened up, and he called the nurse back in to close the gap. That was when I noticed that the nurse had left and was no longer in the room.

A traumatising experience

I'd been going through therapy even before the incident because of severe anxiety issues and they were getting worse. I've faced sexual abuse as a child, and what came up in therapy is that I tend to freeze when something of a sexual nature happens, as a kind of defence mechanism that I picked up when I was younger. It could be because of that that I never learnt to raise an alarm. I was also in terrible pain. I literally thought I was going to die that day. I had just flown in from Delhi and I was extremely exhausted. And I actually believed that I wouldn't remember any of it the next day. And honestly, I didn't believe any of it the next day, but then I woke up shaking and it was like my body was telling me what happened to me the previous night had actually happened.

[The doctor's] behaviour felt choreographed... he knew what to do, he did it with ease. It seemed so obvious that this

was not the first time he was doing it and that was what was haunting me. I know that I'm not going to get anything out of this. He was counting on me not making a scene, right? So, I just want to create enough disturbance so that he knows he can't get away with it easily, because people are speaking up.

A disappointing response

The hospital's response was very passive-aggressive. Initially, I had given them a handwritten letter in which my mom wrote "physical harassment", instead of "sexual harassment". So, they said, it is very strange that she initially claimed that she was physically assaulted, and then that she was sexually assaulted. And it's very odd that she chose to stay in the hospital even after her so-called attack.

Even when I raised my complaint, I had a lawyer with me. He was my father's friend. He was very young and he was really intimidated by the hospital! So, it wasn't great. But my hospital bills were really high, and we couldn't really afford a lawyer then. I was still in the hospital, so we had to make do with him. He was really scared about the whole case and kept asking, "Should I drop it?" If any of us freaked out even a little bit, he was like, "Your mom's not comfortable. Shall I drop the case?" I told him to not do that and to stay away from my case. I found another lawyer. This lawyer reached out to my boss after she tweeted that I was in need of one.

Involving the media

I was wary of going to journalists. It's just that I was out of options and I had to do this.

I work for a digital platform and my boss tweeted, "Someone I know in Chennai is going through this, what can

she do?" So someone from the *New Indian Express* (TNIE) contacted her and said that she was willing to cover the story if I was up for it.

At first, I didn't want any media attention; I wanted to solve this problem internally, which is why I complained to the hospital first. So initially I didn't respond to her but after a month, when the hospital refused to even reply to our legal notice, I thought that maybe they needed that external push. The *New Indian Express* said they wouldn't be able to name the doctor or even the hospital. I didn't see the point of the story being out if the hospital wasn't going to be named because the very reason for doing it was so that there would be pressure on them. Speaking to her again took a few weeks, where I had to keep calling her and asking her about my options. And then there was the *Hindu* (English) newspaper, who said they wouldn't cover it because I had not filed an FIR [First Information Report].

Hits and misses

The *New Indian Express*[1] covered the story all right but then there was the *Hindu* (Tamil) newspaper[2]. I had my worst experience with them. The father of one of my closest friends is a Tamil writer and he had contacts in the newspaper. So, they couldn't tell me 'no' even though they so obviously wanted to. They didn't even listen to the entire story, and they kept saying, "We're doing YOU a huge favour by even covering this story". They also said they wouldn't name the hospital. So, I told them to tell me what I could do legally, apart from an FIR, that would make it okay for them to at least name the hospital. Then they started saying, "Don't make us regret trying to help you," and, "If you go to any other platform, they will assassinate your character, we won't

do anything like that and still this is the gratitude you show us," and things like that. It was quite bad.

Even after the story came out, it was very badly reported, and inaccurately so. It was written in the first person — "I went to the hospital, the doctor did this". They got the facts all wrong: they said that I had complained after I was discharged, and in the end, it went like, "So what I'm trying to say is, if something like this happens, don't be like me, report it on time". But I didn't do anything about their report because I had already given up. My mental health was already severely affected and at that point, I just didn't give a damn.

My best experience was with the *News Minute*[3]. They were really supportive. I went to their office in Chennai. My interviewer made me feel at ease and she was very considerate. There was no "Why should we believe you?" attitude, which previously other reporters had. She was talking to me as if she already believed me and I could feel that empathy from her.

She told me, "First of all, I'm sorry this happened to you". And then she told me about something called "professional abuse", saying that some sexual predators put themselves in a place of power so that they can get access to vulnerable women — this is something they strategically do so that they can get away with it. She made me feel like I was just at the wrong place at the wrong time and that I didn't cause it to happen. Hearing that made me feel so much better because the focus was on that predator. I had been beating myself up over not reacting that day because I'm supposed to be a feminist and empowered.

She also told me about other cases. She made it seem like this wasn't something that had only happened to me. She made me feel better about coming out and doing

something about it, unlike the other journalists who made me feel as if they were doing me a favour, like, "Oh my god, I have to sit and listen to you?" This, for me, was a huge thing.

Even her article was really well reported. It started with what happened and then it went on to talk about what professional abuse is and why it happens. The focus was not just on what happened but why it happened. So if you read it, it is less likely that you would say, "I wonder what the victim did to bring this upon her/himself".

All of the people who refused to cover my story initially — like *Mirror Now* — changed their minds after TNM reported it. They called and said they'd like to cover it too. *Mirror Now* didn't ask me too many questions. The interviewer was very nice. I just asked them to refer to the TNM article. He told me, "You don't even have to tell me your name because I can call you Anitha" — the name TNM used in their article.

My one request was that [the media outlets speak to the hospital]. I wanted the hospital to know that people were picking up on the story. All of them — the *New Indian Express*, the *News Minute*, *Mirror Now* — called the hospital asking for a statement. The hospital said that because I had chosen to do this legally, they could only answer on their legal terms.

Impact of media coverage

Only after the media got involved did the hospital reply to my legal notice. And because they did reply, they admitted to a lot of things about not dealing with it internally, about not setting up an ICC [Internal Complaints Committee].

Still, the hospital hasn't done anything really, except that they finally replied to my legal notice. They were indifferent

in the beginning and now they think they have solved it by sending me a reply.

A message for journalists

[Journalists should make survivors] feel believed. Don't put them in the position where they have to convince you of what happened. That should be number one. And two, no matter how woke they claim to be, [survivors] are going to think that it's their fault. You [journalists] come from the position of having seen the world. So, it would really help if you could take the time to tell them, "We have seen cases like this, there's a pattern here, you are not the problem". I think both of these are really important.

Even if journalists want to be 'objective', the least they can do is make the person feel heard and safe. That's what I think is lacking: sensitivity. Recently, a singer [who came out with a #MeToo story about the well-known Tamil lyricist Vairamuthu] was being interviewed about her experience. The anchor was horrible. He was like, "Why did you wait these 10 days? Singer Chinmayi Sripada spoke out then. What were you doing these 10 days?" And then I commented on the YouTube video saying, "What an insensitive interviewer. At least try to be objective. Why are you interviewing her on the assumption that she's wrongly accusing Vairamuthu?" And [the interviewee] commented on this saying, "Thank you for this, God bless you". Out of thousands of comments, she saw mine and commented. So how many other bad comments had she read to reply to a good comment from me? That broke my heart. Survivors are really desperate for support.

Ideally, a journalist would use their resources and help survivors to go through what we're going through because they know people and they've seen things we haven't. Also,

survivors can be pretty clueless about what to do, so it would be great if instead of focusing on what story could come out of this, reporters could look at us as somebody who's gone through something traumatic and help us.

Honestly, just like there's an apprehension about being harassed by the police, there are misgivings about journalists, especially the regional (Tamil) ones. I was sceptical that they would only want a story out of this and not actually help. Thankfully, at least as far as TNM and *Mirror Now* were concerned, that didn't happen. TNM's reporter messaged me a few days ago following up on the case and she asked me if I needed anything and *Mirror Now*'s reporter also did the same. He told me that he knew people who could help me and that I could reach out to him anytime.

Aftermath

Initially, the HR told us that the doctor had absconded. She told me once they found him, they would fire him and make sure that he got a bad recommendation, so he would never get employed anywhere else. And then after I was discharged, when my dad and my then-lawyer went to talk to her, she said that they asked around and nothing wrong had happened. The doctor had gone on leave and he had informed them already.

The legal notice says something else. It says that they had suspended the doctor immediately and they conducted an investigation, and finding out nothing was wrong, he got back to his job. According to him, there were nurses present with him and he had used gloves when he examined me. None of it is true.

They'd also said things like I had refused to disclose any of the details to the HR, which is ridiculous because my

friends were all in the room when the HR spoke to me. They were all eye-witnesses.

[An ICC meeting was proposed] but it was not like, "Come let's listen to both sides of the story". It was more like, "Meet the doctor, let him talk to you, what he did was okay". I was like, no way am I meeting my assaulter and letting him convince me that what he did was okay. I didn't want to put myself through that obviously, so I said no.

I'm sending [the hospital] another legal notice pointing out everything they did wrong soon. If they don't respond to that, I am thinking of taking this case forward legally to the criminal court, which would require an FIR. I didn't file it initially because all the lawyers I went to told me not to. They said that the police would harass me and that because the hospital is a huge deal, nobody would take my side. That's why I didn't file it then. Then, only a month after the incident, the #MeToo movement happened, so now the lawyers are saying that the political climate is better, so to file an FIR as this is the best time. Because of #MeToo, people want to come off as supporters. The lawyers still want an FIR to be a last resort, though.

The ideal outcome would be the hospital apologising. Acknowledging that this happened and what they did was wrong. Firing the doctor, the medical council blacklisting him... I don't know how the procedure works. And forming an ICC and making all the employees go through sexual harassment training. My lawyer says that when an ICC is formed, the organisation is supposed to put up posters everywhere saying that there is an ICC here, any grievances, address them here. So that would be ideal because I honestly don't see what else could happen. I only want the hospital to be held accountable... for them to have an ounce of accountability within themselves.

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Editors' note: Since this interview, Anitha went on to file a writ petition with the Madras High Court, which directed the Medical Council to conduct an investigation. In January 2020, Anitha was asked to provide her side of the story and was informed that the hospital would be investigated. However, as of July 2020, Anitha had not received any update on the case.

CHAPTER 5

TOWARDS UNDOING SILENCES

URVASHI BUTALIA, INTERVIEWED BY SANYA CHANDRA, MAANYA SARAN, BIPLOB K DAS, AND YAMINI KRISHNAN

Urvashi Butalia is a well-known feminist — a writer, a publisher, and a Padma Shri winner (with Ritu Menon) for her work in literature and education. In 1984, she and Menon co-founded Kali for Women, India's first feminist publishing house. She now directs Zubaan Books, an imprint of Kali.

Butalia's books include *Speaking Peace: Women's Voices from Kashmir*, and *The Other Side of Silence: Voices from the Partition of India*, which won the Oral History Book Association Award in 2001 and the Nikkei Asia Award for Culture in 2003. In this interview with Sanya Chandra, Many Saran, Biplob K Das and Yamini Krishnan, Butalia discussed sexual violence, journalism, and the silences that need to be addressed. Edited excerpts.

We expect too much of journalists. A journalist can only do as much as he or she is trained to do. If they are not given the training on how to report on sexual violence, when they hear something that they feel sounds sensational or

graphic, they will report that. It may even be something a mother [of a victim or survivor] feels and wants to express. If a journalist hasn't been trained to understand what is and what isn't to be said, and what that report is supposed to do, then one cannot expect them to imagine these things on their own.

Learning and unlearning

It is very important for journalists to unlearn a lot of what they have learnt. Even the language they use in many ways is disempowering. For example, you will see, "a woman has been raped" not "XYZ has raped a woman". The language that you use informs the ways in which you look at people.

All journalists should be trained in the ethics of reporting, what you reveal, what you don't reveal, how you represent the people you are talking about. It's a very heavy responsibility to be representing someone whose autonomy has been violated. How they are portrayed is going to have a bearing on the processes of justice that will follow.

One basic of the training is to understand that sexual violence is not necessarily about sex, but also about power. To understand how it [sexual violence] is used against women in situations of individual and collective power equations, to understand where all of that is coming from, and to see what it means to be the person who conveys what has happened to the public. How you convey it is what will shape public perception — and public perception has quite a lot of bearing on how society understands the crime. All of these are linked, and if journalists are taught how to deal with these things, or even to keep them in mind when reporting, it can make a lot of difference.

The 'good victim' narrative

The perception of the 'good victim' has also been very strong. The media, the judiciary, the medical practice, ordinary people, the family — all collude to create this. The good victim narrative is much like the early 'bad' rapist narrative: that the rapist is always poor, a criminal.

The good victim is always the good woman who comes from a good household, who dresses in a certain way, who's not out late at night. If you take somebody like Suzette Jordan, who was raped in Kolkata, she was the typical bad victim — the mother who likes to go dancing and drinking late at night, who hangs out in bars alone, and wears jeans and shirts and so on. A mother who is divorced and a mother who takes a ride from somebody she meets in a bar. All of that impacted her when Suzette was trying to report the crime. The police reacted to her reporting by insulting her. They didn't take her seriously, they asked her questions about why she was in the bar late at night, etc. [West Bengal Chief Minister] Mamata Banerjee spoke out against her and said this was a political case because she didn't fit the stereotype. Similarly, if it's a prostitute or trans person who is sexually assaulted, the assumption is that they don't make 'good victims'. That stereotype is very, very strong.

Secrets and silences

In some ways, you can say there is a lot of noise about sexual violence and assault. Every day, our papers are full of reports about rapes.

At the same time, there is a silence about certain aspects of rape: there is definitely a silence within families where they don't want to talk about it, and there may be a silence among women who also don't want to talk about it. That's not

necessarily only because they don't want to talk about it, but often because they don't have the vocabulary to do so. I mean, how do you talk about this kind of violation? You can only articulate it to people who you are really close to and if those people are not listening, you can't just go out and talk to just any person.

But in some ways, technological developments have enabled some articulation for those voices that do want to speak. People can speak out on the internet, they can use the shield of anonymity.

Sometimes, a woman may choose to remain silent. That is the way that she feels she might heal or because this is something she does not want to share. Other times, women are oppressed by the silence. The provision in the law about not revealing the name of the victim, something women groups fought for many years ago, can also now be counter-productive for the victim because if she wants to speak out about her violation, she can't say 'it was me'. There are lots of complexities where silence is concerned.

Lost in conflict

In areas of conflict, many things work together to wipe out sexual violence as a serious issue. In places where the army is placed, you have the discourse of nationalism and patriotism... and that of *humare jawan* [our soldiers] facing threats to life. A hierarchy of violence gets set up in which sexual violence is very low down. And therefore, it's not really deserving of attention and it is seen as a much less serious issue than, say, the violence of war. It is really difficult to counter this.

The other thing is the power relationship that exists between the people and the army or the militants. It is a relationship in which people are so vulnerable and so fearful

of what can happen to their families. Women will choose to be silent because they internalise that if rape is reported, it can mean their husband or sons or somebody else getting picked up, or their daughter getting abducted. So, they keep quiet about it. This not only silences the sexual violence of those who are pitted against people [outside], but also silences what happens *inside* homes. Because inside the home, a person may be exercising violence towards his family or mistreating his daughter. Then what do you do? You can't report that. The discourse on sexual violence can't remain isolated from other forms of violence that exist around it.

Missing sensitivities

Our entire society is homophobic and transphobic — one aspect is that the body of a trans person is seen in a sexualised way, and also as a body that has no sexual autonomy or sexual choice. Journalists reflect this wider phenomenon in their writing on sexual assault on trans people. Also, if they started writing about trans people in a sympathetic way, they could get in trouble with their bosses and the newspaper could start to receive hate mail.

I don't think the solution to this lies with reporting. These solutions have to be much wider, because, a lot of the time, the onus is on the community that is marginalised to speak up for themselves — which, of course, they do. But the onus should also be on society to *listen* and *act* in ways that are inclusive and normalise the presence of diversity. Unless we stop seeing trans people as an aberration, and those who have to be given certain sops to make them feel better, we won't be able to make a difference. They have to be seen as part of society.

The wider solution is education, it is reservation and jobs — in short, everything that the Trans Bill is not doing.

Among journalists, there has not been as much outrage as there should have been about the way the Trans Bill represents trans people, and, in particular, the ways in which it looks at the sexual violation of trans people. There is a deep assumption that certain forms of sexual violation against them are permissible and something exceeding that is punishable only by two years. I expected that journalists would have spoken up about it and questioned it more than what has been the case.

Changes in news reporting

I think there is more care in the media about victim-blaming [now], about profiling the survivor in certain ways. The ways in which the survivor was being stigmatised in previous times, or how the media kind of internalised notions of the 'good' and 'bad' victims has changed a bit. The reporting now is, if anything, more neutral as far as the victim is concerned. You might find the media saying the assault was brutal or whatever, but they are more circumspect with the details.

I don't know if this is because editors have put curbs on it, or if reporters have become more sensitive. But I think there is still a long way to go before reporting is both sensitive and matter of fact. And I think the more detailed feature pieces need to be much more analytical and thoughtful.

CHAPTER 6

AN ETHOS OF FEARLESSNESS

NISHA SUSAN, INTERVIEWED BY MEGHNA ANAND

Journalist and writer Nisha Susan, the founder and editor of the feminist online magazine the *Ladies Finger*, believes that the mainstream media have a responsibility to change their approach towards sexual violence. What is most conspicuous by its absence, she believes, is "fearlessness". Excerpts from an interview with Meghna Anand.

We started the *Ladies Finger* (TLF) to highlight issues through the lens of gender. This was immediately post Nirbhaya, and we started by writing about small insights we had about changing the tone in which men spoke about women's issues. An aspect of rape that worried us was that it defined who you are. Whatever you've achieved in life or whatever your profession may be, the fact that you're a rape victim remains constant.

When we started TLF, there was so much coverage of rape, sexual violence, and gender issues, but it all involved fear. We asked ourselves why we could not fearlessly talk

about the real issues that women from all castes and classes are going through.

TLF wants to reach out to whoever we can. We encountered an issue that journalists working for *Khabar Lahariya*, a women-run rural publication, were facing. They were being harassed by a man who would make relentless threatening calls, which had begun to affect them deeply. In spite of complaining to all the possible authorities, the police only contributed to the harassment by asking them inappropriate and humiliating questions. Eight months later, we published an article[1] about this, and the social media outrage it created led the office of the Uttar Pradesh Chief Minister to take notice. The culprit was caught two days later.

This is the kind of change we want to bring about, by using the power of media for a good cause.

Uncertainty in numbers

The statistics of rape can never be trusted. Some of the 'rapes' are not even rapes. They are breach of promise cases deployed by parents of girls who have eloped to incriminate the boys. Also, cases where rape is followed by murder are recorded as homicide cases. These are the 'invisible' rapes which are not counted.

Follow-ups matter

The way we report rape differs from newspaper rape reports. Newspapers fail to report certain important aspects of sexual violence, but I don't blame them. The frequency of rape in our country is very high and newspapers have time constraints... but the way it is reported can definitely change.

We have this policy where when we report rape, we don't

conclude our coverage without writing about what happens after that. The aftermath of sexual violence is a very crucial part of every rape story. It varies widely and is influenced strongly by class and caste.

A step we also need to take is to not forget about issues, to advocate. Come back after a year because people take different paths. For instance, a couple in Pune broke up and she filed for breach of promise. She didn't know breach of promise is filed under rape allegations. Later, when she found that her ex had been booked for rape, they got together and filed a public interest litigation in the Mumbai High Court to change the law. This country is full of ridiculous stories like these.

Targeting stakeholders

Even if we reach some part of the middle class, that's fine.

In my opinion, some of the most ignorant people in this whole process are doctors. My dad's a doc. I grew up around docs.

We worked with these friends of ours who do sex education in Mumbai. One of the contributors to their website is a doctor, a graduate of what we can call an enlightened college with liberal views. She wrote anonymously about the shock of hanging out at pan-India medical conferences where she heard doctors talk in a sexist way about everything, from rape to women to pregnancy to health, and she literally asked, "Where do I start *their* education?"

And we had thought it was just our prejudices, but here was an insider confirming them. Doctors must start thinking about how they approach these issues.

The way women are treated in labour wards is like rape. Many women have told me that while they waited to

have their babies, they have been probed and left naked with absolutely no dignity in a half-corridor. This is if you are middle class. If you are poor and in labour in a government ward, if you cry during labour, people hit you. And they are told, "Crying now? You didn't cry when you were having sex". I can attest that this is not an isolated incident — this is a national phenomenon.

If you [the interviewer is a medical student] focus on reaching out to a 1000 medical students, imagine the impact you can make on this culture.

Changes in the newsroom

A very simple thing I'd like to change: the stock images that go with rape (see Chapter 11). The usual dark hand, the woman crying in a corner: it shows the man coming up to rape, omnipotent, while the woman is a helpless, beautiful victim. It's a violent reinforcing of the idea of women as fragile. How about instead using pictures of a man being interrogated, being handcuffed, or of a protest against rape?

And of course, I don't know what to feel about politicians and their rape justifications. TLF runs them as jokes: once we collected a lot of images, ran their quotes and published them. I think we must stop reporting them at some point.

Another thing I'd like to change is the headlines: so and so raped for... the way it's constructed is like she was violated *for* something.

On Kashmir

After I read about the Kathua case where an eight-year-old was raped and murdered, I could not figure out life for a few days. Or the Handwara case where a minor withdrew her charges of molestation against an army man after being

detained for three weeks. [In the latter case] my lawyer friend in Srinagar said it was mind-numbing because you want to be only on the child's side, and not on the army or Kashmiri side, but there is no room for that because immediately you become a toy in this game of whose country, whose Kashmir, is this.

Kashmiri girls do not have the option of calling out Kashmiri men for their behaviour because you have to be on the same side. You can't attack your own people because that's a sign of weakness. I follow the Kashmir Women's Collective on Facebook and you can discern that there's this fight happening between men and women there... just like on any women's Facebook page where men come and give their *gyan* [wisdom]. For instance, there were pictures of girls lying down in a park, with Kashmiri men commenting that these are Western notions and that Kashmiri women don't need to go to a park. It becomes so complicated, because of militarisation, to have any sort of conversation.

CHAPTER 7

A LACK OF KNOWLEDGE MARS LGBTQ+ REPORTING

BINDUMADHAV KHIRE, INTERVIEWED BY
PRANATI NARAYAN VISWESWARAN

Pune-based queer activist Bindumadhav Khire runs the Samapathik Trust, an NGO that has since 2002 worked for the legal, medical, and social empowerment of the "LGBTHI (Lesbian, Gay, Bisexual, Transgender, Hijra, Intersex) community". He spoke to Pranati Narayan Visweswaran on how the portrayal of sexual violence by the media has impacted this community, and where he believes journalists could do better. Edited excerpts.

In Chennai, sometime around 1991, I had gone to the theatre. A man sat next to me, and I realised that he was expressing sexual interest. It made me feel uncomfortable, even though I desire men — this kind of unwanted advance and in a public place would make anyone feel uncomfortable, whether gay or straight. I moved a couple of rows away, and luckily the man did not pursue me. I did not consider filing a case then as I had not come out, and he did not try to harass me further. But even if he had, I doubt I would have had the courage to go to the police.

When it comes to gay and transgender people, more than sexual violence, the problem is that their identity is exploited in order to extort money. There have been a number of cases where [gay] dating apps have been used to lure people and extort money, especially because in going to the police they run the risk of revealing their identity. There have also been cases where a gay man or transgender person has gone to someone's house for what they think is consensual sex with one other person, but they end up being forced into having sex with a group of men.

In terms of sexual orientation, transgender people and feminine men are more visually identifiable, and therefore probably more prone to sexual violence. But a homosexual man could also molest a straight man. Whatever the sexual orientation of a person, gay or straight, sexual harassment makes people uncomfortable, and affects them. We need to make it clear that no matter the identity of the person, it is the act being committed that is wrong.

An unapproachable system

The Samapathik Trust does receive a few cases [related to sexual violence], but unfortunately we have not been able to do much. As an NGO we have limitations. We can try to help victims through contacts and filing cases, but the person has to be willing to file an FIR or approach the police. We found that in almost all of these cases, the person concerned would have liked to do something, but was not willing to due to the criminalisation that came with Section 377 [in September 2018, consensual gay sex was decriminalised in India].

Many [complainants] have faced issues where they have become targets of Section 377, and these people are usually young, and have not come out to their families yet. Despite the fact that we were willing to assist them in going to the

police, the victims were unwilling. This means I do not possess a single case of rape complainant who has approached us and gone ahead to file with the police.

Also, it is not just sexual assault that affects the community, but also harassment. But this sexual harassment — such as [verbal] abuse and unwanted touching — has become a way of life, especially for trans people. The police, and society at large, tell them, "*Tum aise ho, log tumhare saath aisa hi bartav karenge* (You are like this, so you will be treated this way)".

Grey areas

Sexual violence is a huge problem for not only women, but also the LGBTHI community, but we only see the tip of the iceberg. I am not taking the side of the media, but they are not really to blame in the case of the LGBTHI community. The media have to report based on what has happened... for the media to highlight the issue it can't come out of grey areas. I have had several instances where media channels have asked for stories, and said that the identities of the victims would be protected, but unfortunately people were afraid and refused.

We need to find out why these stories aren't coming out, and if there is something we can do to protect the individual's identity. It is such a sensitive and traumatic issue for the victim. In 2017, a transgender woman was raped in Pune by four men. A complaint was filed, as was a Section 377 case against the men. However, Section 377 did not include the protection of transgender people. So, several sections under the Indian Penal Code relating to Section 377 couldn't be held up in the case. I got in touch with this woman through the journalist who was reporting on the case, but despite my talking to her the victim refused to file an

intervention or tell her story as she was disgusted with the way it was handled.

Even if the media are expressing interest in bringing out stories of sexual violence related to the LGBTHI community, they are unable to gain proper statistical data. We can't do anything until we understand the size of the iceberg.

Confidentiality is key

I think the media are doing an okay job, not great, but definitely not bad. They are more or less sensitive enough to understand the issue. When sexual violence cases come up — say, #MeToo — they are highlighted for a while, and then interest dies down until the next thing happens. I can't blame the media because that's the nature of the game.

The biggest issue is maintaining confidentiality and identity. There have been a few journalists who have named the victim, and stuff like that, but it is far better than a few decades ago. The court has taken some stringent actions. There have been a couple of violations in the past and I'm surprised that the editors didn't catch it. Even one breach of confidentiality terrifies people. They say, "*Iska naam aaya, toh mera bhi aayega* (This person's name came, then mine will also come)". There has been some improvement but this concept of confidentiality seems to be alien in Indian culture.

I do not have evidence of this but I think there could also be a bias towards reporting on sexual violence against women vis-à-vis other genders. Despite the recent court judgments, the general feeling of the people towards the LGBTHI community is not positive or affirmative, so less focus is given to the community. I wouldn't be surprised if a bias existed, knowing the atmosphere that prevails.

Damaging stereotypes

The coverage of child sexual violence can be problematic, especially when boys are molested. I don't think the media have made the effort to highlight the difference between a paedophile and a homosexual man. The layman is generally ignorant of sexuality, which means that when a man abuses a small boy then it is automatically assumed that he is a homosexual.

Journalists do not seem to make enough of an effort to understand these terms. I've seen so many journalists with good intentions, but they use certain terms interchangeably. They must ensure that when they write articles, the homosexual community is not mislabelled as comprising paedophiles. The use of the wrong terms enforces stereotypes and misconceptions.

Another area where the media can help is to facilitate an understanding of what constitutes violence or harassment. A man makes a pass at another man — at what point is it an unwanted advance, and at what point is it violence? Many people who undergo sexual harassment and violence are accustomed to it. It becomes a norm for them. People need to first be able to understand what is happening to them. It must be put across to people that whether they consider it a normal part of their lifestyle or not, it is not so. This is an awareness that is totally lacking, and I haven't seen in the last 18 years even one instance where this area is made clear. Harassment is wrong, and this must be made explicit.

CHAPTER 8

JOURNALISTS NEED MORE SUBJECT EXPERTISE

JAGADEESH NARAYANA REDDY,
INTERVIEWED BY SPURTHI VENKATESH

Forensic professor Dr Jagadeesh Narayana Reddy was a member of two national committees that formed guidelines for the medico-legal care of victims and survivors of sexual violence in India. In 2013, he was part of the group which formed the policy and clinical practice guidelines for responding to violence against women for the World Health Organisation. As a consultant for the Centre for Health and Allied Themes, he is a trainer and promoter of the SAFE (Sexual Assault Forensic Evidence) kit project. He is also a member of the Review Board for the *Indian Journal of Medical Ethics* and the head of the department of forensic medicine at the Vydehi Institute of Medical Sciences & Research Centre in Bengaluru. In an interview with Spurthi Venkatesh, he spoke about how the justice system is often stacked against survivors/victims, and why he is often frustrated by how the media handles sex crimes. Excerpts.

. . .

Sexual violence is a public problem, which requires a holistic approach with all stakeholders — the government, police, doctors, media — working in synergy rather than pointing fingers at one another. However, the system within which we address rape cases is flawed.

An all-or-none system

Our country has an adversarial system — the prosecution has to prove the case with the responsibility of presenting all the evidence to the satisfaction of the court, while the defence only has to disprove the prosecution's case. Cases are counted on the basis of conviction. This is a problem in sexual violence cases where conviction rates are relatively low. If the accused is acquitted or even when the survivor does not turn up in court, the survivor is assumed to have made a false case. This also affects the compensation and rehabilitation that the sexual violence survivor is entitled to, as these are disbursed only if s/he participates in the criminal investigation. The poor conviction rate means several cases of sexual violence are not counted for recompense.

Now contrast this with some states in the US, where the survivor has a choice to approach either the criminal justice system or the social support system. They can report either to rape crisis centres or to the police. The recompense to the survivor is not affected by which system they report to.

In India, we have an all-or-none system, where without an FIR, it is simply a false or non-existent incident. A social investigation system in some states of the USA is concerned only with the survivor's medical or financial needs and shelter. It does not concern itself with the accused or criminal investigation. I think it is a system which has worked well and can be duplicated here.

Finally, transparency is important. Today, we can access

registered FIRs online and case proceedings are available to the public in some states. So, why not in all states? Why not at all levels of the judiciary, from the district to the Supreme Court? Except for certain sexual offences like those against children, transparency is not a problem.

Another solution could be to set up an inbuilt online mechanism which can convey necessary information regarding any case, thereby protecting the rights of all involved parties. By doing so, both the media and the public get the big picture of a case rather than misinterpreted reports from different people.

Medico-legal issues and the media

The other stakeholders expect medics to be Sherlock Holmes — that the moment a doctor examines a sexual violence survivor, he or she will come out with a verdict. What they don't understand is that medical evidence is scientific evidence. And scientific procedures can be limited in different circumstances — for example, evidence may be lost if the survivor waits for a longer period of time before undergoing a medical examination. And the doctor doesn't have a say in when the survivor seeks medical help.

While there may be lapses in some cases — like incomplete examination, improper evidence collected and tested — all negative outcomes of cases are not because of the doctor. Stakeholders have to understand the circumstances and types of sexual violence and the limitations of scientific evidence.

Previously, conviction was based on the presence/absence of semen, which purportedly indicates penetration, and physical injuries indicating that the survivor resisted. However, since 2013, the definition of sexual violence has widened. The penis may or may not be involved, and even if

it is, the perpetrator could have used a condom or not ejaculated within the orifices. Physical evidence in such cases is more difficult to gather.

A lack of understanding of this expanded definition by the general public and media often leads to victim blaming — that's the gender bias playing up again — since it is assumed that the lack of physical evidence means no crime was committed.

Noise without know-how

There are two aspects that disturb me about media coverage. The first problem is sensationalism and catchy headlines in order to grab attention. I think there should be regulations for crime reportage so they deliver news sensitively and remain neutral to both accused and victim.

The second issue I have is with the lack of knowledge of technicalities. Not much research goes into the medical or legal details pertaining to a crime. To give you an example, when the Supreme Court banned the two-finger test for rape, the Bengaluru edition of the *Times of India* reported the story with the caption that doctors would now use forceps instead of fingers. I was so disturbed that I used my contacts and went all the way to the Bengaluru editor but her only response was, "Sorry, we will look into it". They used half-knowledge to take the verdict totally out of context: it was unbelievable coming from a major publication like the TOI. Nothing came out of my sincere efforts and the damage was done. The wrong message had already been delivered to the readers.

The media must understand who the stakeholders are in any issue they report, understand the changes in laws, understand the compulsions of each stakeholder and talk to the designated spokesperson. They must also do their

homework — their own research — before they file a report.

As per the Indian Constitution, the media are a watchdog. There must be a conscious effort to convey the right information while keeping in mind that they cannot go beyond their responsibilities. To ensure this, ethical policies and guidelines must be established to make them accountable to the public. For instance, if a newspaper makes a mistake, it must be published in the corrigendum the next day. The corrigendum must occupy a designated column in the newspaper every day. This will give rise to transparency and authenticity.

The media have to find a balance between attracting viewers' interest and also not violating the rights of individuals. Every sentence and word holds value in reportage as it influences the masses. There should be a sensitive approach while keeping in mind good ethics, policies, and guidelines.

The media have a degree of freedom to spell out their own conclusions, but they also have a duty to ensure that the sources of information are clearly demarcated. They must guard against instigating a media trial even before the court has one. Announcing the guilt of the accused or blaming the victim may change the course of the trial or shift the focus of the story. There is a special set of experts within the system for the social investigation of crimes, and the media need not take part in that.

A need for medical journalists

A forensic report is for a particular purpose — either for investigation or adjudication in the courts, and not meant for laypersons [including those in the media]. In a sexual violence case, the media may pick up an irrelevant aspect or they may

decide to focus on a detail that allows for a negative portrayal of the survivor's character.

However, the media can strengthen a story with a quote from forensic experts. That's where medical journalists should come into the picture — subject matter experts who can deliver curated information from a clinical perspective as well as with a clear understanding of sentiments involved. I think journalism colleges need to focus on developing sub-specialities, especially for medicine, which requires a sensitive approach.

CHAPTER 9

HOW NEWS IMPACTS VICTIMS

BEULAH SHEKHAR, INTERVIEWED BY HARIKESH P

Dr Beulah Shekhar is professor and head of department in the department of criminology and criminal justice at Manonmaniam Sundaranar University (MSU), Tirunelveli. She is also the coordinator for the University Grants Commission-sponsored programmes for victimology and victim assistance and human rights education.

In an interview with Harikesh P she explained how the media's representation of sexual assault victims can affect crime reporting rates and why it is necessary to spread awareness about victims' rights. Edited excerpts.

VICTIMS NEED TO BE TREATED WITH COMPASSION AND dignity, be informed of their rights and of support services available of them, and should have access to the mechanisms of justice. Measures must be taken to minimise inconvenience for victims, protect their privacy, and ensure their safety.

The World Society of Victimology was instrumental in preparing the UN Declaration on Basic Principles of

Justice for victims of crime and abuse of power in 1985. It has two parts, one for victims of crime and the other for victims of abuse of power. This document stresses that the criminal justice system has to provide four things to victims: access to justice and fair treatment, compensation (from the state), restitution (from the offender) and assistance (material, psychological, social, financial, legal, medical)

Without focusing on these four areas, the victim will remain what has rightly been called "the Cinderella of the criminal justice system".

Helping victims come forward

Frontline professionals play a key role. These include the police, lawyers, doctors, media, and others who come in touch with the victim in the immediate aftermath of the crime. Training for the police is crucial [because] the victim's first interaction with the police is crucial to how they cope and recover. Research also consistently shows that many victims are reluctant to seek assistance from the police because they believe they will not be helped.

Media coverage too has an impact not on the occurrence, but on the reporting of crime. After the Nirbhaya case there was a spate of crimes being reported, which was erroneously interpreted as an increase in rapes. It was actually a good sign as it showed increasing faith in the justice system.

The victim holds the key and is the gatekeeper of the criminal justice system (CJS). However, the treatment meted out to victims is deplorable and has turned many away from the system. If not for the victim, the CJS in all its glory will cease to be functional. It is the FIR that sets the CJS in motion. Even now, though, large numbers of crimes go unreported for various reasons, especially sexual crimes. The dark figures of crime are not captured in the National

Crime Records Bureau or in the crime statistics of the country.

A necessary shift in focus

Sexual violence should be portrayed as the offender's problem rather than just as an issue to be tackled by the victim or survivor. The government should shift focus from the protection of vulnerable victims to preventing the offending behaviour. The slogan "Don't teach your daughters to be careful, teach your sons not to rape" holds good in this context.

Victim blaming and saying that s/he precipitated the crime in some way are to be avoided. The media have a huge role to play in portrayal of these crimes. When we conduct training programmes for media personnel, they are sensitised to not use terms that insinuate that the victim was in some way responsible for the victimisation.

From 'victim' to 'survivor'

I would definitely advocate for the use of the word victim, as it gives the affected person certain legal rights.

After so many years of lobbying in 2008, Section 2 of the Code of Criminal Procedure, 1973 (w) finally defined 'victim' as a person who has suffered any loss or injury caused by reason of the act or omission for which the accused person has been charged. The term 'victim' also includes his or her guardian or legal heir; this definition is in line with the UN Declaration.

Having said this, it is support from victimologists, victim service providers and the CJS that moves a victim towards becoming a survivor. These agencies assist victims along the road to recovery by addressing their needs and facilitating

their right to access to justice. So, recognising victimhood is crucial to recovery.

In this context, the police-public ratio in India is far below the UN standard, and is among the lowest in the world. Furthermore, there are only 19 judges per million people, though this figure is increasing. These numbers show that public servants alone are not able to deal adequately with crimes, let alone meet the needs of victims.

Given this situation, NGOs play a significant, often central, role in India in trying to represent the human face of the CJS and make the process victim-friendly. India has one of the largest numbers of active non-government, not-for-profit organisations in the world. A recent study commissioned by the government put the number of such entities at 3.3 million, one NGO for fewer than 400 Indians, though this is likely to be an underestimation as many do not register.

NGOs play a large role in creating awareness of the victim's needs and how they might be addressed through victim-friendly legislation. NGOs have been and still are focal to changes in the interpretation of the Constitution to recognise and provide for victims. An old saying goes, "God cannot be everywhere so he made mothers". Similarly, "the government cannot be everywhere, hence the need for NGOs in India". More often than not, in India, it is the NGO that helps the victim become a survivor.

Towards a more victim-friendly system

India remains one of the few countries in the subcontinent with no victim legislation. A lack of political will could be the only reason as a draft bill was submitted for consideration as early as 1998.

The UN's *Handbook on Justice for Victims* calls for

implementing victim service programmes and for developing victim-sensitive policies, procedures, and protocols for criminal justice agencies and others who come into contact with victims. These may include police, prosecutors, legal and other victim advocates, judges, to those to whom victims reach out in their immediate circle — to their family, friends and neighbours — and to various informal, indigenous support structures.

Victims should also be aware of their rights as per the UN Declaration 1985. These include the right to attend and participate in criminal justice proceedings, the right to apply for compensation or restitution from the offender, the right to protection from intimidation and harassment, and the right to a speedy trial. India is a signatory to this declaration and therefore should ensure access to justice and fair treatment, compensation, restitution, and assistance to victims.

Many countries have noted that special categories of victims may require particular attention, owing to the problems they face in coping with the victimisation and/or their limited access to justice. Women, children, the elderly, persons with disabilities, sexual assault victims, domestic violence victims, victims of hate crimes, refugees as victims, and victims of large-scale crimes: for all these categories special measures may be necessary to ensure adequate and/or equal treatment.

Finally, in my research, I've found that if we fail to provide assistance to victims, we are creating potential offenders.

Without victim assistance, there would be no reporting, no reconciliation and no healing — resulting in internalising of anger and frustration leading to lack of coping skills which results in crime or offending behaviour. In fact, I presented a paper titled 'Crime as a cause of crime' at the Stockholm Criminology Symposium in 2012.

The balance is tilted in favour of the accused in most common law countries, thus rendering the criminal justice system insensitive to the needs of victims. Making the criminal justice system more victim-friendly system would be the road ahead to preventing victims of crime from turning into offenders. Hence, victim assistance can also be viewed as a great crime prevention strategy.

CHAPTER 10

THE MEDIA ARE FAILING CHILDREN

MEGHA BHATIA, INTERVIEWED BY SAUMYA AGRAWAL

Megha Bhatia is the founder of Our Voix, a youth-led organisation that focuses on the prevention of child sexual abuse. In this interview with Saumya Agrawal, she urges journalists to adhere to the laws around reporting on POCSO (Protection of Children from Sexual Offences) cases. Excerpts.

WHEN CHILDREN ARE ABUSED, THEY CANNOT RAISE THEIR voice ['*voix*' is French for voice]. They don't even know what is happening. The harm is so deep that its impact never dulls. Adults understand what has happened to them and that they need to report it. It's our responsibility to provide protection to children. My organisation works on the primary prevention of child sexual abuse in India.

We do workshops for children — primarily in the six-12 age group — as well as for teachers and parents.

Children are taught through games and cartoons in our workshops... we use a lot of pictures and conduct activities like *nukkad nataks* (street plays), flash mobs, and discussions.

We don't do danger talks because we don't want to create fearful children. We have to create fearless children.

These are one-time workshops but we do go for a follow up a month later. At first, children are often hesitant to talk about the issue, but after an hour of the workshop you can see a change in them — even those who didn't know the names of private parts at first come forward to answer questions.

Empowering children

While interning with the Sofia Education and Welfare Society, an NGO, I dealt with child abuse cases frequently. I'd take them to the police station and for medical examinations, and the experience made me realise the magnitude of the problem. I also familiarised myself with the child abuse laws of India — in particular the POCSO (Protection of Children from Sexual Offences) Act, 2012 — and understood that violations extend beyond touch to include behaviours such as making children watch pornography, and other forms of harassment and exploitation.

During my internship, when we used to take the statements of children, they used to say things like, "He touched me from where I urinate". They didn't have the vocabulary to explain what happened to them.

Some parents don't even know the correct names for private parts and are hesitant to discuss sexual abuse... they find it difficult to communicate with children. We at Our Voix are not hesitant and it works. We tell them that it's a body part, *hasne ki kya baat hai* (what's there to laugh about)? Tell them the purpose of private parts. This makes it normal for them.

Also, it is important to be a child with them. Be their *didi, bhaiya* [big brother or sister]. They will love you and listen to

you. Become friends with them. Be a part of their family. Share a part of your life with them. They will do the same. Understand the language of children. Make pinky promises.

It's important to teach about good and bad touch but we have to be careful about the language and the technique we use. We heard about a child who stopped hugging his father because he believed it to be a bad touch.

Stories are also an effective way to teach children about the process of sexual abuse, of grooming: the abuser gains the trust of the child, asks them not to tell anyone what happened as it's their 'secret'. Everyone knows they lure kids by offering toffees. But they also say things like, "If you tell your mother, I'll beat her" or "Your mother isn't going to trust you". They even make the child believe that they enjoyed the abuse. We inform kids that they should break the pinky promise and share it with an adult.

We can't tell them not to trust their father or mother. We don't ask them to trust one person. We ask them to trust everyone. If something happens, share it with everyone — parents, uncles, aunts, grandparents. So if the parents are involved, the child can trust other people and share it with them. Their trust in the abuser will be broken but at least this way they will have someone else they can go to for help.

Sensitising parents and teachers

Sensitising parents is the toughest because they believe that they know everything, and are resistant. They think, "What will this girl teach us?" Some parents are very rigid. What works is if you acknowledge their point of view first and then tell them that what you have to say is very important for children.

We educate them about the legal procedure. In the majority of cases, family members, relatives or known people

are involved, so people refrain from reporting. We tell them that according to the law, if they don't report, they can also be sent to jail. We inform them that the provisions are child friendly and that it's not difficult to report. It's not necessary for the child to visit the police station. They fear being shamed for having the police visiting their house. We educate them that the police will visit in civil clothes. We make them understand that it's important for them to listen to their children and stand up for them. Because if parents don't take a stand, people will think that it is easy to abuse the child.

Parents' awareness is lacking too. During a workshop, the parents told us what they understood by the term *baal yaun shoshan* (child sexual abuse) — they thought it was an education campaign run by the government.

In another workshop, I asked parents, "If your child is abused sexually, who do you think your child will share it with?" They very confidently said that their children would come to them. However, when we spoke to the children earlier, most said they would tell their friends and not their mother — because "if I tell my mother, she will beat me. She will not allow me to go outside the house". And this was not a workshop in an underprivileged society. We teach parents not to have a victim-blaming attitude towards their children.

Similar workshops are conducted for teachers too. They have surprisingly given us a good response. Recently we went to an MCD school where the teachers were really happy that we were telling children about sexual abuse in a friendly manner, and wanted materials from us. Once we covered all sections of a class except one. The teacher of that class asked us to address her students the next day. Teachers want guidance on how to teach these things to children.

When we go to government schools, we are asked if boys are also to be given the workshop. We tell them it is happening with boys too, they also need to be educated.

The media need to step up

I think the media can play a very important role and can give a voice to people. They can share stories that need to reach many people. Unfortunately, the media aren't doing their job properly. For example, Section 228A of the Indian Penal Code prohibits disclosing the name of the victim or giving any information that could make them identifiable, and even the POCSO Act doesn't allow the identity of the child to be revealed. But it happened in the Kathua case. The media's justification was that the victim had died. In another case, the media disclosed the neighbourhood and workplace of the victim — this would have made it easy for friends and neighbours to identify her. The media should be sensitive to these issues. Instead of sensationalising the news for TRPs, they should report facts.

Journalists and students of journalism should be given training about laws. It is important for media to understand and respect what the law says.

I also have an issue with statements such as "A nine-year old raped". This kind of language can make the victim's family feel that it was their daughter's fault that it happened to her. Why only say that a nine-year-old was raped? Why not say that this criminal raped her? Don't focus on the victim. Spare her and focus on the accused. Do you know the names of all the rapists of the Nirbhaya case? People only remember the name Nirbhaya. Had the media repeatedly taken the names of the rapists, we wouldn't have forgotten them.

The media need to be extra-sensitive when reporting on child rape. If they return to school, a child could be teased about what happened to them. Their schoolmates may not even know that rape is a bad thing — they will merely pick up cues from the media.

Victim-blaming creeps into the information shared by the

media, indirectly if not directly. It should not matter that the victim was wearing a short skirt or club-hopping — that has nothing to do with rape. But people see what the media show, so there needs to be more sensitivity in reporting.

Journalists should know their aim — whether they want to sensationalise the news or educate the public. It would probably help if journalists were given training on laws and ethics at regular intervals.

Media trials shouldn't happen either. The media should relay the facts and let the judiciary do their work.

If we start reporting more about the judgements then the culprit will fear the punishment and the reader will be satisfied that justice is being done. Of course, the mindset of people can't be changed quickly, it will take time.

Capital punishment

India is at a stage where if you don't create fear, people won't stop themselves from committing the crime. Some people say the rapist might murder the child after rape (so he or she can't report them) if the death penalty is allowed. But think like this — maybe the abuser will not commit the crime of rape out of fear of capital punishment. People fear death. In the long run, however, reformation is a better solution. When the statistics improve, we can go for life imprisonment. Work on improving the mindset of convicts. Make them good humans so that they can help society.

PART II

LANGUAGE AND REPRESENTATION

CHAPTER 11

REAL-ISING RAPE

SAUMAVA MITRA

Rape is unreal, or at best an abstraction. That is the impression you get from the visual language of the Indian news media. This is not acceptable since sexual violence affects millions of people in India — cutting across the divides of religion, caste, and language — and it is important for it to be represented in a manner that acknowledges the severity of the issue. How can we do that? How can we change the current visual language? There are examples we can consider to help us rethink how we use imagery in the news coverage of sexual assaults.

Search and destroy

To begin with, the majority of visuals accompanying reportage on sexual assault in most Indian newspapers and websites seem to be from online stock image collections. These stock images are sometimes generic photographs but graphic art, cartoon images, and other non-photographic illustrations predominate. If you are among the majority who

skims through images and headlines when reading news, then gender-based violence in India would appear to you as happening mostly to vaguely female shapes, shadows, and silhouettes. Not to real women. Never to real women. I would go so far as to say that images that accompany most reportage on gender-based violence serve to destroy all meaning from the very words they are meant to draw attention to.

It is possible to deflect this criticism by pointing out that news organisations are required to adhere to the legal protection of the identity of victims of sexual violence. Most do. But because in some cases they did not, the legal protection against revealing the identity of victims was reiterated in 2018, to include a ban on publishing all identifiable information about sexual assault victims. Long-established journalistic visual conventions surrounding this publication ban has coalesced around using generic stock photographs, digital graphic art visuals, cartoon images, and other non-photographic illustrations.

An insightful analysis of the types of images used in Indian news media's visual narration of rape and sexual assault has recently been done by Neha Mann[1]. When going through the typology of the various rape-related visuals she has constructed, if one focuses on the ultimate impact of the meaning generated by such visuals, it makes for scary reading. As Mann points out, stock imagery — photographic or non-photographic — showing women under threat is often used. An identifiably female body, even if not always visibly Indian-looking, writes Mann, is the staple of such stock imagery, with the bodies in question signified as under threat through various symbolic postures and gestures.

However easy it might be to search and download such stock imagery from internet sources, the question we must ask is: does a generic cowering female body, with lustful

fingers reaching out towards her, help us in any way to grasp the events or social impact surrounding a sexual assault? I would argue that it destroys all meaning associated with the assault for the readers by depicting the female body as abstract, unreal, and, at best, an object. Such imagery indicates that the personhood of Indian women is pointless since their bodies are powerless before the force of the gazes and gropes of men.

The representative image

The types of images described above, which mostly accompany immediate reports of incidents, tend to slowly be replaced by other visuals in the aftermath of sexual violence. Some digital graphic art used for these reports have judicial undertones: a judge's gavel, handcuffs, cartoon policemen, or prison bars. When photographic images are used to show the actual place or people involved, long shots of court buildings, policemen (stress on *men*), and suspects with their faces covered start to dominate the visual space.

Sometimes, these justice-themed photographs are too abstract to mean much about real life to an Indian audience; also, this type of visual narration often serves to brush the discomfort of such acts taking place in a society you live in under the blanket-narrative of justice taking its due course. It allows us to carry on with our day because it is easy to imagine the judiciary as a safe space. It is easier to forget that judicial narratives of rape in general, and particularly in India[2], can be highly traumatising for victims of sexual violence too.

In short, these images visually signify a disembodied process to illustrate crimes committed against real bodies, allowing us to not dwell on the real, physical horror. This is an unnecessary effect we have allowed the legal protection of

victims' identities to have on how we visualise rape and sexual assault. 'Nothing to see here, move on,' these images seem to say, 'it's all *sub judice* now'.

Another popular type of photographic image that appears in Indian news reportage on aftermaths of sexual assaults and rape is that of marauding male rioters protesting a particular sexual assault incident, or scenes showing the destruction they have left in their wake. Such images help to visually reinforce another type of legal discourse for audiences. No matter how many words might describe the social implications of sexual violence, the images inscribe the impact of sexual violence on society as fuelling further acts of criminal aberration. By placing a social problem that is around us every day and one in which we are all implicated into a socially anomalous event precipitating abnormal inversion of law and order in the public, the news media create a visual narrative that allows the wider public to distance themselves and maintain their respectability in their own eyes.

The images that rarely become a visual part of the narrative are that of real Indian women affected by not the particular incident being reported on but more generally by the 'rape culture' and 'shame culture' that India, and Bharat, reserves for women. The ludicrousness of the absence of women from much of the visual space surrounding representations of rape and sexual assault is compounded by unconscious irony when some news organisations add the words 'representational' or 'representative image' or 'picture used for representational purposes only' under the stock photos or digital illustrations they publish. The images, whatever their purpose, are not representative of anything other than all of us — journalists and the public alike — taking the laziest visual option available when dealing with a

well-meaning legal directive to not reveal information about victims of sexual assaults.

To cover for the ease with which we click and download stock images from online sources to provide visuals as journalists, and consume them unquestioningly as the public, we talk about rape and sexual assault in commercial legalese. 'Picture used for representational purposes only' is a phrase directly inspired by the fine print legal disclaimers used in TV and online advertisements. Scholars have pointed out before that neo-liberal discourses shape the language used to report on rape incidents in Indian news media[3]. Also, such discourses decide which incidents will cause public outrage and which will not[4]. Our *visual* language for rape is no exception. Unfortunately, this is not the only way that our neoliberal zeitgeist, scripted in commercial phraseology, shape visual narratives of rape. Particularly, it insinuates itself into our digital news platforms in ways that undercut all meaning from the very real horror and pain being reported on.

You may also like…

Not only have we collectively decided it is fine to relegate visuals accompanying sexual violence-related news to the realm of the abstract and the unreal, but on digital platforms on which we increasingly consume news, we have let digital advertising algorithms run visual riot on the meaning being conveyed.

Visit the website of your favourite newspaper and look at some recent news reportage on rape. It won't be long before your eyes wander over to the images of the algorithm-generated advertisements shown to you. And studies show that you would not be alone. Research done on news-reading habits on both print and online news media have shown that

humans are drawn to 'para-texts' — for instance, breaks in the text such as headlines, images, and captions — when reading a newspaper [5]or a webpage[6]. While going through the website of a venerable Indian English-language newspaper, the visual suggestions from 'Around the web' took my eyes away from the news items on marital rape verdicts and gang-rape incidents. These ranged from 'Tips for dark men to increase their style quotient' to the contextually ominous 'Perfect date night gift for your partner'.

Similar reportage on another leading English language newspaper was accompanied by the clickbait photograph of a woman, face cropped out, wearing a dress with a high hemline and plunging neckline. On two of the leading Hindi news dailies in India, the suggested links displayed to me were for remedies that can stop men from being disappointing in bed, and another that promised to 'help' women fight wrinkly skin, hair loss, and weight gain.

Arguably there is no 'right' digital ad to display next to a news story about rape and sexual assault. But the digitally dictated visual para-texts offered by the 'You may also like' sections embedded in digital news can, by drawing attention away from the actual events, reinforce visual discourses that are not neutral in their affective meaning — at least not as displayed for the heterosexual male portion of the readership.

To take the first example from above, the clickbait image I described helps negate a woman's personhood—and rights of control over her own body — most effectively. Objectification of this female body goes beyond the usual means[7] of a woman's averted-gaze-while-being-gazed-upon that has long been the patriarchal norm in representing female bodies. The cropped absence of her face in the image does away with even the need for her to look away as she is being looked at. Simultaneously, the permission granted to the user to digitally 'touch' this thoroughly objectified body

of a woman mimics the self-accorded male impunity for the unwanted touching of female bodies in offline spaces. What meaning, then, is left for readers in the news about transgressions on women's bodies when simultaneously they have the invitation and option to digitally transgress the same boundary?

Acknowledging the issue

There have been recent attempts to change the visual language of reportage on rape in India. In 2017, the civil society organisation Breakthrough India held an event with a number of national and international partners to bring together "a group of graphic designers, illustrators, artists, photographers, writers, activists, journalists, people working on gender issues" to re-imagine the visual language used to represent gender-based violence in India — to 'redraw misogyny' as they described it.

In her typology of the visual imagery of rape, Mann takes into account the alternative visual depictions that came out of this crowd-sourcing exercise. Mann's discussions of the images, the examples she includes in her article, and the alternatives shared by Breakthrough India, show some small, subtle differences in the proposed imagery from the prevalent image types in news media. But they leave the question open as to really how different are the meaning of these images to those we already see in news reports.

These crowd-sourced illustrations and generic photographic imagery seem to draw from the same visual vernacular we are already used to seeing[8]. Though Mann seems to draw a different conclusion, I argue that the agency of the women depicted — whether drawn or photographed — is still subsumed by the power of the male gaze and touch, and the discourse of a-matter-*sub-judice*, which are prevalent

in Indian news. In any case, whatever impact on social awareness about gender-based violence that such crowdsourcing events may have, the impact they have had on the everyday image practices of Indian news media seems to be limited.

The crowd and the female gaze

Perhaps the crowd — outside of coordinated events — can be the source of inspiration, if not a solution. Apart from the type of visual imagery that Mann describes, and those I have described above, images of crowds of organised female protesters decrying sexual violence also make up a portion the visuals used in Indian news media. However, as they are mostly used, signs held by the protesters make up almost all of the image, with particularly the faces of women who are protesting either left out or only partially shown. The rationale behind this convention of effacement of women protesters is hard to understand when the events being shown are different from the sexual assault or rape incident, and thus in no way giving away identifiable information about the incident that is under the legal publication ban.

Why do women's public expressions of outrage against sexual violence need to be censored? If we see their protests as acts of reclamation, is there any logic to curtailing their physical visibility in the public sphere to the written words on the protest signs they are holding? Is it some deep-seated consciousness of our own complicity that makes us so afraid of the female gaze?

Representative with a purpose

When four men were convicted in 2014 of sexually assaulting a photojournalist in Mumbai, the Canadian Broadcasting

Corporation (CBC) used an image of a schoolgirl, her teeth bared in an appearance of rage, protesting against the 2012 Delhi gang-rape[9]. Compare that photo with the 'representational' illustration used by a leading Indian daily in connection with the same case — of men in handcuffs being ushered through a door by policemen[10].

The sense of outrage, of one act of violence against a woman being an act of violence against all women, I argue, is palpable in the first image, even while the caption makes it clear that the female person shown has no relation to the incident for which the conviction has been handed down on that day. In the visual representation that appeared in the *Times of India*, we are offered a non-photographic illustration that in spite of purporting to be directly about the event of the day, visually captures nothing of the wider public impact. At the same time, it undermines the sense of the real through its visual referencing of the fictional — a panel of a graphic novel at best.

Consider another example from the UK media, where the photo accompanying a story on the suicide of a Kolkata teenager — who was reportedly sexually assaulted twice and threatened — depicts her distraught mother laying flowers on her coffin[11]. The photograph is powerful enough to be the visual equivalent of a victim impact statement, a practice that is not part of Indian legal procedure. Showing the impact on the victims' family is of course not always possible as it might allow victims to be identified. But what is inspirational is how real women exercising agency to publicly express their outrage and grief in these two examples — of the angry protestor and grieving mother — are placed at the centre of the visual narrative. Both images tell us a seldom-shown side of gender-based violence in India. These photographs show us female bodies *resisting* and *reacting* to such violence.

These two images I have used as exemplars to inspire us to visually reframe reportage of rape in Indian news media are not the be-all and end-all of the visual response we need to create as journalists and readers. But there is a growing understanding that visually placing people affected by crisis at the centre of representing that crisis makes for far more public impact — an evidence-based approach that the *Guardian* has decided to adopt for its visual reportage on the climate crisis[12].

It is also true that the examples I have chosen are from Western news media organisations. But look closer and my arguments will look less like an excuse for the imposition of Western standards on Indian journalism. The photojournalists who took the two photos are Adnan Abidi and Piyal Adhikary respectively. They both live and work in India and are Indians whose images show us how the pictorial conventions of rape reportage in Indian news media can, and should, change. Even as we create a better visual response, what needs to change immediately is that journalists start becoming more considerate, more selective while searching out images to accompany news about gender-based violence. This might mean more time taken, but my hope is that by spending longer to look through photographic archives, they will chance upon more visual opportunities — and the narratives that they then create will linger that much longer in the public eye, letting viewers absorb the full horror and pain of sexual violence.

We will do well to remember that the legal protection against being victimised a second time (by not being identified in the news media) has the potential to make us suspend our collective judgements: on the matter which is *sub judice* and most importantly, on the victims. How Indian news media visually interpret this protection most of the time in their reportage only serves to suspend public horror and any

sense of shared pain. What we need are images that are *representative* and *with a purpose.* What we need, now, is for the news media to stop committing the silent, visual outrages that we see, and un-see, every day while reading about sexual violence.

CHAPTER 12

பாலியல் + சம்பவம் ≠ RAPE

PRANATI NARAYAN VISWESWARAN AND
ANKITA MATHUR

The term 'sexual violence' covers a spectrum of acts — including but not limited to rape, sexual harassment, intimate partner violence — that are perpetrated without explicit consent. The World Health Organisation (WHO) defines sexual violence as[1]:

> [A]ny sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed, against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting, including but not limited to home and work.

Different types of acts of sexual violence may have differing impacts on victims and be punishable by different provisions of the law, depending also on factors such as the age of consent. When it comes to media reporting on sexual violence, accuracy and clarity in the use of terminology is important in fostering an understanding of this complex

issue, and shaping the discourse around it. For example, in the West, there has been an ongoing debate about the media's questionable use of 'passive' terms such as 'nonconsensual sex' or 'forcible vaginal sex' instead of rape, and of referring to child abuse perpetrated on boys by attractive teachers as 'sex scandals'.

In the Indian context too, ambiguous language continues to characterise news reports on sexual violence. For example, queer activist Bindumadhav Khire has said (see Chapter 7) that one of his biggest issues with the Indian media is that "journalists do not seem to make enough of an effort to understand these terms... they use them interchangeably", and thus perpetuate "stereotypes and misconceptions". *NewsTracker's* Saumya Agrawal (see Chapter 13) also studied two weeks of coverage in the Hindi daily *Dainik Bhaskar* and found that the terms used were often "euphemistic" or "minimised the incident" and tended to use "Hindi transliterations of English words [for rape]... perhaps as a device to distance from the severity of the crime".

To explore this phenomenon further and with a wider regional and linguistic lens, we looked at a small sample of news reportage from three publications in three different languages — *Dainik Jagran* (Hindi), *Dina Malar* (Tamil), and *Times of India* (English). We selected four articles from each newspaper to analyse their use of terminology in cases of sexual violence.

Dainik Jagran

The first article that we studied of *Dainik Jagran* reported on an incident that took place in May 2019 and was headlined, "अंकल' ने तीन साल की मासूम से किया 'गंदा काम', फिर गला घोंट कुएं में फेंका (Uncle does dirty deed with three-year-old innocent, strangles her and throws her in a well)" [2]. This article used

the phrases "गंदा काम" (dirty work), "हवस में" (in lust), "दुष्कर्म" (misdeed), and "घटना" (incident) to refer to the act. The words for rape or sexual assault did not appear anywhere.

The second article, from November 2019, was headlined "गाजीपुर में बालिका संग दुष्कर्म, आरोपी फरार (Misdeed done with girl child in Ghazipur, suspects absconding)". [3]The lede uses the words "दुष्कर्म" (misdeed) and "'मामला" (matter). The idiomatic phrase "आरोपी ने उसके साथ मुंह काला किया" also appeared, which essentially means that the suspect and the victim "disgraced each other".

The third article, from April 2019, was headlined "शादी का झांसा देकर महिला से 12 साल तक दुष्कर्म (Man rapes woman for 12 years on the pretext of marriage)"[4]. Here again the word "दुष्कर्म" (misdeed) is used, as is "घटना" (incident) and "मामला" (matter).

The last article studied, from February 2019, was about a gang-rape and was headlined "कोर्ट के आदेश पर सामूहिक दुष्कर्म का मुकदमा दर्ज (Case of group misdeed registered upon court's order)"[5]. Again, the word "दुष्कर्म" (misdeed) was used repeatedly.

The Hindi term for rape (बलात्कार) did not make an appearance and the fact that these crimes were sexual was alluded to in the language, but never explicitly stated. This is very much in line with Saumya Agrawal's findings in her analysis of *Dainik Bhaskar*. Various acts of sexual violence are all clubbed into the vague category of a "misdeed".

Dina Malar

The four articles we looked at in *Dina* Malar were all from October 2019. The first story, "சிறுமி மீது பாலியல் வன்முறை 10 ஆண்டு சிறை தண்டனை உறுதி (10-year prison sentence for committing sexual acts on girl)"[6], used the word (sexual) in conjunction with "வன்முறை" (violence), "கொடுமை"

(harassment), and "செயலுக்கு" (act), making the exact nature of the crime unclear. There are also references to "physical relationships" in connection with statements about laws.

The second story, "பொள்ளாச்சி பாலியல் சம்பவம் சி.பி.ஜே.க்கு ஐ கோர்ட் உத்தரவு (Directive given to CBI by high court in Pollachi sexual assault case)"[7] uses the word "பாலியல்" (sexual) in conjunction with "சம்பவம்" (incident) and "வன்முறை" (violence).

The third article, "குழந்தைகள் ஆபாக வீடியோ கேரளாவில் 12 பேர் கைது (12 arrested in Kerala for taking video of children being harmed)"[8] mentions "பாலியல் அத்து மீறல்" (sexual violation), which is the term used in reference to the section of the police that deals with such cases. There is also a description of the pictures posted as "pornographic", which is a term that is increasingly regarded as inappropriate for images of child sexual abuse.

The last article, headlined 'நிர்பயா' வழக்கு குற்றவாளிகளுக்கு கடைசியாக கருணை மனு வாய்ப்பு (Last mercy petition for the perpetrators in the 'Nirbhaya' case)"[9] does not include the word for "sexual" at all. Instead, phrases indicating a "violent incident" are used; this is also the only article where the word "பலாத்காரம்" (rape) appears.

We can see a trend in the way language is used in these articles. The word sexual is used in connection with broader terms such as "violence", "harassment" and "incident", but no specific terminology is used. In addition, words such as "sexual violence" and "sexual harassment" are sometimes interchangeably used for the same incident. The only exception is the Nirbhaya story, where the word for "rape" is used, perhaps because this case is a major component of the wider discourse on sexual violence in India.

The Times of India

The first article studied from the *Times of India*, from July 2018, was headlined "18 acquitted in Paldi gang-rape case"[10], and also referred to the alleged crime as "sexual exploitation"; mention was made of the victim's father "molesting" her as well. The second article from December 2018, "Pune girl's rape & murder: Victim's uncle held"[11], described the crime in these same terms consistently. The third article, reported in November 2019, had the headline "Faridkot: protests continue over sexual harassment case"[12] was also consistent in its use of the term but did not define how this manifested. The last article, "Taken on joyride, 5-year-old raped by auto-rickshaw driver in Bihar's Darbhanga: Police"[13], reported in December 2017 uses the terms "sexual assault" and "rape" to refer to the same incident. The phrase "sexual crimes'" is also used as a broader term to refer to the state government's response to these issues.

In the English-language daily, the subject of sexual assault is treated less gingerly and we see the use of specific terms such as "rape", "gang-rape" and "sexual assault", which are used fairly consistently. Only in one article are "rape" and "sexual assault" — which is a broader term that includes rape — used interchangeably. The term "sexual harassment" also appears in one story, but there are no specifics or indication about which penalties under the law might apply.

A need for clarity

From the three publications that we studied, it was clear that the two regional-language newspapers — *Dainik Jagran* and *Dina Malar* — used ambiguous terminology when reporting on sexual violence. While *Dina Malar* used the Tamil word for "sexual" in conjunction with other words such

as "incident" or "violence", the exact nature of the offences remained vague. *Dainik Jagran,* meanwhile, did not denote the "sexual" nature of a crime explicitly — instead, this meaning was implied through context.

In contrast, the *Times of India*, used the word "rape" for some cases, sometimes interchangeably with "sexual assault". There was some amount of differentiation in the terminology used for various acts of sexual violence, although it remained unclear what came under the ambit of "sexual harassment" and "sexual assault".

The greater accuracy in the English-language paper could be linked to the possibility that regional publications may have less exposure to on-the-job training and capacity-building in the context of reportage on sexual assault, and also cater to audiences that are believed to eschew open discussion on such matters.

As mentioned earlier, terminology matters for a multitude of reasons, legal and conceptual. 'Sexual violence' is an area that is notorious for its shades of grey around the meaning of consent, coercion, and what is criminal and what is not. In this context, clarity in reportage becomes even more important. For laypersons who are unaware of the difference between these, the news media could then not only be informational, but also educational. Yet, reporters too seem to struggle with finding and using the right words.

Fortunately, there is an increasing number of resources for journalists who seek to be more accurate and sensitive in their reporting on sexual violence. In November 2019, UNESCO launched a very useful handbook for journalists called *Reporting on Violence against Women and Girls*[14], which can be accessed online, and which includes definitions of different types of offences as well as the kind of language that should be used. More specific to the Indian context is Feminism in India's *Gender-based Violence in India: A Media*

Ethics Toolkit on Sensitive Reportage[15], which is also packed with illustrative examples and helpful pointers; this too is available online. While such material is still sparse in regional languages, it is possible to make a start by simply doing our homework as reporters.

CHAPTER 13

THE PARADOXICAL LANGUAGE OF RAPE IN A HINDI NEWSPAPER

SAUMYA AGRAWAL

There is an international spotlight on India's 'rape culture', and every day the newspapers feature a multitude of stories about sexual violence. Yet, the public reaction is generally one of indifference, albeit punctuated by the occasional eruption of outrage. Is that because people have seen too many news items about rape? Or is that because of the *way* in which such news is reported? What impact could the language used to present rape and sexual violence have on the minds of newspaper readers?

With these questions in mind, I decided to parse the Hindi daily *Dainik Bhaskar,* looking at issues from 16-31 May, 2018.

What struck me right away were the terms that the newspaper used to describe sexual violence — some were euphemistic in nature, others minimised the incidents, and every so often, Hindi transliterations of English words were used, perhaps as a device to create distance from the severity of the crime.

For sexual harassment and assault, words like छेड़छाड़ ('*chhed-chhad'*, teasing), बदसलूकी ('*badsalooki*', misbehaviour),

अश्लील हरकत (‘*ashleel harkat*’, obscene act), and यौन उत्पीड़न (‘*yaun utpeedan*’, sexual harassment) featured frequently.

Rape was usually politely referred to as दुष्कर्म (‘*dushkarm*’, misdeed). In other cases, the English word ‘rape’ was transliterated into Hindi (रेप). The reason for this use of another language remained unclear, since there exists a Hindi word for rape — बलात्कार (‘*balaatkaar*’). The use of the English word hinted perhaps at an underlying perception that rape is alien to the Indian readers, and they should be ‘protected’ from the very concept. The correct Hindi term for rape was used only once in the 16 days that I looked at *Dainik Bhaskar*.

This reticence, however, did not extend to descriptions of sexual violence, which more often than not seemed intended to elicit fear as well as pity for the victims. Readers were told of how the victims were attacked with sharp objects and iron rods (“नुकीले सामान और लोहे की रॉड से हमला किया गया”) or threatened at the tip of a knife (“चाकू की नोक पर धमकाकर”). One victim was even described as a prey of lust (“हवस का शिकार”). Only on a couple of occasions were relatively empowering messages stated in relation to victims — one story described the victim as not losing her courage (“हिम्मत नहीं हारी”), while another said that she should get justice (“पीड़िता को इंसाफ मिलना चाहिए”).

The headlines of stories about sexual violence also focused excessively on victims — where they were, what they were doing, their profession, their age. They were spoken of as passive subjects of crime, while the rapist’s agency was glossed over. Examples include: “गुरुद्वारा नानक प्याऊ में महिला सेवादार से छेड़छाड़, मामला दर्ज (Volunteer at Gurudwara Nanak Piao molested, incident reported)”[1], “महिला बॉक्सर से बदमाशों ने सरेआम बदसलूकी की (Woman boxer harassed openly by miscreants)”[2], “60 साल की मेंटली रिटायर्ड [sic] महिला से रेप का आरोपी वीडियो के आधार पर गिरफ्तार (Man accused of raping 60-year-old mentally challenged woman arrested on the basis of video)”[3].

In headlines such as these, the victim's identity or characteristics define the story — readers are encouraged to focus on her, rather than the perpetrator's criminal actions. The content of the stories also reflected this tendency to highlight the victim's behaviour. While there was no overt shaming or blaming, there were some insinuations that victims were partly responsible for what had been done to them. For example, in "ऑटो का इंतजार कर रही क्लब डांसर को अगवा कर पीजी में ले जाकर सामूहिक दुष्कर्म किया (Club dancer waiting for an auto was abducted and gang-raped in PG)"[4], we are told that the victim is a club dancer who was out at 1am — details that draw attention to what is perceived as a 'risky' lifestyle.

It is curious to note the paradox of journalists graphically describing incidents and freely giving details about victims, but avoiding the use of बलात्कार, the correct term for rape. To me, this reflects a fundamental disconnect — rape is more than a दुष्कर्म or misdeed. It is not an import from the West that must be written of using a foreign word. Rape is a universal problem, but it is also an Indian problem and we can start to address it by acknowledging it unflinchingly in our own language(s).

CHAPTER 14

THE CREATION OF 'GOOD' AND 'BAD' VICTIMS

PRADYUMNA PAPPU

Much has been said about victim-blaming. However, a neglected dimension of the phenomenon is how news outlets represent 'blameless', vulnerable victims — including but not limited to small children, elderly women, and the mentally or physically handicapped — in contrast to how they portray those in other categories, in particular adult women.

In the case of violence against 'vulnerable' victims, there are often graphic and detailed descriptions of the horrors inflicted and interviews with their distraught family members.

The suffering of 'vulnerable' victims is frequently highlighted, also serving to emphasise the brutality and 'deviancy' of the attacker.

The attacker's monstrousness is brought into focus in such articles and there is often an elaboration of the harsh punishments they are eligible for.

Terms such as 'pervert' or 'monster' are reserved for those who sexually assault children or the elderly, while those who attack younger adult women tend to be spared such epithets.

On the other hand, cases involving adult women are often treated quite differently (unless she has been severely brutalised or killed, in which case she is treated like a 'vulnerable' victim). There is less focus on the injuries sustained by the victim and more on her background and the context in which she found herself with her attacker(s). 'Reasons' are also often provided for the attack, and there is a degree of empathy expressed for the rapist — for example, "45-year-old woman was allegedly raped and attacked with acid...after she told him that she wanted to end their five-year-old affair"[1]. The headlines also hint at scepticism: for instance, "Mumbai actress alleges rape, assault by ex-boyfriend"[2]. There is also disproportionate coverage given to "false rape cases"[3] and "honey-trapping"[4].

Amid frequent reportage of this nature, it was depressing but not surprising to see Tamil filmmaker Bhagyaraj — whose 2019 film *Karuthukalai Pathivu Sei* is believed to be inspired by the Pollachi sexual assault case (described as a "scandal"[5] in some reports) — saying at an event, "Women create a situation that allows mistakes to happen... You can't always only blame boys"[6]. His words were reportedly greeted with cheers from the audience.

While Bhagyaraj's views are being greeted with typical outrage on social media, the fact remains that he and others are largely informed about the nature of sexual assault from the media, where distinctions are made between 'good' victims and 'bad' ones (generally adult women) who are portrayed as playing a collusive role in the violence done to them — this is done by invoking their sexual history, their presence at the wrong place at the wrong time, or by their 'unfortunate' choices, such as drinking.

While no long-term study has been done on the subject of how the media shape perceptions of victims and offenders in India, a 2018 paper[7] by Rebecca A. DiBennardo, based on a

content analysis of 323 *Los Angeles Times* articles (published between 1990 and 2015), had interesting findings: "[News coverage] overemphasises crimes against children under age 12, both relative to crimes against adults in the sample and relative to the incidence of crimes against children reported statistically. Articles frame the protection of children as a type of 'collective' responsibility... In contrast, the media discuss adult women less".

DiBennardo goes on to conclude: "Articles use child victims as a rhetorical tool to emphasise the 'predatory' nature of offenders and justify retributory violence or harsh legal punishment against sexual predators. Narratives about adult victims focus mainly on women, framing them as responsible for their victimisation and minimising their importance relative to child victims".

This tendency is also clear in the Indian news media. And while such messaging is often insidious, that does not make it any less harmful — not only in influencing public perceptions of victims but in shaping how victims/survivors see themselves and their right to seek justice.

CHAPTER 15

SYMPATHISING WITH THE RAPIST

AARATHI GANESAN

There is more to the news than meets the eye, and what appears to be authoritative and 'objective' coverage is often anything but. This is particularly apparent in the news reportage on sexual violence. While the subject is the focus of much media attention and outrage, what frequently lurks beneath the surface is an implicit bias towards rapists. This often produces a double bind, where rapists are simultaneously (if not incongruously) depicted as social aberrations, yet still members of society who deserve the benefit of the doubt. This becomes a matter of concern since it is well-documented how the media's treatment of crimes impacts public perceptions, attitudes, and even behaviours.

Common threads

The 'Indian media' are far from monolithic, with the ecosystem extending across different formats and languages throughout the country's vast geography. Yet, in spite of this diversity, most media houses in urban as well as rural areas

share certain commonalities in their reportage on sexual violence. This includes a tendency towards episodic (i.e. specific instances) rather than thematic (i.e. focusing on broader social contexts or trends) reporting, sensationalism, and an implicit or explicit focus on the victim/survivor as a factor in the crime.

For example, in Shreya Gautam's 2018 analysis (see Chapter 35) of two weeks' worth of sexual violence-related articles in the Jharkhand edition of the Hindi daily *Hindustan Dainik*, rape was often reported as an ordinary, if not 'everyday' incident. The sexual assaults reported were usually inflicted by men on women, and much focus was placed on her loss of honour as a result. Little social context on the prevalence of rape in Jharkhand was provided otherwise. Jharkhand is one of India's most 'rural' states, with 75 per cent of the population residing outside of its urban centres. Given the oft-discussed urban-rural divide in India, one would not expect these trends to be paralleled in big-city dailies.

Yet, they are. In Feminism in India's 2019 'Media Ethics Toolkit on Sensitive Reportage'[1] for gender-based violence, lead researcher Asmita Ghosh lists several examples of headlines and copy in national dailies that are rife with victim blaming and suggestive of sympathy for rapists. A significant portion of the coverage of rape in India, across media houses, converges along conservative notions surrounding a woman's 'honour', isolated from any real social context. And, as Ghosh notes, when these depictions are combined with a suspicious tone and vocabulary about the complainant in reportage, what emerges is a news rhetoric that is remarkably narrow-minded, in spite of the media's much-professed concern over the 'issue' of rape in India.

Many articles place an unwarranted emphasis on what the victim or doing or her occupation. Instead of survivors

'reporting' rape, they surreptitiously 'allege', or 'claim', or 'confess' that they were raped. When members of the LGBTQ+ community are subjected to 'corrective rape', the term is uncritically used, implying that such sexual assaults may 'straighten' them. Most surprisingly, given the nuanced understanding of India's social hierarchies otherwise witnessed in reportage of domestic affairs, rape in India is rarely reported as a widespread *social* issue.

The characterisations of survivors/victims of rape places the focus on them, but are also reductive of them and their trauma. On the other hand, the language used frequently removes the rapist from his actions (the woman 'was raped', not 'he raped the woman'), and popular descriptors such as 'spurned lover' or 'addicted to porn' serve to absolve the perpetrator of some responsibility. Alternately, the rapist is described as a 'monster' or 'beast', thus dehumanising him and distracting from the prevalence of sexual violence in every-day settings.

Missing nuances

Indian society is both heterogeneous and hierarchised. Different axes of power — aligned along caste, gender, sexual orientation, age, religion, and disability — intersect in different ways to produce constantly shifting definitions of marginalisation and privilege. Rape, in this social context (or indeed any cultural context), is not merely an act of sexual violence committed between two strictly defined binary genders. As feminist scholar Susan Brownmiller noted in her seminal book *Against Our Will*[2], it is an assertion of power, manifested through sexual violence, that is deeply intertwined with deep pre-existing social inequalities. This nuance is sometimes missed in reportage given that, as Ghosh pointed out, much of India's mainstream

newsrooms are occupied by upper-caste, middle-class journalists.

Failing to report rape as a widespread violent outcome of the power difference between the survivor and the rapist, produces narratives that focus on the isolated 'savagery' of rape in an otherwise 'peaceful' society. The rapist is thus painted as a 'monster' and a social aberration; there is also a preference for reporting on stories about the 'stranger in the dark'. Yet given that 93.1 per cent of the 32, 559 rape cases reported in 2017[3] involved perpetrators known to the victims, this kind of reportage belies reality. The 'monsters' aren't lurking in the big bad world, they most often exist in the survivor's social midst.

However, paradoxically, these same outlets often do acknowledge just how 'normal' rapists can be — just without taking into account their social positioning, and thus downplaying the severity of their actions. As noted earlier, rapists are often described as 'jilted lovers', or 'good sons' who were led astray.

Thus, they are simultaneously cast as monsters as well as normal members of society, whose plight ought to be sympathised with. The larger public message sent out, then, is that the trauma of being raped by a person of relative privilege can be conveniently equated with the negative consequences of that privileged person's decision to rape. The survivor's trauma is, thus, undermined at a mass media level. In this context, who would want to speak up?

Course correction

The discursive trends in the Indian mainstream media's reportage of rape have implications that intangibly obstruct the ability of survivors to confidently report their experiences and seek support. However, it is not too late to course-

correct. If serious connotations surrounding rape can be conveyed through a single suspicious word, then they can be transformed by simply replacing that word with a neutral one. 'Allegations' of rape can simply be written as 'reports' of rape; 'jilted lover' as 'rapist'. Much discursive power is encased within the written journalistic word. With India's #MeToo movement opening up the Pandora's box of structural sexual violence across mediascapes, ensuring that this journalistic word is attuned to the nuances of the social justice issues it seeks to report on is paramount.

CHAPTER 16

NAMES AND FACES MATTER

SHAHINA NAFEESA, INTERVIEWED BY
SPURTHI VENKATESH

Shahina Nafeesa is the journalist and social activist behind #IamNOTjustAnumber, a social media campaign that saw women demanding they be identified in the media should they ever be raped and killed. The campaign began in April 2018, soon after the Delhi High Court fined media houses for identifying and publishing a photograph of an eight-year-old girl in Kathua, J&K, who was sexually assaulted and murdered.

Nafeesa, an associate editor at the *Federal*, is the winner of the 2008 Dalai Lama Foundation for Peace Fellowship. In 2011 she won the Chameli Devi Jain Award. She is also the first woman journalist to win the Kerala State Award for best television reporting in 2003. Nafeesa has also worked with several NGOs and dealt with rape victims personally. She spoke to Spurthi Venkatesh about the motivations behind #IamNOTjustANumber. Edited excerpts.

As a feminist, I've always been sceptical about why a rape victim has to live a secret life. Why should her identity

remain anonymous? Everyone wants to be discreet and provide security and privacy to the victim. By not revealing her identity, she is added to the database of rapes reported annually and her story remains obscure.

A matter of choice

Whether the media should reveal a rape victim's name has always been a topic of debate in our country. But if the victim wants to voice her opinion, to be heard, and seek justice — then why not? It is one's choice to unveil oneself as a rape victim and face the social stigma that surrounds it.

She does not lose her dignity. Her dignity has nothing to do with the heinous crime of rape committed by a criminal. Law enforcers need to respect victims' choices as well. By imposing a ban on revealing identity, the strength of her voice diminishes and she is merely considered a number.

From my standpoint, if I am raped and murdered, all my contributions as a journalist will be wiped off and I will be reduced to a number. I don't want people to forget me and my accomplishments because someone raped me. I don't want to be a number; instead I want to take this battle ahead until justice is served.

The campaign

My motivation for #IamNOTjustAnumber lies in the wake of the Kathua incident. The Delhi High Court fined the media for disclosing the victim's identity and her photographs. To my surprise, many esteemed media houses with a history of upholding the freedom of the press and its expression immediately apologised.

Yet, in the Kathua case, the photograph of the victim spoke to the people. Her innocent eyes told a story which

moved the public conscience and which made them step out and protest. Her portrayal drew attention from the general public towards the need to address such brutal crimes in our country and to call an end to this. It was this case that made people recognise the fact that rape out of [communalism] exists.

Taking a pro-victim stance

Unfortunately, most rapes are reported using a passive form — 'she was raped' instead of 'someone raped her'. There lacks a conscious effort from journalists in dealing with the sensitivities of a rape case. We need to elevate the standards of journalism by reporting rapes in favour of the victim.

PART III

BEHIND THE HEADLINES

CHAPTER 17

THE FLIPSIDE OF 'SENSATIONALISM'

PADMAJA JOSHI, INTERVIEWED BY
AAKANKSHA SINGH

With a long career in broadcast journalism behind her, Padmaja Joshi is a popular face on TV, where she is known for her straightforward style of reporting, interviewing, and presenting news for India Today television. In an interview with Aakanksha Singh, she spoke about her experiences while covering the controversial Kathua rape and murder case and why she believes the media do not deserve the bad rap they get for their treatment of sexual violence cases. Edited excerpts.

I STARTED OUT AS A CUB REPORTER ON THE CITY BEAT, covering all kinds of stories — however small — across Delhi. For the longest time, I did not get to face the camera, but basically did all the legwork. From there, I went on to report on the big news stories like the Anna *andolan* [movement], the Sarojini Nagar blasts in Delhi, the 2014 Lok Sabha elections... and much more. In addition to reporting, I have also done every single thing required for news TV, from camera work to scripting to editing and of course, anchoring.

Stories that have a strong human connect are what interest me the most. We often call them 'soft stories', but that's a fallacy. There is no such thing. The news is about events that affect us. The lives that are impacted by various events are what make up the real story.

A tightrope walk

There are two reasons why reporting of sexual violence is different [from other crimes]. First, there are laws governing how such stories can be reported. We have to be extra-careful that all the rules are followed

Second, at an individual level, we have to exercise extreme caution. We don't want to seem to pry while talking to the victim, but we do have to get details in the interests of accuracy. It's a tightrope walk.

When I was starting out as a reporter, I got a call about a girl who had been raped by her neighbour. I rushed to the scene of crime, only to discover that the victim was two years old. And the rapist was her 70-year-old neighbour. I have no shame in admitting that the story threw me into shock. When I first saw the child, I was angry and crying at the same time. But after that, I had to get over it and do my job. And more importantly, not only did I have to report, but I had to report as objectively and dispassionately as possible.

You can't let your personal emotions overtake your professional responsibilities. I'm still not sure if I managed to achieve that in this particular case.

Covering Kathua

There were a lot of challenges. Everyone thought that their version of events was right. When I went to Kathua, the Bakarwal family (of the victim) had fled the area, so to try

and get their side of the story was a challenge. The other people who were very, very vocal over there were the families of two of the accused, Sanji Ram and the SPO (special police officer) Deepak Khajuria, both of whom had been arrested and charged with rape and murder. Now they said that the Indian media were against them and nobody was listening to them. They were very angry and very abusive, but we had to get their side of the story as well.

The challenge is that from the middle of it all, you have to do your own report of what you think the story is. Both sides will push you and try and show that they are right. So yes, sometimes you have to face a lot of hostility but you still have to do your job.

If the accused and their family have reasons to believe that justice is not being done or they want to get evidence to show the other side, you have to address it. Your job is to report all sides of the story. So yes, the story had many sides and the media reported all sides.

The 'big' stories

There's a lot of news happening across our country. Frankly, it's impossible for everyone to do every story that happens in every part of the country. The Kathua story was first covered by the local media, but it hit the spotlight nationally when there was an effort by some lawyers to stop the filing of the chargesheet by the crime branch. They stopped the entire process and advanced to the court, and that is when the story rightly grabbed headlines.

Changing mindsets

I don't know if the media can overtly spread awareness to end the stigma around rape. You cannot start running a campaign

— that would be silly. I think that's something best done by the government. However, you can do your part in a more passive fashion. You can tell the stories of those who have been stigmatised and make the statement that this should not happen. Everything doesn't have to be over the top or in your face. You highlight issues and in highlighting them you also make a statement.

For example, there was the story of a *panchayat* [village council] that decided to become a mediator between the rapist and the victim. They said the victim should marry the rapist since no one else would have her. The point was that the panchayat are no one to decide that. How can a girl be forced to marry someone who is a criminal? In this fashion you can do your bit.

The language you use can also make a difference. When someone is sexually assaulted, don't say things like 'her life is over', and if she is still living call her a 'survivor' rather than a 'victim'. These little things can help destigmatise rape victims.

The media's approach has changed for the better [since the 2012 Delhi gang-rape case], and is constantly evolving. A few years ago, some media outlets did try and project their own morality onto some stories...but that, I think, has changed now. I believe the reporting of sexual crimes is quite satisfactory right now.

On sensationalism

People criticise the media for 'sensationalising' rapes, but I think we can live with that criticism, knowing that we have impacted even one life in the course of our career. TV is a visual medium and for that some channels may dramatise a story, but I believe the message is more important than the medium.

People fear the media. And that's a good thing, as far as criminals are concerned. Many cases are brought to justice, or are even recognised by the law, only when the media take them up.

Some argue that media attention may embarrass a rape survivor further because she would lose her privacy. But it also depends on how the situation is handled. I am speaking largely as a responsible media person and cannot vouch for everyone, but one has to handle stories like these with a lot of sensitivity. Also, nobody is forcing anyone to speak. If the survivor herself decides to speak out, what you can do is to be as sensitive as possible and try and minimise the trauma they may be feeling, even though you will need to speak to them about details — because it is important to have the details out there.

You may say the media are like vultures looking for TRPs, but positive side effects can result from media attention. There are so many cases, that eventually reach their logical conclusion only because of the media's highlighting of them. For example, in the Unnao case, a BJP MLA [Kuldeep Singh Sengar] allegedly raped a minor in 2017, but nothing happened for a year. It's only when the media took it up that the MLA was arrested. So people may complain about the timing of the reportage and so on, but the point is that when the media took it up, the law had to act. So, yes, there are times when you act as a catalyst for justice. The survivor is in the spotlight, she comes in the media glare but then it also helps her to get justice .

CHAPTER 18

TAKING A STAND ON THE KERALA NUN CASE

KORAH ABRAHAM, INTERVIEWED BY TASMIN KURIEN

In November 2018, when this interview took place, Korah Abraham was a journalist with the *News Minute* (TNM), a Bengaluru-based digital newspaper that followed the controversial Kerala nun case closely and took a strong stand in favour of the complainant.

The story gained traction in June 2018, when a 46-year-old nun in Kerala complained to the police that Franco Mulakkal, the bishop of the powerful Jalandhar diocese, had raped her 13 times, between 2014 and 2016. But it wasn't until five nuns banded together and protested for her cause in Kochi that the national media took notice, public pressure built up, and Mulakkal was arrested nearly three months after the complaint first reached the police. As of July 2020, he is still awaiting a much-delayed trial and is out on bail. The case divided public opinion in the state, and for many months monopolised headlines with its many twists and turns and for drawing attention to the 'institutional rot' in the church. A section of the media was credited (and criticised) for its role in driving the campaign against Mulakkal.

Abraham spoke to Tasmin Kurien of his experiences on

reporting this case, the role of the media in pressuring the authorities to act against the accused, and why it became important to supplement 'objectivity' in reporting with opinion.

As a journalist, it has been a crazy series of incidents. First, you don't normally see women coming out, especially nuns, against a powerful bishop. Here we had a protest by nuns against their convent and against the church. It was a historic protest. Five nuns protesting until Bishop Franco Mulakkal was arrested — such a thing has never happened in India, I think. Thankfully, many people came out in support, including the government, activists, and journalists.

At the same time, we also got to see that Kerala — despite claiming to be very progressive and liberal in its outlook — had a set of people who supported the alleged oppressor as long as they were from the same religion or profession. People who are usually the first to say, "That guy should be hanged!" in rape cases were also the first to say, "We need proof. He's a bishop, right?" There was victim-blaming too: "What if she's lying? Why would a bishop do that?" The Missionaries of Jesus [a congregation of which Mulakkal was the patron] even illegally sent out a picture of the nun and tried to defame her by saying she was having affairs with different men.

Even women who are not nuns find it difficult to complain after a sexual assault. Imagine how a nun would feel to talk about it. Why are the statements of the Missionaries of Jesus believable, but not what the nuns are saying?

Picking sides?

We don't say in our copies that "this is the truth, this isn't". But as much as possible, we try to give a voice to the people who are actually suffering. More often than not, we know who are the people who are not getting their voices heard.

In this case, right from the beginning, when you hear a voice recording of a cardinal telling a nun of consequences [for speaking out], you kind of know to which side it's being tilted.

The first story that I did — we didn't have any news story. We just had a voice recording of the cardinal, so we reported that easily. And then it built up. After this, for almost a month and a half, nothing happened. The story started picking up pace when the five nuns started protesting. We had to take the voices of the sisters. We also put up every press release that the Missionaries of Jesus released. So practically, we reported both sides. But we've also pointed out when a group has done something wrong.

The question of religion

[As someone born into a Christian family] I have been highly critical of the bishop on all my social media. I got over the idea of blindly believing in everything the church said about one-and-a-half years ago. I never believed in putting priests on a pedestal. All the Christians who are backing Mulakkal are also vocal critics of Hindu priests who commit similar crimes. These 'liberals in Christianity', those who talk about women's rights in religion, change their minds when it comes to the church.

And they say, "We stand with the church". Standing with the nuns is also standing with the church, right? I don't think I would have reported it differently had it happened with a

Hindu priest. Expectedly, I got a lot of backlash for my reports in this case and the Sabarimala case [in which women protested for the right to visit a temple that prohibited women of reproductive age from entering]. In fact, my colleague [TNM reporter Saritha Balan] was assaulted when she was reporting on Sabarimala. She was 20km away from Sabarimala on a public road! Who can stop a journalist from doing their work? And what were these men saying? "We don't blame the journalists but the editors should have taken the precaution of not sending women journalists here". Why can't the mob or the devotees be blamed for what they did instead?

A place for anger

The editorial board of the *News Minute* (TNM) gave the leeway to be angry in our pieces. We are told, report the facts but express your anger if the story makes you angry. They told me, "You're a young man, be strong, show your anger in your copies". They gave me that platform to express my emotions in my work.

Earlier, mainstream channels kept taking quotes from the bishop. His version? "I am innocent". Does anyone expect him to say he committed the crime? Why give him a platform to proclaim himself as an innocent man? If he is innocent, let the court prove him so. Why does the media have to give him, and people like MLA PC George [a politician who called the nun a "prostitute"], a platform? TNM will always be the voice of the victims, not the assaulters.

Objectivity vs. opinion

Some might say that we are nobody to call a man who gropes a woman a 'pervert'. But my editor-in-chief taught me that if

there's CCTV proof that a man groped a woman, we can call him a pervert.

The school of journalism that thinks objectivity is the boss is dying. Now, with social media, the roles of journalism have changed. Now, everyone with a mobile phone can be a reporter of news — they may be at the site before an actual journalist gets there. How do we stand out in the sea of opinions?

As long as I'm only writing what happened and not fabricating anything, I can show my anger. I can say things like, "Four days on, the accused has still not been arrested". The tone of the story conveys that the story is questioning the police department's delay in action.

Then according to the tilt of your story, you choose the people you want to give voice to. The victim's mother, the wife of the guy who died — they'll all be criticising the police but these are not your words. You are quoting people.

In the bishop rape case, we spoke to the nun's sister, the protesting nuns, the social activists, and those who supported the nuns. You know our stand clearly — we are for the nuns.

Media pressure

I think the right kind of media attention can really help. During the high court protest, the media put pressure on the Kerala police to bring the bishop back to the state. Media pressure, I feel, pushed the Kerala police to react the way it did. Otherwise, they may not have done anything. The way a case is covered makes all the difference.

I personally feel that the media need to keep putting pressure. That's why they are called the fourth pillar of democracy. The media do make a difference. Media pressure was what forced actor Mohanlal to ask rape-accused star Dileep to resign from the Association of Malayalam Movie

Artistes (AMMA). Everything that people in power do these days is for the media.

There was a time when the role of news outlets was to pass information from the government to the people — for example, Doordarshan [the national public broadcaster]. Now that is no longer the case. The media have the power to criticise, be the voice of the people. Only when you have a powerful press can you make an accountable government.

Gender-sensitive newsrooms

TNM is very gender-sensitive in reporting; they gave us a big list of guidelines to follow while interviewing and writing our stories — how to interview LGBTQ individuals, how to interview victims of sexual harassment, etc. TNM has been very vocal about dealing with sexual harassment the right way. We have an Internal Complaints Committee (ICC) and all employees, journalists, and blue-collar staff, were given training on sexual harassment in the workplace. They make you aware, they give you the tools to deal with it.

CHAPTER 19

DECODING THE COVERAGE OF THE HYDERABAD GANG-RAPE

ASAVARI SINGH

The details of the crime were so familiar. A young woman with big dreams out in the dark streets of a busy city, a gang of impoverished men high on liquor and hellbent on a horrific plan, an excruciating litany of sexual brutalisation and death, the negligent yet perversely bureaucratic policemen. The November 2019 Hyderabad gang-rape and murder of a young veterinarian was like the December 2012 Delhi gang-rape and murder all over again.

Also familiar was the frantic churn of news stories in the aftermath, more voluminous and high-decibel than ever before, thanks to the emergence of digital news platforms and a proliferation of new TV channels. In 2019, as in 2012, reports of other sexual assaults that may have otherwise been relegated to the inside pages were treated with urgency and importance, particularly if they included details that mirrored the main story — gang-rape, fire, police apathy (just as the post-Nirbhaya coverage included an increased focus on crimes where women were brutalised with objects, as a marker of 'barbarism').

Amid the noise, a consensus of sorts crystallised, much as

it had before — India is unsafe for women, the police machinery is broken, the justice system is a joke.

This time, though, the clamour for retributive justice was louder than ever before: lynch them said parliamentarians; burn them like they burned her, said placards held aloft during street protests; kill them in an encounter suggested some tweets. In a departure from the norm, not only was this bloodlust reported by the media, several sections of it joined in the chorus with hashtags such as #HangAllRapists and calls for the swift administration of the death penalty for rape.

And then, in the early hours of 6 December, less than 10 days after the victim's burning body was discovered, nothing was familiar. The mood in Hyderabad turned from funereal to festive. Sweets were distributed, firecrackers were burst, the police officers who had been the target of brickbats a day before were showered with rose petals. The four men accused of gang-raping the young women had been killed in a 'police encounter', a term that has come to be regarded as a euphemism for extra-judicial murder.

As details trickled in, the news coverage exploded — with minute-by-minute updates, sound-bytes from celebrities and politicians across India largely saying that justice had been served", quotes from the victim's family about her soul being at peace, inputs from the families of other victims saying they wished that they too could have experienced justice without delay; some even urged the police to stage encounters for them too. This tide of news centred on public *emotions* largely drowned out the more thoughtful editorials and voices that argued that there could be no justification for extrajudicial killings.

On social media, too, opinions were divided but it was clear to see where the majority's sympathies rested. In an *Indian Express* article[1] titled "Due process vs. instant justice",

Seema Chishti and Avishek Dastidar noted how the tone of some politicians had changed from concern over the killing to support for it. They quoted a Telangana BJP leader who said, "We began by being critical of the government since we are in the opposition but then realised we had to respond to public sentiment".

This could well apply to the media, which not only shapes public opinion but is also shaped by it. By the evening of 6 December, some top news channels had proclaimed an 'editorial' stance on the subject. This was perhaps most explicitly expressed by Republic TV's star anchor Arnab Goswami who opened his primetime 'debate'[2] with a screeched yet somewhat self-reflective disclaimer:

> I don't care if what happened in Hyderabad was the due process of law or not. I don't care. I don't give a damn for the due process of law. And I know that many of you think I should not say this. People will say, quote unquote, that Arnab has broken journalistic ethics. I don't give a damn for those journalistic ethics then... I have no sympathy for the four rape-accused who were killed... they should have been killed much earlier.

While this may be an extreme example, the media have in many instances discarded their role of a voice of reason and assumed the mantle of a conduit for catharsis. In this way they end up serving as a mouthpiece for collective frustration and populist opinion, and only superficially engage with the issue of violence against women.

Further, the media's overall framing and treatment of the gang-rape played into and heightened the public outrage over the case, even as it exerted greater pressure of the police to

'act'. Here are, briefly, some problematic aspects of the hyper-coverage of the case that likely influenced not only the surge of public sentiment but the grisly outcome.

The matter of identity

The name and face of the Hyderabad victim were trending on social media with a #JusticeFor hashtag soon after news of her rape and murder came out. When it emerged that she had been sexually assaulted, most (but not all) media houses removed her name and blurred her photographs with varying degrees of success, to comply with a law that prohibits the identification of sexual assault victims even after their death.

Days later, just as had been done in the Kathua case in 2018, the Delhi High Court got involved and issued a notice to the Centre on a plea seeking legal proceedings against media houses and individuals who disseminated information about the victim. The reason that the law exists is that sexual assault, more than other crimes, is traumatic and 'stigmatising' for a victim and her family. Now, there are quite compelling arguments that this kind of secrecy reinforces rather than addresses stigma and reduces victims to abstractions.

However, there was quite evidently a significant element of voyeurism and cynicism in how the media (and social media) utilised images of the victim, including photo montages of her smiling face and charred corpse. While the revelation of the victim's identity may have helped galvanise public anger, it also turned her into a 'poster child' for a certain type of crime, and a certain type of victim, and made the violations done specifically to her the focal point of public and political attention, rather than the issue of sexual violence.

Whether her face was blurred or not, she was still

referred to as the veterinarian doctor (thus, educated and 'respectable') who was violated by four lorry cleaners (very much in the 'underclass'), one of them a Muslim — and which, therefore, unacceptably violated the strong boundaries of caste, class, and religion in India. It is not surprising, then, that there were some attempts to communalise the case and to situate rape as something that is perpetrated by dangerous predators on the periphery of society.

While the mainstream media largely avoided taking part in this 'communalisation', they participated in the representation of the suspects as monstrous entities (via graphic descriptions of their alleged actions) who were getting better than they deserved in jail — for instance, some reports explicitly expressed shock that the men were served mutton curry — a luxurious meal — for dinner. Several newspapers and websites did interview the family members of the suspects and attempted to situate them in a context. However, in almost every such article, emphasis was given to calls for retributive justice from the suspects' families, with headlines quoting calls for hanging, shooting, killing. Those who proclaimed the innocence of their son featured less commonly or prominently.

In popular as well as judicial discourse, extreme acts of sexual violence that are perpetrated on 'innocent' victims by opportunistic 'predators' are viewed as especially heinous and as deserving of retributive justice, and this was very much in evidence in the Hyderabad case.

Negotiating nicknames

The Hyderabad police had their own way of dealing with the revelation of the victim's identity. Knowing the media's love of a catchy nickname, especially post 'Nirbhaya' (which means 'fearless one'), they recommended that she henceforth

be known as 'Disha', which means 'direction' or 'guidance'. The rationale was that this nickname would inspire women in threatening situations to call the police right away, while also reminding officers to respond quickly to any complaint. Soon, #JusticeForDisha was trending on Twitter, and a section of the media adopted the sobriquet in their coverage of the case.

The use of such nicknames has already been subjected to much feminist critique. While it's a quick way to elicit recall of a case, it foists values and attributes on victims without their consent, and situates some victims as martyrs and as 'braver' and 'better' than others. The specific name 'Disha' is also problematic because embedded in it is a cautionary tale: if women do not follow specific safety directions, they share responsibility in the crimes that happen to him. If the Hyderabad victim had followed the right '*disha*', the message suggests, she might be alive today.

Interestingly, however, a vocal section of social media and the English-language press were quick to call out the Hyderabad police for the victim-blaming sentiments inherent in its newly released list of safety measures for women, with one piece in *HuffPost India*[3] even publishing a point by point 'correction' of the advisory.

A flawed template

Less critical attention has been devoted to the media's frequent comparisons between the 'Disha' and 'Nirbhaya' cases. The repeated drawing of parallels between these two (out of thousands of recent cases) incidents is an example of a 'media template'. In a *Media, Culture and Society* paper, researcher Jenny Kitzinger explains that these link certain events together and in so doing "filter out dissenting accounts, camouflage conflicting facts and promote one type

of narrative". These templates "provide the context for unfolding events, serve as foci for demands for policy change and inform the ways in which we make sense of the world"[4].

This can become problematic because — unlike what dominant media narratives would have us believe — the Delhi and Hyderabad gang-rapes do not represent how sexual violence in India generally manifests. The National Crime Record Bureau statistics show that 93.1 per cent of reported rapes are *not* committed by strangers[5]. Yet, the most prominent media representations of sexual assault might have us believe the opposite. The archetypal rapist in such cases is a drunken, disenfranchised lout (or louts) lurking in the darkness to unleash barbarities on a young, urban, 'innocent' woman (as opposed to one who is raped by a man friend or lover). These media constructions serve to invoke rage and fear, while also allowing the public to distance themselves from sexual assault as something that happens to 'others' — by even more other 'others' — due to a terrible turn of luck.

This feeds into the discourse around 'justice' as well, particularly the death penalty. Prior to the encounter, there were numerous stories on how the convicts in the Nirbhaya case had not yet been hanged, and that this forebode a similar trajectory in the Hyderabad case. Reports such as this elicited (understandable) frustration with the snail-like pace of the judicial system and the sense that justice was not truly done even after sentencing; ironically, this is peculiar of cases of capital punishment, where a conviction alone is not seen as 'satisfying' enough.

At times, the push for capital punishment took a subtler, more indirect form. Nirbhaya's mother, an impassioned advocate for the death penalty, was quoted frequently, with her anger over her daughter's killers still being alive being relayed to the public.

While there were valiant attempts by some sections of

the news media to critique rape culture and what actually ails the justice system in India (delays in investigations, an overburdened court system, low conviction rates to name a few), several popular news anchors openly called for the 'devils' to be hanged until death, as mentioned earlier.

Gaps in coverage

There was a predictable spike in the coverage of sexual assault cases after the Hyderabad incident, especially those that involved elements that fit into the existing narrative. So, we had 'Disha' being called "Hyderabad's Nirbhaya"[6], and another high-profile case from Unnao being referred to as "Hyderabad replay"[7]. However, the gaps in coverage are plain to see. For example, just days before the Hyderabad case, another woman in rural Telangana was gang-raped and murdered as she went about her day. Her story got little to no media attention, forcing her family to piggy-back on the vet case[8] and highlight the "bias" against them to get their story told. While this case did get limited national coverage, it simply had the wrong ingredients, having taken place in rural India and involving a poor Dalit victim and offenders that were known to the victim. Thus, when a case gets major coverage, it is even more important to interrogate the ones that do not.

The dark side of catharsis

While the coverage of the Hyderabad gang-rape was largely an homage to public frustration over the justice system, the reporting on the encounter killings framed it as a moment of catharsis and relief. *Someone* had paid the price, never mind that they had not yet been found guilty in a courtroom.

Even though all media houses did not adopt an overt

stance in support of the 'encounter', the steady stream of reports on deceased rape victims' families lauding the killings served to validate it as an appropriate response to the crime. There were also newspaper headlines that referred to the killings as "justice"[9] even though no judicial process had been followed.

While dozens of print editorials mulled at length about the need for due process, there was very limited attempt to frame the encounter in concrete terms that may have resonated more with the public. For example, very few attempts were made to reference recent high-profile miscarriages of justice — like the false confession of a bus cleaner in the murder of a Grade 1 student, Pradyuman Thakur, at a posh school in Haryana. In this sense, the discourse around rape and the death penalty was made highly personal and 'relatable', while that around 'due process' was more intellectual and abstract.

Finally, it is worth remembering what feminist social psychologist Carol Tavris concluded back in her 1988 review of research on violence in media: "It is time to put a bullet, once and for all, through the heart of the catharsis hypothesis. The belief that observing violence (or 'ventilating it') gets rid of hostilities has virtually never been supported by research"[10].

On the plus side

In practical terms, the coverage of the Hyderabad case generated more awareness about public safety and policy issues that directly impact women.

This included a slew of articles about women's right to file 'Zero FIRs' that prevent police personnel from citing jurisdiction as an excuse to turn them away. While the past few years have seen many cases of women wanting to file rape

cases being turned away by the police, it has taken this case to widely publicise that this is unlawful. The increased media attention on this as well as on other necessary reforms in the police machinery in general is an encouraging shift in the direction of coverage.

Further, even as a large part of the coverage played on powerful emotions — from rage to a feeling of catharsis — a substantial section of the media have engaged meaningfully with the systemic problems in India's law and order machinery, and on the reforms and social re-set that are necessary to not only lower the incidence of rape but to shift the public's rose-tinted perception of extrajudicial 'justice'.

CHAPTER 20

HOW THE NIRBHAYA CASE CHANGED INDIA

ARKADEV GHOSHAL

The Delhi gang-rape of 16 December, 2012, which came to be known as the Nirbhaya case, took over the national consciousness for months and became synonymous with India's sexual violence problem. Rarely had the entire country come together to be glued to the TV, radio, newspapers, and other forms of news dispensation as was the case here.

It is true there had been similar frenetic coverage during terrorist strikes across the country, such as 26/11 in Mumbai four years previously. However, this rape case seemed to strike as much, if not more, terror into the hearts of the masses because they felt personally concerned: women concerned for their own safety and men concerned for the safety of the women in their lives.

The case and the manner in which it was reported would lead to major systemic changes. The reportage would also leave a lasting impression and a ripple of reform on the life of Indians. Below are the four major changes that the case led to.

An emblem against sexual violence

Section 228A of the Indian Penal Code bars news organisations (amongst others) from revealing the name of a victim of sexual assault. It was under these circumstances that the *Times of India* — the country's most-read newspaper — decided to give the victim in this case a sobriquet to refer to during further reportage.

Other news organisations would try to give her different names, like Damini ('Lightning', after a 1993 film starring Meenakshi Seshadri) and Jagruti ('Awakening'), but Nirbhaya — meaning 'One Without Fear' — would stick.

The name has since been invoked often as a signalling device in sexual assault cases where the victim was subjected to extreme brutality.

While we are now at a liberty to say her real name — Jyoti Singh — because her parents have uttered it in public, Nirbhaya prevails, having become emblematic not only of the horrors of sexual violence, but of the fight against it.

Zero FIR

One of the most harrowing details about the case was that the Delhi Police, when called to where the victim lay bleeding, spent several minutes arguing about under whose jurisdiction the crime was committed, and trying to determine where the first information report (FIR) would be lodged.

Many news reports put the blame squarely on the policemen for the delay in getting the victim medical attention, leading to an uproar among the public.

It was to solve this problem that the concept of Zero FIR was proposed by a committee led by JS Verma, a former Chief Justice of India. The Justice Verma Committee

received more than 80,000 suggestions on various topics, and one of the recommendations it made was for the police to ensure that nobody wanting to lodge an FIR would be turned away.

Thus was born the Zero FIR, named so because it is not assigned a number when it is lodged in a police station and is about a crime that occurred under the jurisdiction of another police station. Several cases have hinged on the Zero FIR since its inception in 2013. Possibly the best-known is that of self-styled godman Asaram. He was named as an accused in an August 2013 Zero FIR filed in Delhi by a man who claimed his daughter was assaulted at Asaram's ashram near Jodhpur in Rajasthan. Asaram would, in April 2018, be found guilty of rape under the country's stringent Protection of Children from Sexual Offences (POCSO) Act and end up in prison serving a life sentence, all because the parents of the victim had the option of lodging an FIR against the accused anywhere in the country.

Death penalty for rape

Formed just days after the Delhi gang-rape, the Justice Verma Committee in its report also called for severer punishment in cases of sexual assault.

The result was the Criminal Law (Amendment) Act, 2013, also known as the Nirbhaya Act. It specifically recognised gender-based crimes such as acid attacks and stalking, and increased the punishment of aggravated rape and assault, including the application of the death penalty in cases where the victim dies or is left in a permanent vegetative state.

The change happened because there was a huge public outcry over the sufferings of the victim: people prayed for her recovery and followed every development about her health for close to a week. They waited in anticipation for her

recovery as news spread of her being shifted to Singapore 11 days after the assault. They reacted with anger when she died there two days later. The uproar forced the then government to act[1].

Change in law

One other aspect of the rape that led to an outcry was that of the six people who assaulted Nirbhaya, one was a minor, and was tried as such. His name was never revealed, and he ended up getting the maximum possible sentence of three years' imprisonment. People, however, wanted harsher punishment because the then 17-year-old was, according to reports, the most brutal in his treatment of Nirbhaya (although such reportage has been contested by the Juvenile Justice Board).

Nirbhaya's parents subsequently led a campaign that ensured minors who committed heinous crimes faced more serious consequences. It was as a result of their efforts and the public sentiment against the convicted rapist that the Juvenile Justice Act was passed in December 2015. The Act lets minors over 16 years of age be tried as adults if they were accused of heinous crimes.

Yet, not every initiative in the wake of this case has met the intended objective. Less than six months after the rape, then Union finance minister P Chidambaram announced the Nirbhaya Fund, a corpus of Rs 1000 crore (GBP 105,329,000 approx.) to make public places safer for women. But much of that money remains unused — as of March 2020, only about 36 per cent has been utilised since 2013.

CHAPTER 21

WHEN GENDER BLINDED THE MEDIA TO (AN ALLEGED) RAPE

SIMRAN SINGH

On 6 September, 2018, the Supreme Court of India decriminalised gay sex between consenting adults, much to the relief of the country's LGBTQ+ population. However, the landmark judgment also prompted another question: what about non-consensual gay sex — or, more accurately, sexual assault?

The law as it stands does not explicitly recognise that sexual assault can take place by men against men, by women against women, or by women against men. Rape is still widely understood as unwanted penile penetration of a woman by a man. This definition ignores two things — that sexual assault can take multiple forms, and that gender falls along a continuum.

It is in this confluence of grey areas that the Pinki Pramanik case unfolded in 2012. And it is here that the media revealed a problematic inability to conceive of sexual assault as anything other than something that a man does to a woman, and in so doing perpetuated a narrative that rendered an 'unlikely victim' invisible.

Until 14 June, 2012, Pinki Pramanik was India's golden girl

of athletics, celebrated for bringing honour to the nation at the Commonwealth Games, Asian Games, and beyond. And then she was arrested, facing accusations of gender fraud and sexual assault by her live-in partner, a woman.

Soon after the allegations were made, Pramanik was subjected to a humiliating and very public ordeal. Given that Indian law recognises rape as something that is perpetrated by a man against a woman, Pramanik was forced to undergo three 'gender-verification' tests that yielded 'inconclusive results'. To add insult to injury, a leaked clip of her undergoing a medical examination went viral. She lost her job. The media covered every development, and outrage began to build up over this treatment of a national heroine.

Yet one major aspect of the story escaped media scrutiny: the question of whether Pramanik had sexually violated another individual or not. The assumption seemed to be that if she wasn't conclusively a man, she couldn't have done it.

To gain greater insight into how the news media treated the sexual allegations against Pramanik, I analysed the reportage of the case by four English dailies — the *Times of India*, the *Telegraph*, the *Hindustan Times,* and the *Indian Express* — from 15 June to 31 August, 2012.

Overall, I found 28 articles in the *Times of India* and 24 in the *Indian Express*; and through a Google search, eight in the *Telegraph* and seven in the *Hindustan Times*. Out of the total of 67 stories that I looked at, only five made explicit mention of the rape charges against Pramanik. On the other hand, 14 stories focused on the 'gender controversy' and what any deception regarding Pramanik's gender would mean for her sports career. The day the story broke (15 June, 2012), the *Times of India*, the *Telegraph*, and the *Indian Express* ran stories that treated the rape allegations as secondary to the possibility of gender fraud.

In one article[1], The *Times of India* drew a parallel between

Pramanik and the former middle-distance runner Santhi Soundarajan, who had been stripped of an international silver medal after failing a gender determination test in 2006. There was much consternation over another athlete losing international recognition, but there was little concern over the serious sexual assault allegations against Pramanik. The complainant was rendered almost irrelevant, even as speculative quotes about Pramanik's gendered attributes were published.

Another article[2] in the *Indian Express* mentioned the rape charge in the headline, but neglected to meaningfully address the subject of assault. The story established the "glory" Pramanik had brought to the nation and said that her "gender and womanhood" being questioned cast "a shadow" on her achievements. This story, too, quoted acquaintances who spoke of her "masculine features". Thus, speculation over her gender dominated reports, establishing the sexual assault charges as a matter of secondary importance.

In the days that followed, the rape charges receded even further into the background in the media coverage, and the story was treated more like a sports scandal. In a story[3] headlined 'Gender controversy: Run, Pinki Pramanik run', the *Times of India* mentioned the rape charges several paragraphs into the article, and then too to quote a psychiatrist ("If there is a serious charge as rape, it is important to establish gender") and a lawyer ("Pinki may ultimately be adjudged by doctors as a female and may be cleared of the charges of rape") who also clearly considered rape as definable in only heteronormative terms.

Another aspect of the reportage in this case was overt media sympathy for the indignities that Pramanik had to suffer as she was forced to undergo one gender test after another. Journalists rushed to Tilkadi, a small village tucked in the Maoist-ridden pockets of Purulia, to capture the

emotions of her family and neighbours. Articles quoting her mother and about her heart-rending journey to prove her daughter's innocence were par for the course.

For example, "She is my daughter, not son" read the headline of one TOI story[4]. The fact that the mother was trying to defend her daughter's gender over her character went unnoticed. Pinki Pramanik became the tragic heroine being hit by a torrent of misfortune, including her "railways job fate"[5] being on the line and the "MMS ordeal"[6] resulting from a clip of her unclothed and purportedly undergoing "medical tests". It was openly insinuated in some headlines that Pramanik was being unjustly targeted with a "rape slur"[7].

Within this coverage, the complainant's version of events was barely considered. It did not fit into the media narrative being created about a national hero's unwarranted fall from grace. Indeed, the 'victim' in this story was now Pinki Pramanik. She had lost her livelihood, she was manhandled by the police, she was kept in a men's jail. However, while her trauma was undeniable, it did not automatically absolve her of the crime that she had been accused of committing, and it certainly wasn't reason enough to undermine the voice of the complainant.

Only one article[8], in the *Times of India*, quoted the complainant, albeit briefly, as alleging that Pramanik had bribed the medical board and that she "tortured me when I refused to give her money. I was forced to sell my ornaments". Even in this article, the use of scare quotes around the word 'victim' urged the reader to view her with scepticism. There was also no attempt to throw light on her frame of context. This, as mentioned earlier, was in stark contrast to the 'human interest' elements added to stories about Pramanik, such as her being a pleasant child or her campaign against child marriage.

However, while the media showed a conspicuous lack of

objectivity in reporting this case, can they be held solely responsible for the focus on Pramanik's gender?

The trajectory of the case was set into place by the Indian legal system, which narrowly defines rape as the penile penetration of the vagina. Therefore, it became necessary to first prove that Pramanik had genitalia that "made her capable of rape". The precondition for a bodily requirement to try an accused on the count of sexual violence allowed the court to intertwine the two distinct charges of gender fraud and rape such that if she stood through the test of proving her 'femaleness', it would automatically expunge all possibilities of her having harmed the complainant.

The media coverage did have some redeeming features. For one, the case did trigger a meaningful debate on consent when a judge observed that in "cohabiting" with Pinki, the complainant had given consent. The fact that this judgment, which granted Pramanik bail after 25 days in custody, failed to distinguish between consenting to a relationship and consenting to physical intimacy was not missed by the media.

What also correctly came into focus was the systemic disregard for Pramanik's bodily integrity. In an interview[9] after her release, she said that she was drugged and tied up so that she would not resist a medical test. Not only that, her privacy was violated and a video clip of her undergoing a test, unclothed, was circulated on the internet. She was groped brazenly by policemen (a picture of a cop pressing his hand against her chest was published widely), perhaps because she was categorised as not 'quite' being a woman. What was thrown into relief was how appallingly those who do not fall into neat gender categories are treated by the Indian system.

So, what did become of the all-consuming gender mystery? In 2014, medical experts concluded that Pramanik is a male pseudohermaphrodite, meaning that although she is

genetically male, she has male as well as female anatomical characteristics.

As for the rape case, the complainant in July 2012 said[10] that she had been pressurised by the husband of another athlete to "frame" and discredit Pramanik so that he could gain an advantage in a land dispute.

These details, however, do not detract from the fact that the media's coverage was biased. It is never not problematic when the media glorify an accused party — whether or not that person is a national hero — before an investigation is concluded and render the complainant as at best insignificant and at worst perjurious.

CHAPTER 22

DIGITAL PLATFORMS CAN AMPLIFY SURVIVORS' VOICES

BHARAT NAYAK, INTERVIEWED BY SAUMYA AGRAWAL

Bharat Nayak is the founder-member and editorial director of the *Logical Indian*, a popular digital news platform known for its opinionated and citizen-focused style of reporting. In an online interview with Saumya Agrawal, Nayak spoke about how helping people get justice when official systems have failed them is the driving force behind his journalism. He also shared his views on the reportage of sexual violence in the context of digital media. Edited excerpts.

Digital media coverage increases the chances of the voice of the people being heard, via Facebook and Twitter, by those in power because of their presence on social media. If rape has happened and it is being talked about on social media, then it will be talked about everywhere. Digital media have become a bigger voice than traditional media. They can give victims of sexual assault a voice.

However, stories of rape are often initially covered by print media and local channels in places where digital hasn't

reached yet. In fact, most of the digital media reports that you see have been covered locally first. Digital media platforms do not have a lot of employees, stringers, or reporters. [But] as resources increase, reporting will improve in digital media.

A better conversation

The conversation in digital media is far better than in local print and TV media. On digital media, if there is a conversation on an issue that involves women and if women are not a part of it, they will definitely question you. Digital media have picked up a lot of women's issues — like menstruation — that mainstream media have never talked about. The #MeToo movement did not happen in newspapers or on television. It happened on digital media.

But digital media have not gone to rural India yet, and it is important that women from rural India get to participate. Right now, the feminism that you are talking about is concentrated in urban India. It needs to go to rural India; we need more reports from there.

Stories that matter

There are a lot of rapes in India every day. The Kathua rape case [in which an eight-year-old girl from a nomadic Muslim community was gang-raped and killed by Hindu men] was being covered by the Kashmiri media right from the beginning but the national news picked up the story only when there was a rally featuring BJP leaders in support of the accused, and when a group of lawyers tried to prevent the filing of the chargesheet. That is what created outrage and brought attention to something that happened in Kashmir.

The case had a religious and political angle... rape has caste, colour, and religion.

Most of the stories that we do are driven by whether they will help someone if justice has not been done. Secondly, if the accused are being protected by powerful people, we try to help create pressure on the police to take action.

[While reporting] we have to tell readers what happened, where it happened, when it happened. We don't mention the time in a misogynistic way... "*kyu raat ko itne late bahar nikal rahi thi* (why was she going out so late at night)?"

Problem areas

Some politicians may [make misogynisyic comments] when they see a story getting attention. They question the character of the woman and divert from the real issue at hand. It becomes a headline when a politician makes this kind of statement, but they know they will get away with it because most of their voters are a product of the same kind of (misogynistic) conditioning.

Sometimes the coverage too can be very irresponsible — when they give out details about the victim but at other times, it helps in getting justice. Social media can also be problematic. For example, there was recently an image circulating of a victim covered in blood. The intention may have been to galvanise the police and judicial machineries into action, but the use of that image must have been traumatic for the whole family.

Mediating the death penalty

I am against the death penalty in all scenarios. The death penalty will not deter crime, especially rape. The death penalty will deter only the reporting of rape by the victim. If

the perpetrator is a father, a brother, or a cousin, the family might force the victim to not report the crime. The family would say ***ki jaan chala jayega*** (he will lose his life). The rape victim who wants justice will be burdened with the thought that her complaint could result in a death sentence. The family might try to hide the matter.

We need to answer some other questions — is anyone interested in reducing the crime of rape? They are actually interested in punishing the rape accused. Is anyone interested in knowing why the conviction rate is so low? Is anyone working on a system where the rape victims get more support? After the rape has happened they are not thinking about the victim. Is anyone interested in working for a society that is safer for women? What is the death penalty solving? Implementation of law is more helpful than punishment for crimes.

The media does talk about other solutions, but this does not qualify as sensational news. Also, the media do not want to be seen as being in favour of the rapist by opposing the death penalty. Since social media drives mainstream media in some way now, if a report is done on how the death penalty does not help, it will be seen as a show of support for the rapist. That is the kind of narrative we are surrounded by.

CHAPTER 23

THE GOOD, THE BAD, AND THE UGLY OF SOCIAL MEDIA

YESHASWINI SRIHARI

Sixty-eight per cent of Indians use their smart phones to consume news, according to a recent survey.

Social media, in fact, is the main source of news for Indians (or at least the internet-using, English-speaking subsection), according to the Reuters Institute India Digital News Report, released in March 2019[1]. The appeal is clear to see: easy access, real-time updates, a wide variety of news sources, opportunities to engage with others and express opinions, and even the potential to create or add to the news with 'insider information'.

The question now is, what are the implications of sharing and consuming sexual assault news on social media? I conducted a short survey to find out more about how people perceive the news on social media, but before that a short summary on different aspects of forms taken by news of sexual violence on social media.

The making and breaking of news

Platforms such as Twitter and Facebook provide access to a wide range of formal and informal news sources. In addition, the traction of stories on social media inform the news coverage as well, creating a sort of feedback loop — if many people are engaging with and sharing certain reports on sexual assault, it creates an impetus to produce more such stories.

Furthermore, social media platforms have the ability to make information that is shared in an individual capacity go 'viral'. Such personal accounts may on occasion even get picked up by the mainstream media. Thus, news is not only consumed but also made on social media.

In the context of sexual violence, social media has empowered people, in particular those who feel unable to approach the police or courts, either out of a lack of trust or a lack of access.

A prime example of this is the #MeToo movement in India, where social media became the ground on which women shared and discussed their stories of sexual harassment, sparking nation-wide attention and dialogue. Indeed, social media became the epicentre of news rather than mainstream media. In this case, social media gave women a voice and resulted in a real-world movement that has built awareness and given survivors a new vocabulary for their experiences.

Also, social media has been used by survivors of sexual assault as a tool to be heard, quickly build public support/pressure, and to get attention from the mainstream media. For example, the highly publicised case of sexual assault against former Union minister Swami Chinmayanand came to public attention after the complainant shared a video online where she said she feared for her safety.

Unfortunately, there is a dark side to the news of sexual assault on social media as well.

The #MeToo movement has been criticised for requiring little more than "access to Twitter" to level allegations that are widely accepted without "evidence" or "inquiry"[2]. Legal troubles have arisen too. Several defamation cases have been launched against women who have said they were sexually harassed, including famously by former Union minister M J Akbar against journalist Priya Ramani. The internet's shield of anonymity is also showing cracks. In November 2019, the Delhi High Court said of an Instagram account that shares #MeToo stories from the art world that "the accuser cannot be permitted to engage in guerrilla warfare against the accused"[3].

And while the complainant in the Chinmayanand case garnered support through her social media plea, it is also on social media that a video went 'viral' of the BJP leader purportedly receiving a massage from her.

Indeed, social media can also become a site of harassment and re-victimisation for those who have been sexually assaulted — there have been multiple instances of victims' identities being revealed (which is against the law) and videos of rape being shared on social media platforms. In some cases, this phenomenon has spurred victims to complain or pushed the police into action — such as in the case of a 12-year-old girl in Bhojpur, whose rapist shared a video of the assault online. This led her family to file a police complaint, which, in turn, resulted in an arrest. Similarly, in the Puttur gang-rape, the victim was videotaped and told that the footage would be made public if she complained; the victim did not complain but the rapists shared the video anyway. The video went 'viral', the police were alerted and the offenders were arrested.

However, despite the opportunities it presents to

galvanise activism, social media continues to be rife with 'fake' or 'manipulated' news. There have been well-documented attempts to communalise sexual crimes or promote false statistics implicating certain communities.

What people think

I conducted a short survey on people's perceptions of social media as a source of news on sexual violence. The 53 individuals who responded to the survey were between the ages of 18 and 28 years, and came from various cities in India, including Bengaluru, Manipal, Chennai, Delhi, and Mysuru.

Out of these respondents, 47.2 per cent said they were very active on social media while 49.1 per cent said that they were active; only 3.8 per cent said they were inactive on social media. In terms of news consumption, 75.5 per cent of the respondents said they relied on social media for news; 26.4 per cent said they believed the news on social media was completely trustworthy and 69.8 per cent said it was trustworthy "some of the time". A majority (56.6 per cent) of the respondents said that they were "influenced" by how news on sexual assault was disseminated and discussed on social media.

I also asked people whether social media plays a negative or positive role in the way information is disseminated on sexual violence. Here, 64.2 per cent felt that it played a positive role, saying it helps build awareness about issues and acts as a platform to unite the masses, while giving every individual the chance to talk about their experiences, like in the case of the #MeToo movement. However, 35.8 per cent of the respondents said they felt social media plays a negative role: among the reasons given were "lack of censorship", victims being affected because of news going viral or their

identities revealed, and doubts about the credibility of information.

On whether they think social media has a desensitising effect, 71.7 per cent of respondents disagreed and said that it builds awareness and sensitises people. The other 28.3 per cent believed otherwise, saying that social media gives any individual the right to comment on any post, including with victim-blaming remarks that promote rape culture.

Social media, thus, is beneficial in many ways. But such platforms also have the capacity for damage and must be used with caution, particularly when it comes to sensitive issues such as sexual violence.

CHAPTER 24

THE ANATOMY OF A 'HIGH-PROFILE' RAPE CASE

KARUNA BANERJEE

Stories about rape are published in the Indian news media with depressing regularity, but most do not make much of an impact: they take up minimal column inches and, following a bland reporting of the 'incident', they sink without a trace, with no follow-ups on arrests and convictions.

But there are exceptions — the so-called 'high-profile' cases. These are stories that are picked up by a wide cross-section of the news media and followed up far more diligently. There are detailed news reports, updates on the progress of the case, and op-ed writers jump into the fray with their take on the matter.

So, what makes some cases 'high-profile'? How are these cases treated differently by the news media?

For insights into this, I looked at the coverage of six cases (*see tables 1 and 2*) from a list of high-profile[1] incidents complied by the *Washington Post*. I then looked at online archives of the *Times of India* and the print archives of the *Hindu* to trace how these cases were reported.

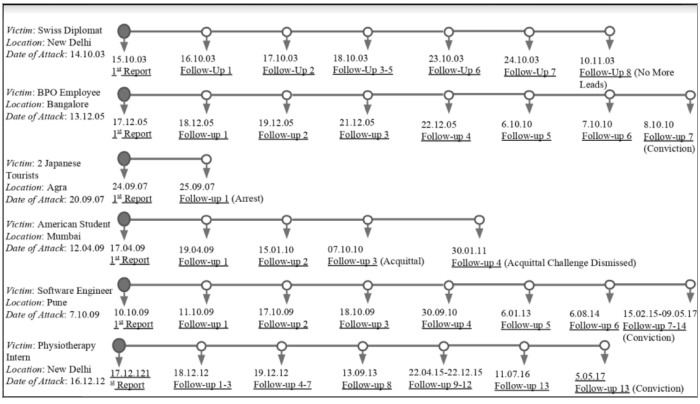

Table 1: Follow-up timeline, the Times of India

For comparison, I also looked at the reporting patterns of two cases that did *not* receive much media attention: the gangrape of a 19-year-old in Ahmedabad[2]in 2018 and the sexual assault of a schoolgirl[3] by her teacher in 2003. These 'low-profile' cases, incidentally, were characterised by harrowing details in the first instance and a child victim in the second, indicating perhaps that the severity of the crime alone is not enough for the media to be sufficiently invested in a story.

There were two primary trends in the reporting of 'high-profile' cases. First, for all of these cases both newspapers published detailed articles. The victim's profile, her whereabouts before the attack, details of the assault itself, and, in some cases, what the victim did after the attack were all mentioned in the very first article. Second, for four out of the six cases, one of the newspapers (in some cases, both) published at least five follow-ups in the week immediately after the attack. All three remaining cases were followed up until the perpetrators were sentenced. In the two cases that did not receive much media attention, not even a single follow-up was published.

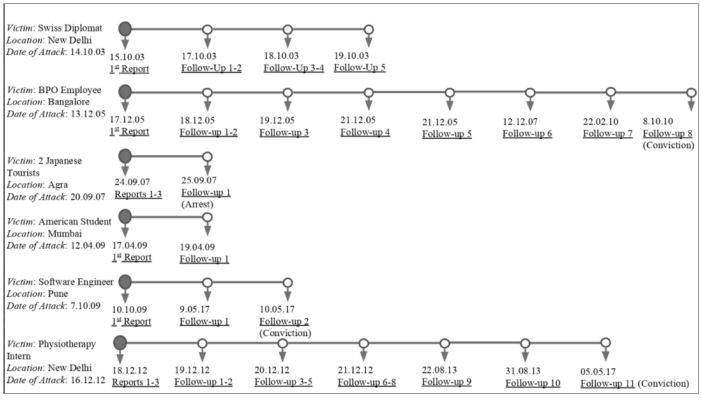

Table 2: Follow-up timeline, the Hindu

So, why did the media decide that these specific cases were worth following up at all? Below are three trends that emerged.

'People like us'

The victims in five out of the six 'high-profile' cases tracked were English-speaking women living in urban areas. This arguably contributed to editors deeming these as being of greater significance to the urban, educated, English-speaking public. People the readers could identify with more (people like 'us', in other words) were being attacked and the news was relevant to them and their concerns. Newspapers catering to this section of the population, therefore, gave these cases wider and deeper coverage.

The 13 December 2005 rape and murder of a BPO employee in Bengaluru on her way home from work led to larger conversations on women's safety with respect to the workplace, and news articles facilitated this narrative. The rape of a software engineer in Pune in October of 2009 took years for the courts to adjudicate — the conviction came

eight years after the attack — but the media did not lose scent of the story. This case also brought back to the forefront issues of women's safety in the IT and BPO sectors as the victim was raped after work. Similarly, the gang-rape of a physiotherapy intern in December 2012 in New Delhi sparked protests demanding safety for women in India almost immediately after it was reported and remained in the news until the accused were hanged more than seven years later.

International ramifications

In three out of the six high-profile cases, the survivors were foreign nationals. The international ramifications in these cases led to increased attention from the media as well as law enforcement, thus making them more 'newsworthy'.

Political connections

Two other high-profile cases are worth mentioning here, although I did not map the follow-up reporting patterns — the 2004 rape and murder of a woman in Manipur allegedly by a group of Assam Rifles men and the 2018 rape and murder of an eight-year-old girl in Kathua. Both these cases became extremely politicised and thus had a longer than usual shelf life in the media. The 2004 case led to widespread protests demanding the repeal of the Armed Forces Special Powers Act (AFSPA). In the 2018 case, among the alleged perpetrators were several policemen and a temple priest who garnered the support of the Hindu Ekta Manch, an organisation with political links. This brought to the fore religious tensions because the victim was Muslim, and led to protests across the country demanding protection for women against sexual violence.

The 'other' stories

It is clear that certain factors galvanise the media to zoom-in on certain cases — journalism scholars tend to explain these in terms of 'news values', as put forward by Johan Galtung and Marie Ruge in a seminal paper in 1965[4]. The question then is: how can the media effectively report cases that do not seem 'high-profile'? I have two suggestions.

To begin with, the media can follow up stories more diligently. If updates are provided in the weeks following the crime, people pay attention to them — which, in turn, could help in the process of justice. However, if a case is covered once, in a tiny column tucked away in the middle pages of a newspaper, it's extremely easy to forget it.

Secondly, the media could talk more about the rape culture in India. Reports on sexual violence statistics are infrequent. The media seldom even talk about the small steps being taken to combat the issue. As a result, awareness of sexual violence as something that is deeply rooted in the way we think about women rarely plays on the mind of readers. Thus, the news media need to make a key shift from merely covering high-profile rape cases to treating the phenomenon of rape itself as a high-profile *issue*.

CHAPTER 25

THE RAPES ON PAGE 9

SAUMYA AGRAWAL

Every day there occurs an undetermined number of incidents of rape and sexual violence across India. But only a small proportion are reported to the police, and of these, not every incident makes it into the newspapers.

How do we decide which incident should receive news coverage, and how much? Why is that most of the rape and sexual violence cases reported in the news media end up as one-off stories, not moving beyond the 'breaking news' stage?

The Kathua and Unnao cases made me a more diligent newspaper reader. But as I flipped through multiple newspapers to learn more about these cases — both of which received significant media coverage — I became more aware of the many other incidents of sexual violence that remained tucked away on the inside pages. That some sexual assault cases receive a great deal of attention while some do not is no secret. But to what extent does this happen?

Curious, I began looking at the back issues of two newspapers, *Dainik Jagran* and the *Indian Express*. I looked at 30 days of coverage, from 10 April to 9 May 2018, and here's what I found: more than 80 per cent of the rape and sexual

offence cases in both newspapers were one-off reports, with no follow-ups. None.

In the 30 days I looked at, *Dainik Jagran* reported 64 sexual offences. Out of these, 56 incidents (87.5 per cent) were reported just once — on the day the story broke. In the same period, the *Indian Express* covered 59 rape cases, of which 49 stories were reported only once.

The one-off stories mostly appeared on the third, fourth or ninth page of the *Indian Express* and on the fourth, fifth or sixth page of *Dainik Jagran*. They were reported from various states, including Uttar Pradesh, Delhi, Odisha, Chhattisgarh, Maharashtra, Jharkhand, Rajasthan, Andhra Pradesh, and Himachal Pradesh. There were a significant number of offences involving minors, including one sexual assault of an eight-year-old boy.

Mostly, such one-off reports were short. Single-column stories, four to six sentences, which informed the reader of the bare facts: a crime was committed, arrest(s) were made (or not). The few cases that did make two-column stories carried a few more details, mostly pertaining to how the victim and accused knew each other and how the crime was committed.

And in those five or six sentences, those incidents were wrapped up and forgotten.

On the other hand, when the national news media woke up to January's Kathua rape-murder in April 2018, the story jumped from page nine of the *Indian Express* to the front page the next day. In the 30 days following the filing of the chargesheet in the case, the *Indian Express* published 43 headlines on various aspects of the case. *Dainik Jagran* covered it 37 times.

Similarly, the Unnao rape case of 2017 was covered by *Dainik Jagran* and the *Indian Express* 31 and 23 times, respectively, and the Ghaziabad Madrasa rape case was

followed up nine and six times respectively. The verdict in the rape case against one of India's most prominent self-styled 'godmen', Asaram Bapu, came about in the 30 days I was scrutinising the newspapers. *Dainik Jagran* reported on it nine times, while it showed up three times in the *Indian Express*.

I cannot say all this came as a major surprise. But one thing stood out for me: the indifference of the news media to sexual violence. Rape in itself is not news anymore. It is ordinary, normal, to be tucked away on Page 5 or 9, reported once, forgotten forever. Even rapes of minors (and it is worrying to note that sexual crimes against children are everyday occurrences) are not noteworthy, *unless* accompanied by other factors.

Thinking about all this, I found more questions emerging than answers. Is this news media apathy because of the sheer number of incidents occurring across the country — the normalisation of rape in our society? Is the lack of follow-ups because of a lack of adequate reportorial resources?

Perhaps the bare-bones stories that I saw in the newspapers are an indication that reporters cope with the litany of disturbing incidents they must parse through by maintaining an 'objective' distance. As a journalism student idealistic about the news media's role in holding power to account and shedding light on social injustices, I could also not help thinking from the perspective of the victims and survivors. Without the media bringing focused attention to their cases, how many of them would get justice? How many cases would be closed or buried? And, importantly, if the news media do not report on the survivors and their stories after the incident, how would others after them know that there is life after rape? That there is hope?

PART IV

CULTURE, SOCIETY, AND JUSTICE

CHAPTER 26

'SAFETY' AND OTHER OPPRESSIONS

MADHAVI MENON, INTERVIEWED BY ZINNIA SENGUPTA

Madhavi Menon is Professor of English and Director for the Centre for Studies in Gender and Sexuality at Ashoka University. She is author of *Wanton Words: Rhetoric and Sexuality in English Renaissance Drama; Unhistorical Shakespeare: Queer Theory in Shakespearean Literature and Film; Indifference to Difference: On Queer Universalism*; and most recently, *Infinite Variety: A History of Desire in India*. In this interview with Zinnia Sengupta, she discussed sexual violence and its intersections with literature, law, and news. Edited excerpts.

RAPE IS ABOUT POWER, BUT ONLY INASMUCH AS SEX IS about power, and we need to recognise that. How does a man get instantly turned on by a woman walking down the street? It's because power is a very strong aphrodisiac. The possibility of subduing someone by exerting your power is an extremely strong sexual turn-on.

The politics of sexual violence

Sexual violence is political not only because it's involved in the formation of States and their institutions, but also because it maintains a certain status quo of gender and power. Why women are caught in the crossfire is because one gender is supposed to be the one that's conquered and the other gender does the conquering... there are certain symbols by which you can signify conquest, and violence against women has always been one of them. The surest, quickest shorthand that you can come up with to attaining power is always going to be by subduing women.

The ecological crisis is also about asserting a certain kind of mastery over the land, but, of course, this mastery is coming back to bite us. One can only hope that this will happen with women as well, when we will be able to come back and say, you can't continue with this violence, because it will destroy us all. I don't see any sign of that happening yet, unfortunately.

A backwards journey

The idea of men being granted impunity over women has become worse over time. Take the *Kama Sutra*, for instance, written in the 3rd century, and which has several sections devoted to courtesans and their financial independence. Who is going to write a best-selling manual today extolling the virtues of financially independent women? What makes it worse is that despite this regression, we pat ourselves on the back, saying: "Oh, look how progressive, liberal and advanced we are".

There are two ways of thinking about post-colonialism. One, as a temporal marker; the date on which you got independence from your coloniser, from that point you're a

post-colonial nation. The other way to think of a post-colonial nation is as one that struggles against the coloniser's ideologies and philosophies. In the latter case, we have singularly failed, especially in the last six years, and especially in relation to matters of gender and sexuality. Notwithstanding the Supreme Court's long overdue decriminalisation of Section 377 in 2018, in the last six years, we have embraced colonial sexual morality with a vengeance. Machismo has made a terrifying comeback in the public sphere, as has contempt for alternative sexual lifestyles — if anything, we are a far more colonised society now than we were before 2014.

The present sense of Indian 'values' is a mixture of Victorian moral prudery on the one hand and the worst kind of Hindu caste violence on the other. The combination of these two strands has legitimised our ideas about 'pollution' and 'impurity'; it has led directly to the much-vaunted idea of a 'Swachh Bharat'.

I think there's no doubt that, in some ways, what we are seeing with these high rates of sexual violence is a culture in conflict with itself. Because the space and time we are inhabiting right now bear traces both of older civilisations and a more recent British past. Thus, the question of, "Are we or are we not to be prudes?" is a very conflicting and conflicted one. These prudish strands have been there in Indic civilisation since the very beginning — it's not just that the British came and imposed it on us — but because they did do that as well, those strands have come to the forefront. All the 'alternate' ways of doing things which weren't that alternate, but really a part and parcel of daily life, have increasingly been marginalised. But our dilemma is that we have daily reminders of that past, whether it's seeing hijras on the street, worshipping gods that are half-male and half-female, listening to ghazals about one man singing to another

— we are reminded daily of a past that is being squashed out of us.

Looking to the West

I find it hilarious when the West says it's not repressed. I think Christian countries, because of their particular religious legacy, have been — and are — deeply homophobic and superficially homophilic. The language of rights and liberty that they're telling themselves now is a very shallow one. The kind of sexual violence that you find in these countries is still very grave.

Our problem, contrastingly, is that we're superficially homophobic, but deeply homophilic. So how do we tap into that depth, instead of just succumbing to reiterating that surface over and over again? And the reason we reiterate that surface is because it ironically allows us to sound like the West did when it ruled over us. So this sort of homophobia, the idea that 'homosexuality is not Indian', is absolute nonsense: when Europe was burning sodomites at the stake, Mir was writing love poetry to another man. It's a complex, temporally, ideologically skewed mess we're in right now.

If young people in the West feel that they're more empowered to speak about their sexuality now, then that's a good thing. But we also need to examine the form that this speech is taking. Continuing to inhabit identity categories in the hope of creating diversity is not exactly my idea of liberation. You can't create diversity by saying that there are more and more individual identities — that is not diversity. Expanding the LGBTQIA acronym doesn't necessarily mean you're more free, it means you're freer to find narrower niches in which to live. This cuts you off from demanding and providing solidarities with those who might be deemed "other" from one's own niche.

In relation to this demand for more and more pure identities, we might think about historical examples of diversity. Diversity to me is breaching the sacred/profane divide by having sculptures of orgies outside temple complexes; it is to have poetry in which a man dressing up as a woman continues to call himself 'he' (as Bulleh Shah does) because that keeps us guessing. Changing your body or pronoun to feel like the gender you identify with can be extremely liberating for some, but as a narrative, it runs the risk of sliding back into a prescriptive way of being: there's only one way to feel like a woman or look like a man. We have to embrace the transness of trans politics and understand that there are multiple ways of looking, being, feeling, and having sex.

The costs of 'safety'

Safety itself is a very problematic word for me; it's a word that has been used with every single woman I know to prohibit us from doing things. Don't go out at night, it's not safe. Don't talk to men, it's not safe. Safety, to my mind, has become an oppressive category, and we need to be deeply skeptical of it. I think it's more respectful of women to allow us to take risks, to allow us to be unsafe so we can actually develop a sense of what might or might not work for us, rather than smothering us, and assuming a paternalistic knowledge about our wellbeing.

But I hear your question. Should we provide a space where women won't be groped or feel unsafe? Of course, we all want that space, but might that space be achieved by having more women in public rather than shutting them out altogether of the public sphere? If there are as many women as men in mixed carriages in the metro, then we might start seeing and experiencing things differently, Hopefully,

there *will* be women in that compartment, and even men, with whom we can find comfort and solidarity. But the more you segregate, the fewer opportunities you allow for solidarity-building and understanding. The extent to which segregation takes place in India is ridiculous — in schools, buses, parties. Men and women become unknown continents to one another, and this leads directly to a lot of sexual violence. Women don't know how to call men out on their behaviour, and men think it's the only way to go.

'Safety' has been used as a ruse with which to suppress women's voices, and we should be careful while occupying that rhetorical terrain; this is why I don't have 'safe space' written on my door. I don't think spaces need to be made safe according to others' definitions; I think we each need to be able to decide which spaces we find safe and which we don't, and to *make* spaces safe for ourselves in ways that work for us. So, to answer your question, let's think in terms of numbers: fundamentally, we need more women out and about in the public sphere.

[The difference between a liberal and radical politics is that] a liberal politics will 'allow' women to leave the house if they promise to travel in the women's compartment on the metro. But a radical politics will challenge and change the very language of 'permissiveness'. A liberal politics depends on women saying, "We promise to remain helpless, to not talk back and allow you to rule our lives, just please let us go outside". But in a radical politics, we have got to tell our parents where to get off, we've got to tell men where to get off, and we need to practice learning how to do that. As you know, it's very difficult for women to tell others where to get off since we've been taught how *not* to do that for our entire lives.

Gender and law

The very idea of rape and sexual harassment is overlaid with moralistic and gendered layers. Women are often held responsible for being raped, *and* their lives are described as being over if they have been raped. Raped women are allegedly reduced to being a '*zinda laash*' (living corpse), which was an idea recently articulated by a woman Cabinet minister of the ruling dispensation.

It's said that women who are victims of sexual harassment or rape have to live through their [trauma] again when they have to record their narrative or file a police complaint, but this is because the social and emotional narrative around these incidents is so overdetermined, so charged in a way that is not neutral. It's always going to be about, "Oh what did you do, how did you dress, you must have done something wrong" etc. The presumption is always going to be against the woman. But when a woman is a victim of domestic abuse, nobody says, "Oh my god, her life is over". This is why lawyers like Flavia Agnes have made an argument for laws to be gender-neutral and not sexually specific, since sexually specific laws will always target and tarnish women. If you go to file a complaint on dowry harassment or domestic abuse, your situation is going to legally and socially read in a different way. If the woman who has been raped is not looked at with horror and pity, then that would make a huge difference to her. We should reserve our horror for the rapist.

This is, however, a debate with very real pros and cons. A strong argument against gender-neutral laws is that given the history of sexual violence by men against women, one needs to pay specific attention to women. We need to start proactively discussing the merits and demerits of gendered laws.

Marital rape

Marital rape is not illegal in India. This is based on the deeply problematic presumption that a woman gives consent for life when she gets married. A big part of the problem is marriage itself. Because it is such an important institution for the State, it is made to mimic the patriarchal bias by which the State itself stays in place. And this bias is given a religious sanction.

Among Hindus, marriage is considered a sacred bond, a sacrament that is near-impossible to break, and that must not be questioned. In Islam, marriage is a contract where both the man and the woman are told at the outset exactly what will happen if the contract stops working. (In fact, the secret about the position of Hindu and Muslim women in India is that Muslim women are much better off in terms of their relationship to marriage, precisely because it is a contract. But that knowledge has been overtaken by phobic narratives describing Muslim women as poor and helpless victims of criminal Muslim men.)

In the West, the idea of marriage is not sacred any longer, despite its existence as a sacred covenant in Christianity. In relation to marriage, I would say the West is definitely more progressive than we are. Here, we are still hanging on to the oppressive notion of the sanctity of marriage even though marriage is an infant on the horizon of Indic histories. It did not exist for thousands of years – in many parts of the country, till well after the British came (in parts of Kerala, not till the 1960s). So, marriage is not the only answer to forging a sexual relationship, and it certainly should not be considered sacred. We need to disarticulate sanctity and sexuality, because only then will a sexual violation count as a human rights violation rather than being explained away as part and parcel of a marriage.

Sexual harassment in academic spaces

At Ashoka's CSGS (Centre for Studies in Gender and Sexuality), we came up with a set of videos [Menon was chair of the university's Committee Against Sexual Harassment, or CASH] about sexual harassment for Indian university campuses, because all the videos that trainers had been using until then had been borrowed from the UK or the US. We also created a manual on how to use these videos to conduct gender and sexuality workshops. We wrote to several colleges across the country and about 90 per cent of them wrote back to say they did not even have a CASH, and did not hold any training workshops. So yes, the situation differs radically from private to public universities.

As for the existing scenario within redressal committees like CASH — this is where the question gets complicated. There has to be fine balance maintained between punishment, on the one hand, and education and rehabilitation, on the other. The Committee against Sexual Harassment does not exist to provide validation or invalidation in individual cases, but to provide some sense of justice and foster open and widespread conversations, especially in universities.

The shocking truth is that punishment often does not act as a deterrent – in India, even capital punishment for rapists has not ensured either a drop in rape or an increase in the number of convictions for rape; in fact, quite the opposite. I have never been a believer in punishment as a deterrent: studies from around the world have shown that carceral modes of deterrence disproportionately punish minority communities, which is why the prisons in America are filled with black men. To say that the more we punish people, the fewer crimes there will be is a naive idea. Rather than serving

justice, this punitive mindset serves only to satisfy our own bloodthirstiness.

Conversations around sexual harassment on university campuses have to be built around pleasure and agency rather than shame and punishment. The difficult part for many women, since we have all experienced sexual harassment to different degrees in our lives, is to go through what we've gone through and *also* be able to think about it critically. But if we lose that ability, I think we're losing a lot.

Women are taught their entire lives to be ashamed: of their bodies, of their desires, of their sexuality. We grow up with that shame, no matter how liberal our family or milieu might be. So when we first act on our desires, or when our desires are first kindled in tangible form, then that is a frightening and overdetermined situation for us.

But it would be a mistake, I think, to focus only on the horror of that particular situation, and ignore all that has gone into creating it in the first place. And to a large extent, this troubled space is what we encounter in universities. Barring a few incidents of violence and physical brutality that can and should be reported immediately to the police, how do we deal with issues of deeply entrenched gendered behaviour, shame, guilt, anger? These are the spaces that need to be opened up so we can think critically about sexual harassment.

The complex factors that are at play in sexual harassment cases are not related to the incidents alone, but to entire histories of emotions and behaviours and politics and narratives. I think we need to, as educators and students, open up spaces in which we can talk about those narratives. To me, that is a feminist politics at work, as opposed to a patriarchal politics of punishment that thrives on displays of power. We need to come up with different languages and ways of talking about sexual harassment.

In cases where it's clear that the person shouldn't continue on campus, they should be removed. But how much good is that going to do in the long term? Will that person continue to be a sexual predator in another setting? Shouldn't we have them go through talk therapy sessions to figure out what's making them act so violently? I believe in education and rehabilitation. Punishment is easy, but it is not a lasting solution.

Media coverage

In general, our views and laws on sexuality are regressive rather than progressive. So clearly, if you're living in a regressive society, you're going to see a spike in incidences of violence. But the only promising factor in this scenario is that you're also seeing an increase in reports of and about sexual violence.

There are certainly more reports of rape, of violence within families in the news nowadays. There's more conversation and awareness about it, which is probably why the numbers have risen. Different kinds of people are becoming journalists, so they're more open to covering cases of rape and sexual violence.

I don't know the details or statistics involved here, but as a viewer, I think it's pretty evident that [caste and other intersectionality] play a huge role in not just reporting, but editing and deciding what gets published and what doesn't. One possible way to address it is to write more, speak up more, and see if more voices can be heard.

Taking stories seriously

I think nothing can provoke thought as well as literature. And when I say literature, I mean oral cultures as well. You

will find time and time again, over several epochs all over the world, narratives that play with desire, gender, and sexuality, even in the face of much repression.

Once we realise that everything that constitutes how we live, our politics, our culture, our *narratives*, are stories that we tell about ourselves and about others — that is when we will start taking stories more seriously. I think we truly need to do that since literature is perhaps the only domain that allows itself the space in which to ask "what if?" That crucial space of the subjunctive is the domain of the literary. There is not a single period in the history of any country where you haven't had these kinds of narratives challenging the status quo. So, a lot of our hope must reside in literature and in academic spaces. But engaging with the subjunctive is also the reason why universities are inevitably a target of fascism because they're all about teaching people to think. The minute you take that away, you're taking away the ability to ask, "what if?" And you'll be left with a country filled with docile, obedient, pro-status quo people.

The need to write about fascism, harassment, violence, is more urgent now than ever, but also, discussing these issues is more dangerous than ever. Think of Prayaag Akbar's *Leila*, which got the government into such a tizzy because the dystopian future imagined in the novel eerily resembles the present in which we're living. Perumal Murugan's novels in Tamil Nadu have also rattled the status quo. You see a lot more women writing as well. Amruta Patil has just released (with Devdutt Pattanaik) a graphic novel about the forest and women. We're seeing more memoirs about caste and religion and sexuality coming out. The problem, however, is how many people will actually get access to these works and how many publishing houses will be comfortable printing them?

CHAPTER 27

GENDER VIOLENCE THROUGH THE LENS OF ECONOMICS

LEKHA CHAKRABORTY, INTERVIEWED BY ANANYA GOUTHI

Economist Lekha Chakraborty has played a pivotal role in institutionalising gender budgeting in India, and is a professor at the National Institute of Public Finance and Policy and a research associate with the Levy Economics Institute of Bard College, New York. She has worked for the International Monetary Fund (IMF), World Bank, the United Nations Economic and Social Commission for Asia (UNESCAP), the United Nations Development Programme (UNDP), UN Women, and the Commonwealth Secretariat across several countries, including Sweden, Canada, Morocco, South Africa, the Philippines, Sri Lanka, and Mexico. In this interview with Ananya Gouthi, she shed light on gender budgeting in justice, the economic relevance of #MeToo, and how the media can help. Edited excerpts.

IF YOU LOOK AT THE GENERAL BUDGET YOU MAY THINK that it's gender-neutral. But there are many asymmetries in society — economic, social, political, and in other realms.

There are groups of vulnerable people. Why are they not

accessing school? Why are they not accessing hospital? If you look at the 'benefit incidence' of public spending, you feel that not everyone is getting access. So, what are the logistical entry barriers preventing vulnerable people from accessing it? That's where you have to use policies. Unless you remove that entry barrier, they cannot have access.

There, equality doesn't work. You need *equity*. Gender budgeting is about equity. Applying a 'gender lens' to budgets is gender-sensitive budgeting. This is to translate gender commitments into budgetary commitments.

Yet it's important to remember that all women are not equal. That should be the basic assumption of gender budgeting. Otherwise, there will be an 'elite capture' of gender budgeting, and marginalised women may not be able to access public budgets.

Budgeting for gender

Whether gender commitments are translated into budgetary commitments and tangible outcomes depends on 'fiscal marksmanship'. If promises are made in the budget and not backed up by adequate financial allocations, they are nothing but rhetoric and empty promises. But if what you announce in the budget (reflected in the Budget Estimates) are translated into actual spending, then fiscal marksmanship is perfect. Many times, there are significant deviations between what is promised and what is the actual spending. These are fiscal forecasting errors. In the case of public spending related to women, the budgetary forecasting errors are huge.

But higher Budget Estimates per se need not be higher spending. The Nirbhaya Fund was not effectively utilised, and there was a huge gap between the budget announced and what was actually spent.

You can analyse whether this happens randomly or

through bias through the research. On the Union level, technical analysis shows that it's random for macro-fiscal indicators (as many commitments other than gender-based ones are not followed through). At the state level, it's a mixture. The deviation between what you intend and what is realised could be the bias of the politicians or bureaucrats as well. If that is the case, then you need to fine-tune your budget forecasts. But if it's random, it's beyond the policy-makers' domain and that's — to an extent — okay.

A slow process

In India we started this conversation in the early 2000s. But at that time the main issue was that we couldn't contextualise gender budgeting to India. There were four stages: the first was knowledge-building, which was done in a think tank, the NIPFP (National Institute of Public Finance and Policy). The second stage was how to translate this research into policy because we didn't have institutional mechanisms to implement gender budgeting. This stage was innovation. Once these mechanisms were built, the third stage was capacity-building across sectors and various government levels.

Right now, it's time for monitoring. India is right now in the fourth stage. I look at gender budgeting as a fiscal innovation which passes through these four stages.

[Gender-budgeting and I] have grown up together, I think. On the first day of my job, I was given this TOR (Terms of Reference) by my boss and I was told, you're going to do gender budgeting. That time at NIPFP — it's a complex public finance institute — gender may have been coming in for the first time and my colleagues asked me, what is gender budgeting? Is it because of your gender that you're going to work on it? So, it was a mixed feeling.

The first seminar we gave on gender budgeting internally in NIPFP, there were serious protests. The professors told us to roll back this project. But the top was open and sensitive to this new project. Then we presented at other forums on the ministry level, and in regional UN meetings. Then suddenly it became like a star project. The Economic Survey of India, for the first time ever, incorporated a chapter on gender, based on our study report, in 2001.

[An example of gender budgeting being integrated into mainstream policy is how] the Philippines announced that 5 per cent of all the development sectors need to be earmarked for gender budgeting, so everybody has to do it. It's mandated through the law. But earmarking, as mentioned earlier, is a 'second best principle' of gender budgeting. In Korea, they have *national* finance laws. Within those finance laws they have articles directly linked to gender budgeting, the process of gender budgeting. That's a very good example of how we can legally mandate gender budgeting. In India, this is the next step. Nobody can question the efficacy of gender budgeting once it is legally mandated.

Financial power and gender violence

The intra-household bargaining power of a woman is significant when it comes to bodily integrity. Economic marginalisation and lack of financial empowerment affects women negatively.

The NIPFP has done a study[1] on whether access to the government-run microfinance program could empower women. The findings were mixed. Women's access to financial resources could strengthen their 'agency'. However, when it comes to having a say in the household, women are not given space in the decision-making process.

Looking at the impact of gender budgeting, one IMF

study[2], conducted in the context of Indian states, shows that where gender budgeting is introduced, the gender disparity in education is reducing. Another study in India[3] examined the impact of gender budgeting on spousal violence, and found that in places where gender budgeting is introduced spousal violence is going down. All the women may not become entrepreneurs but the kind of agency given to women through their participation... it's leading to some kind of empowerment. It may be giving them bargaining power in the house. There's an inverse relationship between gender budgeting and violence.

However, there is no empirical evidence yet of the link between gender budgeting and reducing societal gender violence. But gender-budgeting frameworks are aware of [a possible link], and it is a work in progress.

Paying attention to #MeToo

Harassment affects the productivity of a woman in multiple ways, considering that she is facing trauma day after day at her work station. If the fastest and the smartest way to boost economic growth is through strengthening women's labour force participation, dismissing #MeToo revelations as non-economic is incorrect. Without a safe environment, women may just quit. Imagine the loss of resource and talent — it's huge. You cannot even compare the loss of talent to the price it costs the firm to ensure safety and an enabling environment — you know, things like providing transportation for late nights at the office. They should not be thinking that retaining women employees is a liability. Compared to the loss of talent, it's nothing.

Another thing is that even educated women are not taking work. The main reason is the care economy burden of women. The care economy is the work there is in the

household which is non-monetised (for example, child-care, elderly care, cleaning). That care economy is statistically invisible. Care economy policies are very crucial to getting women to enter the workforce.

Women alone cannot make this change. We need more men on board. We need to talk about feminism, it's a question of human rights. We need feminist men to come on board.

Women's safety

Gender budgeting is linked to the mobility of women. An increase in mobility is the first step for development. We will see a change in mobility, security, and safety of women. A positive change in dignity. When women get a safe space, they can perform and that should increase growth.

However, providing free public transportation for women [such as Delhi's bus scheme] is not gender budgeting. 'Earmarking budget' for women is a second-best principle of gender budgeting.

Mainstreaming gender in budgets, including in the infrastructure sectors such as transportation, is gender budgeting. This has to start right from the level of programme design. Women are not looking for subsidies, but for effective public services in physical and social infrastructure sectors.

Gender budgeting in justice

The Bill of Rights in the Justice Verma Committee report, which I have written about before[4], has provided a comprehensive framework for gender justice, in addition to recommendations for reforming laws related to sexual

violence, harassment, and trafficking. But this has not yet transformed into public policy.

How we can integrate the Bill of Rights in legal fiats and fiscal frameworks are discussed in my paper, mentioned above, which talks about gender budgeting in justice as a public good. That needs effective planning and financing strategies — more than just announcing a 'Nirbhaya Fund' in national budgets as response to violence against women.

A 'public good' means it's non-excludable and non-rival for everyone. You can't prevent somebody from enjoying it. Conceptually, I feel that human development or gender development and justice for gender — that's a public good. Human rights are a public good. So, gender empowerment or gender development, for me, that's a public good.

How the media can help

While this is a governance issue, we do need to generate awareness programs. Even if it is a five-minute byte or a 15-minute documentary. Gender budgeting exists in this country but there is a lack of awareness. It plays a very significant role, it is the last mile. The media can help bridge the gap between a policy being introduced and the people being aware of it. This can be done by highlighting the significance of the qualitative and quantitative aspects of gender budgeting and its impact on women's economic empowerment. The media can also make people aware that despite the stringent fiscal framework and fiscal austerity measures, how effective gender budgeting is as a tool to address humanitarian concerns. There are very efficient people in the media. That's a positive thing. They have a 'gender lens'. The sensitivity is there, which I find promising.

CHAPTER 28

HOW JOURNALISTS CAN TAKE #METOO FORWARD

SANDHYA MENON, INTERVIEWED BY
SANJANA THANDAVESWARAN AND SHARIN
D'SOUZA

Journalist Sandhya Menon came into the national spotlight in 2018 as one of the guiding forces behind India's #MeToo movement. After calling out three prominent journalists on Twitter herself and then giving other women a safe space from which to share their stories of workplace sexual harassment, she told Sanjana Thandaveswaran and Sharin D'Souza that the fight now needs to extend beyond social media, and towards making due process actually work. Edited excerpts from the interview.

I AM NOT SURE HOW I FEEL ABOUT IT [BEING A FACILITATOR for other women's stories on social media] anymore. At that point it had a sense of urgency. I wasn't thinking that I was being a facilitator. I was mostly thinking that these stories need to get out there. I was happy to be that connect for women who did not want to talk about their experience on their own.

I was conscious of the fact that I had some level of

traction on social media, and my voice was carried. I don't think it ever struck me that I was doing something bigger than myself. You tend to go with the flow.

But one thing that I really have changed my mind about is the way the stories were told. Even then I was uncomfortable with the very sharp details that some of the women put in their stories. I'd much rather say, "This sort of happened with this guy in this place" instead of just labelling someone as a rapist — because it takes away from the credibility. Having to deal with that was difficult. I was warring with myself, going between "I don't think you should say that..." to "This is your story, say it the way you want". That sort of balance.

What has changed since #MeToo

This is the thing that I constantly yell at newspapers and TV about when they come back to us and ask how it has changed — do your work! Talk to corporates and ask, "Hey, has there been an increase in complaints? Has there been an increase in training? Instead of doing one every two years, are you doing once every six months or nine months? What is your frequency? Has that gone up? Has your methodology changed?"

Many corporates now have just an online module, where everyone goes through it, clicks and answers a few test questions. I don't really think this is effective. It might be effective for people who do it diligently but for others, it's like we just need to finish this in 40 minutes. None of these questions are asked: "What have you done with the methodology of training, what have you done with the ICs [internal committees], have you trained the IC's better?" I haven't seen a single report on how things have changed.

Talking from my own perspective, I have been doing awareness trainings for corporates, groups, and NGOs. In

that process I tend to talk to a lot of people from corporates about how things are, and generally, the feedback is that they are doing bigger trainings, they are doing more trainings. So, my unscientific survey says that there is greater awareness, there are more conversations about sexual harassment and what it means. And, these are not easy conversations, right? Of course, the harassment part of it is a difficult conversation, but also when men turn around and state the objections that they have — "I'm not sure I want to hang out alone with a girl in a meeting room", for example. So, those conversations, while they might be in smaller groups, they are happening. For me, that is encouraging.

The other conversation is about women from marginalised groups. That's come to the fore like never before. But, again, that's on social media. I don't see it spill over to other media apart from like a *Wire* or a *Scroll* that has that access to people on social media talking about marginalised groups. A lot of Dalit women are very active on social media and these people have reached out and had us write pieces for them. But, English is so little read and as far as I know, regional newspapers haven't opened up that conversation. Still, it's a start. If English-speaking, privileged women are talking about intersectionality and protection for women (and also other genders) from marginalised sections, it is definitely a step in the right direction.

The other change that I think this movement has brought about is a little bit of fear, awareness where men are concerned. Men are thinking about consent. Men are talking about consent. Men are talking about what happens if they are accused of sexual harassment, and what the implications are of that. The conversation has just exploded around that. Now, whether they understand consent or agree with the idea of continuous consent, that's a different thing. But the conversation has opened up.

The fourth thing that's changed is that more women are aware of what to do when they have complaints. When I was 24–25 years old, the Vishaka Guidelines [against sexual harassment at the workplace] were in place but I had no clue — who do I go and talk to, what is a committee like, how do I file a complaint? Nothing. I just knew how to go to HR — because for any complaint you go to HR. Now, more younger women, even when they just start college, are aware of where they can take these complaints and how to go about it. I think that is a hugely important thing. Whether the men change or not, it is important that you can be empowered to register a complaint.

The fifth conversation that's opened up is about personal responsibility, although that is still to gain a little traction among people. For example, if I have consensually sent a text or a picture to someone, how much am I responsible for what goes on from there? So, I'm not saying that I'm responsible for a guy behaving badly with me, but what is my next step? Does personal responsibility mean I go to HR and file a complaint saying, "Hey, without me asking for a text or a picture, he sent me something". Does it mean that I talk it out with the guy because this was consensual? Do I go to the guy and say, "Hey, what you did was not great". So, that conversation has just started to happen, which is also great because then that automatically makes us view women as adults with agency... and we are constantly fighting against being infantilised by society. So, here you're being an adult and saying, "No, this is my responsibility".

Finally, the change that I've seen — even though we're all stuck — is people are now starting to think about how can we better the law, how can we have a more fleshed out POSH Act [the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) *Act*, 2013], how do we approach questions of false or malicious complaints? At

first, I was naïve enough to turn around and say, "No woman's going to lie about this". But I've seen three cases that were false. And for me, that is really heartbreaking because that really ruins the cause of rest of us who are making complaints that are legitimate. That is a good conversation to start having — what are the punitive measures if there is a false complaint? What are the punitive measures for an IC that hasn't done their job well? Should there be punitive measures? So, there is a whole bunch of questions around the act and around the ecosystem of the ICs and the POSH Act as a redressal system. So, there is a conversation happening but the movement forward, I haven't seen yet.

Making more voices heard

The English-language newspapers need to consistently find new stories that are outside urban centres, to make inroads into [rural areas and small towns]. Not just the one odd story once a month saying, "Oh, this little village in Haryana did this", but a regular beat. I generally think sexual harassment and safety of women has to be a daily beat in a newspaper, like politics is.

We need more reporters in smaller cities and towns from regional newspapers, and more editors who are willing to put those stories out. I get the concern with what will sell and all of that, but there is a greater responsibility. Now more than ever that responsibility is huge.

Also, the regional language media need to start talking about these things in a less derogatory manner. They talk so badly about sexual harassment... it has to be better. How does it start? It starts with awareness, it starts with maybe more women in these spaces. Let's go to schools and start talking to them about equality... not equality, I hate using that word.

Let's start talking to them about parity and respect. It has to start from there.

Turning men into allies

Everyone thinks that we're just out to 'get' men, whether they've committed a crime or not — that we are anti-all men. But I don't think it's up to us to change that discourse in any great sense. I think it's important for men to understand that this is a serious concern for each and every woman that they know. Unless they've locked their women in their house — wife, daughter, mother, sister — every woman any man knows has faced sexual harassment of some kind or the other or will face it in the next few years, if she is very young.

Now, there is a criticism that men shouldn't be changing their attitude only in the context of women they *know*. But if that's the only language men understand, and they can't be empathetic to women in general, then let's talk to them in that language — that of every woman being someone's mother, sister, wife, daughter. I don't think it's on women to change that [anti-men] impression. I think it is on men to understand, "Hey, there is an issue here". But that's in an ideal world, right?

If we want men to be allies, as much as I dislike that word, we need to first stop saying things like 'men are trash' on Twitter. This makes me sound sympathetic to men — and I'm not. I understand that most men are waiting for a chance to cut movements for women down to size and this is enough to say 'men are trash', which might be the truth for many of us. But the minute you say something like that, you're not going to have them on your side. So, I think language is the first thing we have to take care of. This doesn't just apply to statements like 'men are trash' but in the way we talk about sexual harassment in general. I am not saying we need to

police our tone; I'm saying, let's stick to facts instead of painting them with a broad brush. It might seem fair to you and me, but that doesn't help take the conversation forward and that doesn't help men be sympathetic or empathetic to the larger cause of women. They can be sympathetic to the women they know but we need them to be sympathetic to all.

Making 'due process' work

[What needs to be done is to] actually go and file complaints. We were on social media because filing complaints didn't work. But it was always about getting due process to work for us. This was to shake the system up and have them sit up and say, "My god, what are these women doing? Let's look at our systems quickly". So, now that that's happened, posting accusations on social media, and talking about harassment on social media before you file a complaint, is not a good idea.

Now, let's go back to the due process that we were criticising and let's agitate a little stronger to make that work. One of the reasons I get less criticism for talking about sexual harassment on social media — and this is very personal to me, and I don't mean to sound conceited — is I actually have a complaint. It is with the police. So, I still get trolled, but not so much because the minute I say, "Hey, do you want a copy of my complaint?" they step back completely. So, you've got the law on your side, you have the right steps on your side. And while you shouldn't be afraid of trolls and men who criticise your method of gaining justice, there is a certain way things work and you can't fight that. So, have that on your side and make a complaint. Here I am speaking to women who have the privilege and the safety and the space to make those complaints. There are some women who don't have that.

But for those of us [who are in safer circumstances], one

of the ways to stop accusations about being 'anti-men' or 'you're all against us' is to make the complaint. If you make the complaint, then the impression is that there is one guy who is a harasser so she's made a complaint against him, and the things she is saying are about that guy and other guys who have done similar things. If you have a complaint, then you have a super armour on your side.

Changing the tone

One way to change the conversation is to be more circumspect and sharper about the language... not this random adolescent anger that seems to dominate the conversation on social media. That's got to stop. We've got to have sharper, cleaner messaging.

The Utsav Chakraborty-Mahima Kukreja case, for example, has become a complete shit show. She called him out in 2018, and a year later he came back and said she doctored screenshots and so on. Here I am thinking, "Your debates are still there in that level of two people in their 20s fighting about wrong screenshots, truncated screenshots". The level of debate right now is there. Because of that accusation, a bunch of people are, like, all you women have been lying. So, we're still fighting for the right to be taken seriously.

Challenges as a #MeToo activist

[The first issue was] the constant threat of a defamation suit. There were about three or four cases where men wrote to me saying, "Listen, I'm going to sue you for defamation" — not because I called them out, but because I posted stories on behalf of someone else. This was one of the challenges that I really struggled with but I had fabulous

lawyers in Delhi who were saying, "We've got your back, don't worry about it". I don't think the threat is over yet, because one of them was absolutely sure that he was not guilty. The others sort of fell off. This guy kept insisting that he hadn't done anything wrong, ever. He was very strong in his words, so then you yourself wonder a little... *did I get the facts wrong?*

The second issue was loss of work for me. While I was doing it [#MeToo activism] in those two months and also afterwards... I found it impossible to be hired on a full-time basis. I was sleeping two or three hours at night. I was awake a lot because I was often on the computer or on the phone and my mind was completely focused on this. This particularly took a toll of my mental health, on my ability to run a household. I'm a single parent, so if I'm not earning then it's a huge setback for me. Huge credit to my kids that they were not too demanding and understood, "Oh there is something going on with her, I will leave her alone".

It also took a huge toll on how I was interacting with people because my mind was constantly on it. So, I was probably unaware if someone else was distressed in my family, it could be my kids or my parents. It could be anybody I was sitting with. I was probably unmindful of their emotional situation. It took a long while for me to heal myself and to remember that the more I stayed online, the more agitated I got because I was interacting with trolls and with women who were distressed. It took me about six months to settle down into some level of calmness.

Sustaining the movement

For certain organisations, I have been doing pro bono training when they cannot afford it. When I go to a corporate, I am happy to take a fee for it. That's one thing

that I've invested in — getting trained myself and training corporates.

The other thing is, keeping the conversation going. That could be a piece for a magazine or newspaper. It could be taking cases on. Around February I said, "I'm not going to post anything online anymore because now you have a platform. A lot of us have laid the foundation, so you can take it forward yourself". So, I stopped posting online but women would write to me saying, "This is what happened to me". So, I would guide them through the process. For example, I had a young girl write to me saying that she was at this newspaper and there was this man who behaved abominably to her. I said, "Okay, here is what you need to do. Here is the complaint you need to write" and wrote down the complaint. There is a lot of that happening.

Then the usual — directing survivors to therapists and lawyers. Being in touch with women and lawyers who have been working in this space for a much longer time than any of us have and saying, "Hey, how can we work towards changing policy?" And that's hard work because they have regular jobs and I have a regular life. So, to take time out of that and sit and work through it... and we still do it. We end up getting calls in the middle of the night, at midnight, saying "This is the only time I've got. Can we sit down and discuss this? How do we go about it?"

The spectre of 'fake' stories

From the cases that I have seen, there have been about three [that were false]. Amid 400 to 500 cases, there were three. In my view, taking advantage of something like this is difficult, especially now. You could have done it on social media in 2018, where you could have posted anonymous screenshots. Now, that's hard to do because no one is going to take an

anonymous screenshot as seriously, unlike [when the movement began], because then there was a need for that. So, if you can't do that — post anonymously about a man — and have to put your name and face out there, it means that your life is going to be affected and your career is going to be affected. This works both ways. If you are going to make a malicious complaint, then it is going to ruin things for you. But if you are going to make a solid complaint, then you might still not be safe because you could have repercussions of all kinds.

So, to rephrase that, I think there were *some* women who took advantage of it. At the beginning, I told everyone, "There is no way a woman would lie". I was so convinced. But I am not as convinced now. There are some women who will be opportunistic for whatever reason — sometimes it's an emotional reason, sometimes it's purely a cold clinical reason.

Did it harm the movement? I don't think so because irrespective of what comes our way, irrespective of random anonymous Twitter handles writing to us saying "Oh, you guys are all liars", the work continues to happen. I think the people who say that a false complaint affects the movement badly or discredits it, don't care about the movement in the first place. They are just looking for one little thing to drag it down and say, "You guys are lying, this movement doesn't work".

I think the people who use a false complaint to say the movement is useless have no interest in truth or justice. This is entertainment to them. They don't care about truth, they don't care about justice, they don't care about safety, none of that.

The media and the future of #MeToo

I don't think the story needs to be so loud on social media anymore — at least, not the way it was at first. I think it needs more emphasis on verifiable facts, verifiable stories. This is where women with their own stories come in, where you go and file a complaint. This is where the media comes in.

But there's a huge problem with mainstream media. I have put across five or six survivors to different publications, and these are difficult stories. These are stories with harassers in very high places. Stories of women with reams and reams of pages with complaints.

Consistently I keep stating this, apart from *Firstpost*, or *Caravan*, or *HuffPost*, I don't know of a single publication that chased stories on their own. They were after the tweets. We tweet, and that evening they say, "Ah, can you tell us details?" Then they go and talk to the concerned company and post the story. I mean, where's *your* work? Why are we doing your work? So, that's a huge disappointment.

The only way to keep the conversation going is for the media to keep those stories going. And if you're going to get distracted by Jaya Bachchan saying nonsense, if you're going to get distracted by Narendra Modi's walk in the Bear Grylls show, so if you're going to get distracted by all of that, there's not going to be any time for anything else.

You've got to have a woman or a man on this beat regularly! I can't emphasise that enough. The only message that I get from not seeing that happen is that it's not important for the media. You know, it's just that one blip, let's get some part of the noise. If it were important, you would put somebody on that beat regularly.

Refuelling the conversation

The other way to keep the conversation going is to have discussions, have spaces where you can talk about this stuff. Bengaluru's full of these tiny little spaces where there are panel discussions. Or forget panel discussions, I hate panel discussions... you can organise circles, like we did in the initial part of the movement , where women get together and talk about stuff.

At this point, we need to start having conversations with men as well. It can't be just women talking about their survival stories, though that has its space and should continue if it brings healing. But it's time we brought leaders, corporate leaders, into these conversations saying, "Hey, listen, what are you guys doing? How can we help you do this better? How can you have these conversations in a less boring, more open manner?" So, talk to corporate leaders.

Have conversations with domestic workers. If a domestic worker gets sexually harassed at her place of work, which is a home, where does she go? Literally nobody knows. There is the idea of an LCC (Local Complaints Committee), but nobody knows where it is, who to contact, nothing. They're unprotected women, right? So let's have those conversations, figure that out. We know the importance of domestic workers. We lose it if they don't come. Our lives are built around these women's hard work. So, how do we give back to them?

The conversation need not be loud and raucous on social media. The conversation needs to make things happen on the ground and not just on the web. I see women tweeting that women aren't safe and things like that, but stop with it! We know women are not safe, we know the streets are not safe, I know we are policed, all of that! But let's get on the ground and do something about it. And that's something we're just

not doing, people like you and me, who have a lot of privilege. We're just talking to people like you and me constantly. We're not going to a level that's wide and strong. That conversation needs to keep going, not necessarily in the public eye. In the public eye, it's okay, if it happens it happens. It's okay. That's the media's job.

But you and me as people who have some level of education, some level of access, some level of commitment and desire to change things, we need to start working in this space. That's the only way to keep the conversation going. Any other conversation is basically just virtue signalling and a waste of time.

CHAPTER 29

THE SILENCE OF MEN

ANUNAYA RAJHANS

India's #MeToo movement saw a wave of women outing powerful men. After years of systemic oppression, these women's voices found strength in numbers. It was not just an imported 'fad', as some called it, but an irresistible force that held up the proverbial mirror to perpetrators in vaunted spaces such as cinema, media, politics, judiciary, sport, and education.

Yet, male voices were conspicuously absent in India's #MeToo movement, whether in "outrage, support or reflection"[1]. Panels and op-eds were surprisingly devoid of male participation, except for reactions along the lines of, "Him too! Whoa I did not see that coming!" when someone was accused.

It is possible to view #MeToo as being less about individual cases and more about exposing an underlying societal framework that is deeply problematic. It is this framework that presented the movement as one where men were the real victims. Retaliatory voices such as #NotAllMen arise from the same misguided understanding. This framework is what feminist scholars have long understood as

rape culture — a normalisation of sexual violence that sees "violence as sexy and sexuality as violent"[2]. It manifests in various ways, ranging from rape jokes to victim-blaming and -shaming. Instead of seeing rape as something that is done by a man, it chooses to see it as something that happens to a woman. It is only when men understand this cultural construction and their position within it, that they might be able to voice their responses without fearing backlash.

At *NewsTracker*, a journalism project on the reportage of sexual violence in India, we had some trouble with getting men to participate in the discourse.

'Keep my name out of it'

Back in June 2018, we asked reporters to interview ordinary Indians on how they felt about the way rape was reported in the news media. The aim was to capture voices from diverse socio-economic backgrounds, across age groups. But the first bunch of interviews[3] comprised either women or men from privileged backgrounds.

When I urged a reporter to speak to a man from a disadvantaged background to restore the balance, he told me that this was easier said than done. He said, "They are reluctant to talk about rape to begin with, and even if they do agree, they back out the moment I tell them that we will use their name and photograph along with the story".

He went on trying though, and found a security guard who agreed to let us run his photograph, but who wanted to withhold his name. I was perplexed, but given the circumstances, decided to go ahead with it. I was realising that some people might be getting spooked because our project wasn't clear enough to them. I figured that all they needed was to be reassured. So, I decided to find people to talk to myself.

After spending many hours on a very hot day chasing potential interviewees, I realised the enormity of the problem. Men from underprivileged backgrounds were just not ready to talk about sexual violence and take ownership of their opinions on record. Why, I was not sure. But in the time that has passed since that experience, I have come to the conclusion that the issue boils down to two things — how people view news media, and how the news media talk about rape.

Men, media, and the 'other India'

Many working-class men seem to believe that they have nothing to gain — and indeed something to lose — by sharing their opinions on a topic as sensitive as rape, at least on record. Obviously, the need for anonymity arises primarily because people don't want what they say to affect their lives personally or professionally. However, realistically, any such scenario would be hard to imagine in this case — unless they believed that what they said would generate backlash because it would be somehow *unacceptable* to people at large. The media are often seen as the arbiter of what is 'acceptable' to say, a function through which they shape public opinion.

In the case of sexual violence, Shakuntala Rao argues that the "Indian news media's portrayal and coverage of rape is narrowly focused on sexual violence against middle-class and upper-caste women and avoids discussing violence against poor, lower-class, lower-caste, and otherwise marginalised women"[4].

I believe that the media need to take stock of this and realise that in the discourse around rape, their job is not merely reporting. The media clearly need to do more — not just in urban, English-speaking India, but at large, in the other India, or Bharat, where these men belong.

At this point, it is important to note that the interviews we were conducting were to be translated into English (which for obvious reasons is anxiety-inducing as words can be misrepresented) for a niche online publication with a readership that was far removed from the 'other India'. It is highly improbable that anything these men said would be traced back to their immediate surroundings. Yet to them, there was a perceptible danger of this happening. This might be because the media are seen as a monolithic entity. Newer, digital media platforms don't yet have an identity of their own in this India. This suggests that any act of indiscretion by the news media (even in a limited capacity while covering sexual violence) ends up tainting the media as a whole, further depleting trust.

What is the state of existing discourse on sexual violence in vernacular languages? How much of that responsibility falls squarely on news media in these languages? Journalism scholar Deepa Fadnis asserts, "The cultural devaluation of women is embedded into the minds of people in India which also includes the journalistic community. This could significantly affect the way news content is shaped and framed by journalists in India"[5].

Thus, looking at journalistic discourse to underscore the value systems of reporters is key to understanding the current discourse around rape. As Rao notes, "If inclusiveness, human dignity, and the ideal of providing space to multiple voices are to be considered as ethical precepts for global media, India's television news media fail to be inclusive in their portrayal and reporting of sexual violence and therefore perpetuate a 'pro-affluent bias'".

So, what does this tell us about the rape culture in India? If people are worried that talking to the media about rape and how it is reported might affect them personally, that is a tacit acknowledgement of the fact that the

problem of rape and the culture that sustains it doesn't affect them currently!

Turning spectators into allies

There appears to be a twofold rationale for why so many men want their anonymity guaranteed. One is the entrenched understanding of the power of the written word, but even more than that, it is an acceptance of a lack of awareness of the existing discourse. They feel as if what they say will likely be the *wrong answer*, and getting it wrong will call for a penalty. A lack of understanding of a discourse, unsurprisingly, makes one feel hesitant to participate in it. I get the impression that when faced with a camera and a reporter's questions, these men feel rather like students who haven't done their assigned readings for a test. Perhaps, they feel they have no place in the existing discourse surrounding rape.

But feeling excluded is one part of the equation. They may also have excluded themselves as they still think of rape as a *women's problem* as long as it doesn't happen to someone in their family, or an *honour problem* if it does. It is not as if they condone sexual violence, but what they fail to comprehend and therefore condemn is the rape culture that facilitates it and their unwilling, unconscious position within it.

The news media have to step in at this point to lead a much-needed discourse around rape culture in India — and not merely report it. The most glaring implication of this gap in discourse is that on one hand it denies people's capacity to empathise with a rape victim/survivor, and on the other it allows them to see themselves as victims who are being cornered with questions that are outside the syllabus that they have been given.

I would argue that shame, which is intrinsic to rape

culture, sometimes cuts both ways. These men are shamed for not being part of the discourse around rape even as they have been systemically excluded because of their class position, which is further stonewalled by language. These men are potential allies in the fight to dismantle rape culture. But in the current scenario, even the relatively progressive minded ones fall back on anachronistic solutions such as forcing the rapist to marry the victim, thus making them imperfect allies.

If the discourse around rape in India has to be more inclusive, the media will have to lead the way by acknowledging their biases and addressing them. Rao talks about the 'Norms for Journalistic Conduct' compiled by the Press Council of India, which addresses rape reportage only in negative terms — of what you're *not* supposed to do, such as disclosing the identity of the survivor (which in itself is a fractious issue that is not always followed). It's time we address the issue positively, by empowering journalists to talk about rape culture so that they can in turn empower the missing male voices to come out of exile.

We must talk about the cultural underpinnings of rape, and work towards a mindset shift. That will take time. But until that happens, the media must not forego their responsibility to protect people. Remember that security guard? Our reporter went back to him and assured him that if he was uncomfortable, he could withhold not just his name, but also his face. That is the story of how we managed to add that missing voice to our collection of interviews.

CHAPTER 30

TELLING THE STORIES NO ONE ELSE WILL

RACHANA MUDRABOYINA, INTERVIEWED BY MANISHA KOPPALA

Rachana Mudraboyina is the Hyderabad-based creator of TransVision, India's first YouTube channel for transgender issues. She spoke to Manisha Koppala about her mission to tell the stories that others do not want to, and about the deeply engrained prejudice and bias that has left trans people facing not just social but legal discrimination, especially in the event of sexual violence. Edited excerpts.

TRANSGENDER BODIES HAVE ALWAYS BEEN A SUBJECT OF keen interest. We've always been asked to 'remove the wig' or 'show what's inside'. Sexuality and violence are invariably tied together. There is violence inflicted on us through social structures, words, on our bodies. It is all a way of reminding us that we don't belong here.

If we choose to use our bodies to beg and bless, we are revered and respected. But if we use our bodies for sex work, we are immediately abhorred. Either way, our bodies are subjected to violence. And either way, we are told that we

deserve the violence, making it incredibly hard to report anything to the police.

Untenable victims

When we are respected for the cultural position imposed on us, we cannot claim a human rights violation because, then, that power is taken away from us. The understanding is that since the community is revered, the individual in question must have done something wrong. Once you claim you've been violated, you lose out on your cultural position, and on top of that you are punished. In order to protect that position, you have to keep shut. In the second case, when you choose to use your body for sex work, your body is already considered 'sinful'. There is no space to claim violation against your body there because it is seen as your fault to begin with. Both ways, it becomes difficult for us to register complaints.

Of course, everything is tricky when it comes to sex work. I personally chose to be a sex worker, but I understand that there are thin lines between choice, compulsion, and making peace with the compulsion to turn it into a choice. I believe that choosing sex work is subversive in a lot of ways, but the trade-off is that you forgo whatever little rights you had.

Also, sex work is not considered work. Why is it that we are not allowed to use our bodies for economic reasons? Men do it all the time in the name of labour. I think that women (and us) using our bodies for work threatens the social structures of patriarchy. They are afraid we'll gain economic freedom.

Strength in community

Crime and violence forced us to collectivise. A few of us (sex workers) came together and initiated a collective. When we started, violence was still rampant. People threw acid at us, hit us with beer bottles, and even murdered one of us. The threat that our community faced was immense. So, in a way, we had no option but to stick close to each other. Slowly, the collective gave us strength. It began speaking on behalf of us. We started being recognised internationally. We were able to stand up to the state. The media started thinking twice before writing against us and acknowledging our rights.

Breaking stereotypes in the media

Before, the media didn't invest much in us. The stories carried out on transgender people were either under-reported or wrongly reported, and the community was always negatively portrayed. You would have stories put together from unrelated videos, with news about us spreading diseases or being violent for no reason. Most media houses are owned by dominant communities, making it much easier for them to be irresponsible in such ways. Most of them never consult us before publishing a story about us. To add to that, this has never been challenged legally.

When it comes to being sensitive and accepting towards the trans community, there is no difference between the educated and uneducated. Even if you are educated, you need to learn to be sensitive.

We recognised that the media lacked a basic understanding of our community, thus propagating transphobia, discrimination and negativity. Now, we're working with some of the media to break stereotypes about trans people. There are special reports and some stories that

are carried out carefully because journalists consult us. We need more journalists to be trained to cover gender-based stories. They need a more nuanced understanding and to treat these matters with care, rather than merely reporting. The vocabulary matters too.

Taking ownership

You could say we took matters into our own hands by starting India's first transgender YouTube channel, TransVision. Our aim is to provide people with a basic knowledge of transgender people. It is very important that people hear it from us directly. We will not only represent our community, but also do it correctly.

Everything is always about men, and even feminist movements focus just on women. What about all the other people who don't fit into any of these categories? Where do their stories go?

TransVision is one such effort to capture these narratives. In a later stage of our project, we will start archiving transgender stories from all across the country, under the name Indian Trans Archives. We are also aware of the fact that we will never be able to compete with the mainstream media but we have to do our bit.

CHAPTER 31

THE MISSING 'WHYS'

INSIA DARIWALA, INTERVIEWED BY SHREYA GAUTAM

Filmmaker, writer, and activist Insia Dariwala is best known for her short films *The Candy Man*, which tackles the issue of male sexual abuse, and *Cock-Tale*, which explores the creation of a rapist. She is also the founder of the Hands of Hope Foundation, which works for the prevention of child sexual abuse. In this interview with Shreya Gautam, she discussed her campaign for gender-neutral laws and her insights on the questions she believes journalists need to ask: why do rapes happen? What makes a rapist? What can we do differently? Edited excerpts.

While working on The Candy Man — which is about a young man who must confront sexual abuse from his childhood — in 2009 I faced a lot of my own demons, because I am a survivor of child sexual abuse too. The film was my own catharsis, but while writing it I also came across many other survivors — not just girls but also boys. That changed my perspective on child sexual abuse quite a bit. For

the longest time I was thinking of men as villains in this, but I realised that even boys are victims.

When *The Candy Man* was released in 2009, it generated a lot of impact, and the impact was mostly on men. This was the first time in India that someone had shown a boy as a survivor, and it started a lot of dialogue on male child sexual abuse. I subsequently delved deeper into the subject because I knew that there was more to be done on the ground.

During that process, I made another film called *Cock-Tale*, post the Nirbhaya case of 2012. It was about the genesis of a rapist — how we as a society give birth to rapists — and it set the foundation for my activism. The film won a few awards and travelled across India. Many men approached me and started talking about how we as a society shape rapists. I was hearing it so often, straight from the horse's mouth, that I became acutely aware of the work that needs to be done. I thought it was high time that I start doing something about it.

My first workshop was with children in Haryana, after the film was screened in Delhi. I went in to educate 1,500 kids in school and that's when the gravity of the situation really hit. So much sexual abuse and rape is happening because of deep-rooted mindsets that will take a long time and a lot of effort to change.

Seeing is believing

In this journey, starting with *The Candy Man*, what I have realised is the power of storytelling, and the visual medium. In 2017, after the two films, I got the opportunity to put up an installation on child sexual abuse at the Kala Ghoda Art Festival. The installation was titled 'Betrayed' and it was viewed by about 1–1.5 lakh (0.15 million) people in less than nine days.

What it did for us was to start a dialogue — whoever was visiting the installation was also learning about the seriousness of the issue and many people showed interest in knowing more.

I became aware that if I use the visual medium to reach people, the impact would be quicker and bigger. Taking that thought forward I started running a program called YSR (Your Social Responsibility) in which I interact with students from art colleges. I roped in students from Pearl Academy and gave them a script. We created a puppetry animation video about sexual violence and children. It engages with and speaks to children — in Hindi — directly. When kids are young it's very difficult to reach them and educate them on these issues, and there are not many films that they can understand.

Invisible victims

As I started working more and more in the space, I realised that there is a correlation between unresolved trauma in boys who have been affected by sexual abuse and violence towards women and children. To further dig into that I petitioned the government in 2017 — it was to Maneka Gandhi [then India's minister of Women & Child Development] — for a study on male child sexual abuse. I strongly feel that the past holds the answers we need to combat sexual abuse in India. Unless we don't fix the past, for boys especially, we can't fix our present and future.

To give a little more momentum to this goal, I started a photo campaign. This was for the first time in India that we had a campaign with male child sexual abuse survivors. If we look at the statistics, millions of boys are sexually abused in India today — but only five came forward to lend their faces to the campaign. But it *still* generated interest. It's as if I had

opened a Pandora's box — every channel, every newspaper wanted to talk about it and to know more.

We gained a lot of mileage with the campaign and within less than two months we gathered close to 89,000 signatures on the petition to Maneka Gandhi. When that happened, I was invited by her to bring evidence to what I was trying to prove. Now, I don't have a degree in the social sciences or training on how to use research methodology, but I do know a lot of survivors, and I know what a survivor goes through because of my own experience.

So, I put together a survey that I ran on my petition online. There were 160 male respondents, and my hypothesis was supported with evidence — more than seven per cent said that they do have the urge to hurt someone because of what had happened to them.

When the government saw this pilot study, they asked me to lead an all-India study on male child sexual abuse. The aim, though, is to not just study male sexual abuse — there are many studies on it already. My aim is that once the data is collected, we will ask experts to analyse it and with their findings we will develop creative prevention modules to arrest the issue. So, we plan to generate a lot of creative ICT (information and communication technology) materials. This means short films, public service announcements, drawing tools, and a lot of different forms of art designed to act like interventions for children and adults.

Making an impact

Because of the last campaign, there have been changes in the legislation regarding boys and sexual abuse. We got compensation for child sexual abuse victims to become gender neutral — before, it was just for girls.

We are also looking to change the laws where for the rape of boys the punishments are different. Section 377 of the law (under which male victims can try to seek justice) is very contested — you should not convict anybody in that law because it may result in the victim getting punished too. If a boy is raped by a man, both might get punished under Section 377.

In addition, we are lobbying about the Criminal Amendment Bill of 2018, in which a rapist can get the death penalty if the victim is a girl under the age of 12. What about boys? Boys are being raped too! [In 2019, the Union cabinet approved amendments to the Protection of Children from Sexual Offences (POCSO) Act 2012, making it gender-neutral]

I am asking for laws that are gender-neutral. Sexual abuse is a child rights issue — you cannot look at it just through the lens of gender. If five faces can change the legislation, can you imagine what 50 faces can do? I want to have survivors join the campaign as this will help remove the stigma attached to them. Even if laws are put in place, nothing is going to change unless people feel confident about reporting what happened to them. People don't report the sexual abuse or rape of their children because they are afraid of how society will react. My goal is to bring out people from isolation — so that the issue is normalised and the victims aren't burdened with shame and guilt.

What the media can do

I call the media a double-edged sword. Honestly, if it had not been for the media my cause wouldn't have gotten so much momentum. The media are very instrumental today in reporting cases. We only know about them because the media report on them. However, the danger is that the media are

sometimes not as sensitive as they should be in terms of how they view and report on this issue.

The headline always mentions the victim — "three-year-old raped" or "four-year-old raped" or "16-year-old raped" — but I never see headlines saying "70-year-old man raped so-and-so..." I think the way we narrate the story needs to change today. We need to change the focus from the victim to the perpetrator. The media cannot use a child or a woman just to sensationalise their article. They need to understand why they are reporting the case. They need to approach the conversation in a way where they are creating a space for people to ask questions. I don't think the media need to judge or do moral policing, but they do need to evoke emotions in the reader. For example, instead of just saying that a child was raped and giving graphic details, journalists need to ask, "*Why* is this happening?" When you start asking those *whys* — say, why did the person who heard the screams choose not to go to the cops? — a lot of answers will be triggered.

Looking beyond the death penalty

I don't support the death penalty because I don't believe that killing the criminal will kill the crime. There needs to be punishment, but death is the easy way out. I want to study rapists to understand what makes them do this. Killing a rapist is losing out on a very good chance to know why rapes are happening. Punish them, give them a life term, but I don't support the death penalty. Rehabilitation also is a vast term, I wouldn't use that. For rapists who have done a lot of damage I would not bother to rehabilitate them, but I would try to study them.

CHAPTER 32

CAPITAL PUNISHMENT: THE DEATH OF A DEBATE

SUKANYA SRIRAMAN

In August 2018, Prime Minister Narendra Modi was widely praised in the media for sending out a "stern message" of "zero tolerance"[1] for sexual violence in his monthly radio broadcast *Mann ki Baat*.

In his address, the Prime Minister reminded citizens that the government had made provisions for the "strictest punishment" for rapists. Referencing the recently passed Criminal Law (Amendment) Bill 2018, which was widely seen as a reaction to the media and public outcry over the January 2018 rape and murder of an eight-year-old girl in Kathua, J&K, Modi noted, "Those found guilty of raping girls below the age of 12 years will be awarded the death sentence"[2]. The death penalty also applies to rape cases where the victim dies or goes into a persistent vegetative state, or if the perpetrator is a repeat offender. These provisions, along with stricter rape laws in general, were also set in motion by a case that caused outrage across India — the Delhi gang-rape of 16 December, 2012.

Many protest marches in the 2012 as well as 2018 cases featured placards and banners demanding 'death to rapists',

and that is what the government eventually promised, at least in cases that met certain parameters. With these steps, the government was seen in popular view as having responded to people's anger over sexual violence in India. This view of justice being served was cemented when the death penalty was awarded to the convicts in the Delhi gang-rape case [they were executed on 20 March, 2020].

But does the existence of the death penalty truly imply "zero tolerance" for sexual violence? How effective is it as a deterrent to crime? These questions have been asked in newspaper op-eds, expert interviews, and TV panel discussions numerous times, and there are passionate advocates for both sides of the debate.

Those who support the death penalty say it strikes fear in the minds of potential rapists, restores faith in a damaged system, and acknowledges the gravity of child rape. Those who argue against it say international statistics (primarily from the USA) paint an unimpressive picture of its deterrent value. When it comes to the rape of minors in the Indian context, the argument is that the death penalty may prevent victims or their families from reporting the crime since the perpetrator may be a close relative or the only breadwinner death may be perceived as 'too much' punishment. Some believe that perpetrators may be driven to kill victims in a bid to silence them, while others criticise the "knee-jerk" nature of the legislation, alleging political expediency[3]. There have also been many critiques of how the criminal justice system in India deals with sexual crimes. Several commentators have made note of the low conviction rates and have emphasised the importance of ensuring certainty of punishment rather than increased severity.

The role of media discourse

While the death penalty has been firmly stationed in the news because of how frequently it is now being awarded, the media debate appears to have ceased except for occasional peaks, such as during the passing of the legislation and regarding high-profile cases such as Nirbhaya.

Despite the preponderance of arguments against the death penalty for rape in op-eds, most news reportage tends to leave out not only opinion but context — and this can be problematic.

When the death sentence is awarded for rape, even detailed stories leave out any mention of the debate (for example, when Madhya Pradesh passed 12 death sentences for rape in seven months[4]). When a political leader makes headlining emotive statements such as "rapists don't deserve to live"[5], there are few attempts to balance coverage with statistics or even a summary of evidence-based counter-arguments. When the matter enters into the heart-rending realm of emotions of those directly affected, analysis is again put on hold. For example, when the family members of victims — such as Nirbhaya's mother or the Kathua victim's father — express views in favour of the death penalty as an appropriate form of retributive justice, media reports rarely provide context in the form of the larger discourse on capital punishment.

What the public now gets to hear, unfiltered through the lens of critical media enquiry, is what political leaders say, what courts rule, and the emotions of those who are directly affected in various cases. The ruling party, unsurprisingly, appears to be unequivocally convinced of the death penalty's efficacy in reducing crimes against women and are the most outspoken on the matter. The BJP-ruled states of Madhya Pradesh, Rajasthan, and Haryana were the first three to

approve the death penalty for rape and have been sentencing accused rapists to death at some speed: in one MP case[6], the death sentence came just five days after the chargesheet was filed in court. Between March and August, four people were given capital punishment under the new law in Rajasthan[7]. Madhya Pradesh, the most prolific awarder of the death penalty, sentenced 13 people to death between December 2017 and August 2018[8].

With headlines and reports focusing on such developments, it is easy to get the impression that the wheels of justice are turning, and turning fast. But are they really?

In what the *Times of India* has termed as the "Nirbhaya effect", there has been an increase in the reporting of rape cases across India since the Delhi gang-rape and the "revision of laws relating to crimes against women"[9]. This appears to be a positive development, and there may be several reasons for it, including the perception that sexual assault cases are being taken seriously now. However, there is little to indicate that the death penalty "scares" rapists and stops them from committing crimes. To quote Amnesty International India: "Executions do not eradicate violence against women. There is no evidence to show that the death penalty acts as a deterrent for sexual violence or any other crime"[10].

Ultimately, there is no getting around the fact that the death penalty will never address India's 'rape problem'. How much does the existence of the death penalty matter when the conviction rate for crimes against women in 2016 hit a "decadal low" of 18.9 per cent, even as the incidents reported went up by 83 per cent[11]? We still have major leaders making uninformed remarks, such as a chief minister claiming that most rape cases are just angry women getting back at their lovers[12].

In this scenario, the death penalty acts as a distracter. When we talk about the death penalty, we also need to talk

about the social norms that perpetuate rape culture and the systemic failings that either silence women or victimise them further. This is where the media need to step in. When we quote a leader's effusive praise for the death penalty, and when we report on a convict being sentenced to death without adding context, we feed into a populist narrative that treats capital punishment as some sort of magic bullet. We do a disservice to the cause of fighting violence against women.

CHAPTER 33

REFORMING THE DISCOURSE ON JUSTICE

PRANATI NARAYAN VISWESWARAN

Over the past few years, India has taken an ever-more punitive stance towards sexual offences. The death penalty is, thanks to new laws, now applicable in cases of rape that result in the victim entering a vegetative state or dying, as well as the aggravated sexual assault of children. These legislations were passed in the backdrop of public and media pressure over two different cases — the Delhi gang-rape of 2012 and the Kathua rape and murder of 2018.

In both cases, the new laws resulted in a media debate about the efficacy or lack thereof of the death penalty, but what has been missing is any meaningful discussion about *reformation* as an alternative.

Reformative justice and the Indian media

According to the reformative theory of punishment, prisoners should be seen as individuals who are greater than the magnitude or sum of their crimes. The focus, then, is on 'reforming' their character during a period of imprisonment. Punishment, thus, becomes a means to

rehabilitate an offender and to eventually make them a productive member of society through psychological, behavioural, and occupational therapies and programmes.

The question now is, how do the media in general engage with the possibility of reformative action in cases of sexual violence? To search for clues, I looked at reports of rape and sexual violence for a period of 13 days (19 November to 1 December, 2018) in the Chennai edition (print) of the *Times of India*, the country's most widely read English newspaper.

In the 13 issues I went through, 38 articles dealt with rape and other forms of sexual violence. Of these, four reports featured on the first page, but comprised only brief synopses that were continued in the inside pages. The majority of reports (16) were placed in the nation pages, followed by the city and region sections. One story relating to a personality in cricket was found in the sports page. The stories ranged in length from approximately 50 to 650 words.

Most articles mentioned the circumstances that led to the crime, a description of what happened, and the condition of the victim. Most stories reported on charges filed, or arrests made, but hardly any of them contained any information about what would likely happen to the accused in the aftermath. There were three follow-up stories of older cases, reporting two convictions and one acquittal.

Only two articles clearly expressed ideas of reformation. One pertained to the sexual harassment charges against BCCI (Board of Control for Cricket in India) CEO Rahul Johri who was deemed "not guilty" by an enquiry committee, but whose case led one member of the deciding panel to recommend that he undergo "gender sensitivity counselling"[1]. Interestingly, a member of the BCCI's committee of administrators reportedly viewed this call for reformative action as evidence that Johri was deserving of retributive measures such as being removed from his position.

The second article that expressed a need for reformation was a republished opinion piece from the 'spiritual networking site' *Speaking Tree* about a certain religious perspective. The article posited, "Cultures that enable and sustain violence against women affect society as a whole; not just the victim but this also degrades the perpetrators, their families and entire communities". It further noted that to fight violence against women, we must look not only at "structures which exist at the level of laws, regulations and policies" but also "culture, attitudes and beliefs"[2].

However, the reportage in all other instances from this sample lacked any kind of reformative outlook. Most stories merely reported if a sexual assault suspect was booked, arrested, or sentenced, and the discussion ended there.

An alternative perspective

It is not easy to find debates about social reform as an alternative in the Indian media. While this stems in part from the systems awarding the punishments, the news media makes little attempt to promote a discussion even when the opportunity presents itself.

This gap is unfortunate. The reformative theory of punishment has been used successfully in Sweden, where public anger over crimes is not seen as reason enough to derail "long-term strategies" centring on reformation. Nils Öberg, director-general of Sweden's prison and probation service, was quoted in a *Guardian* piece, where he said, "Some people have to be incarcerated, but it has to be a goal to get them back out into society in better shape than they were when they came in"[3].

That is not to say that the concept is alien to the Indian context. For example, the Supreme Court in 2017 proposed the setting up of 'open prisons' throughout India for convicts

who fit certain parameters, as a means of integrating them back into society[4]. An *IndiaSpend* report on Rajasthan's open jail system claimed that it saved money, reduced overcrowding in prisons and, according to Odisha High Court Chief Justice Kalpesh Satendra Jhaveri, "strengthened the social fabric by mainstreaming estranged individuals who are in conflict with the law"[5].

The rhetoric of reformation in the judiciary is not unusual in cases of sexual violence either. In November 2018, the Delhi High Court upheld the prison sentence of a rapist but also recommended that he be engaged in "meditation" and vocational programmes during this period. The judge said that the "sentence acts as a deterrent and is simultaneously reformative"[6]. Similarly, in August of the same year, the Madhya Pradesh High Court commuted the death sentence of a rape convict to life, making note of the "probability of... rehabilitation and reformation"[7]. The same court passed a similar judgement in October, stating that "nothing is available on the record to suggest that [the convict] cannot be useful for the society"[8]. In December 2018, the Supreme Court reduced a convicted child rapist and killer's death sentence to 20 years rigorous imprisonment, once again citing the possibility of "reform"[9]. In September 2016, the Supreme Court, in fact, came under some criticism for dealing a "blow to the death penalty" in a number of cases[10].

In each of the sexual assault cases, the courts made mention of the specific circumstances of the offenders while delivering the judgements. Some media coverage implied criticism of this stance, with headlines such as "Supreme Court gifts life to rapist"[11], but the engagement with the subject ended there. There has been no attempt to unpack the advantages and disadvantages of a reformative approach, as is frequently done when the death penalty is imposed.

There is little acknowledgment of the fact that it has been shown time and again that sexual violence does not exist in isolation, but is influenced and reinforced by social systems. Addressing it requires systemic change and a shift in mindsets. There is no guarantee that tough laws, even if enforced well, will prevent such crimes.

Hence, it is time that we look at reformation- and solution-oriented reportage. By following up on cases regularly and informing the reader what comes after the legal processes, media reportage can play a role in expanding the discussion on addressing India's sexual violence crisis.

PART V

THE 'OTHER' INDIA

CHAPTER 34

CURING A BLIND SPOT

SONI SANGWAN, INTERVIEWED BY SIMRAN SINGH

Soni Sangwan is the former consulting editor of the *Gaon Connection*, India's largest rural media platform. She has also held senior editorial positions at the *Hindustan Times*, CNN-IBN, and Headlines Today. In an interview with Simran Singh, she spoke about the mainstream media's apathy to rural India, and the importance of alternate media in bringing to light sexual violence and others issues of concern in villages, which are home to nearly 70 per cent[1] of India's 1.3 billion population. Edited excerpts.

THE INDIAN MEDIA'S RURAL BLIND SPOT HAS LED TO AN under-reporting of rape cases that occur in villages and slums of the country. A study [cited in the *Times of India*[2]] that looked at data published by the *Criminal Law Journal* shows that between 1983 and 2009, over 80 per cent of the rape cases in high courts and close to 75 per cent of rape cases in the Supreme Court came from rural areas. But the media attention remains focused on cases where the description of

the victim resonates with the readers — urban, middle class, and English educated.

The need to make news 'sale-worthy' compels journalists to prioritise the urban over the rural. They chase stories that connect with their readers, those who reside within the safe sanctum of their cosmopolitan homes. Incidents that transpire against a rural backdrop fail to connect with the audience the mainstream media primarily targets.

Grim realities

The gravity of the problems faced by rural women is often times understood through stories that are shared through word of mouth. I remember that a relative of mine working in the health-sector in Rajasthan would be approached by women for intrauterine device insertions right before the harvest season. Shockingly, the patients were their young daughters who were beginning work at farms owned by rich, landlords. The women had come to terms with the reality that their daughters were going to get raped. Their hope of seeking appropriate legal remedies had long died. To avoid being socially ostracised by their communities, the little girls had resorted to taking medical precautions to prevent pregnancies.

Women in rural India find it especially difficult to muster the strength to report such crimes to the authorities. In circumstances where the victims manage to do that, they are subjected to intrusive investigations by the police officials, who tend to show a high disregard for their privacy. This explains the popular lack of confidence in the justice system, with protracted trial proceedings compounding the trauma of the rape survivor.

While working at *Gaon Connection*, I came across the Ashiana gang-rape case where the victim, who had to

fight a decade-long battle for justice, echoed the same disbelief in the system. She felt like she had been raped once in the outside world and then raped again 60 times during the course of the investigation and trial when she was obligated to recount the traumatic experience on multiple occasions. For the media coverage of sexual violence against women in India to improve, it is necessary to first create a safe and trusting environment for them to report their assault.

A call to the mainstream media

The mainstream media can have tremendous impact when they choose to cover rural stories. This was seen during the trials for the Mathura rape case in 1974. The chilling story of two policemen raping a young tribal girl under the influence of alcohol in the hinterlands of Maharashtra gained public attention after it was extensively reported by the media. The reporting spurred a national conversation about the flaws in the rape law and challenged the long-prevalent culture of victim blaming.

The media can spark such fires. This can then be turned into a campaign with a lasting impact through public support and organisational backing. However, to better the sorry state of affairs in the country, it is essential to branch out beyond mainstream media.

The role of regional publications

The onus of sharing such stories and reviving the credibility of democracy's fourth pillar falls on regional media outlets. They have access to local resources, which allows them to delve into the intricacies of the cases. They hold the power to

help mobilise the public in situations where the authorities have insufficiently performed their duties.

Every time an act of sexual harassment goes unaddressed by the police, the perpetrator is emboldened to further carry out other brazen acts. When a person who regularly engages in 'eve-teasing' goes unpunished for the offence, he gains the courage to graduate onto the next step — molestation. When a third person who harbours similar malicious intentions watches a culprit face no repercussions, he is reassured that it is easy to escape legal charges.

A space for development journalism

The promotion of developmental journalism can also sensitise the Indian readership to the issues that plague rural India. Unlike mainstream media, where the type of story that goes into print is determined by factors ranging from the political leaning of the owners to the marketing strategies undertaken by the media house, development journalism caters to every individual with a rural connect. This includes anybody from a marginalised farmer to a consumer who sources products from a village. With the advent of technology, digital avenues can now be used to reach a wider audience The mainstream media merely scrutinise the latest policy decisions. But the journalism that originates from the villages can paint a true image of how policy decisions have fared in actuality. The dominant narrative overlooks the steps that villages take towards positive change. For instance, the government schools in the countryside of Uttar Pradesh recently introduced sessions to discuss the ideas of good touch and bad touch. Such stories would have been killed by mainstream media.

CHAPTER 35

HOW THE NEWS MEDIA NORMALISE RAPE IN RURAL INDIA

SHREYA GAUTAM

Jharkhand is one of the most rural states in India — according to the census of 2011, more than 75 per cent of the people live away from urban centres, and many households still do not have electricity. The state is primarily known for its tribal populations and the ongoing Naxalite movement. In this context, what is the priority accorded by the local communities and the news media to combating sexual violence?

When I lived in Jharkhand, I heard plenty of stories about sexual assault — but in the form of gossip, whispered about in households and neighbourhood gatherings. Sexual violence was acknowledged but it was never really seen as an issue. From the conversations I overheard, it was easy to assume that these crimes that everyone knew about were also mostly domestic/acquaintance rape or assault cases and were not reported.

To gain greater perspective on sexual violence and how it is covered by the news media in a predominantly rural state like Jharkhand, I decided to carefully parse, over a 15-day period, the Jamshedpur edition of the *Hindustan Dainik*. This

Hindi daily enjoys a wide readership across parts of Uttar Pradesh, Uttarakhand, Bihar, Jharkhand, and Haryana. Unfortunately, at least in the period that I perused it, its coverage of sexual violence was underwhelming at best, qualitatively as well as quantitatively, hinting at how such crimes are treated in the state. While it might be unfair to generalise, from my reading of other national and regional newspapers, I would say the *Dainik*'s coverage is possibly indicative of the coverage accorded by other news outlets to sexual violence in rural India.

A matter of shame

Words gratuitously referencing the "innocence" and "honour" (or lack thereof) of victims are not uncommon in the Hindi heartland's rape reportage. The *Hindustan Dainik* was no different, even if such attitudes are no glaringly stated. For example, a 13-year-old rape victim was described as an "innocent" (मासूम) in the headline[1]. In another story about three men being arrested for sharing an "obscene" (अश्लील) video of a woman without her consent, the wording (and corresponding imagery of a girl hiding her face in her hands) suggested that the complainant was somehow complicit and shamed by what happened to her[2].

Often, in cities like Jamshedpur (where I grew up), women are told to protect themselves by somehow making themselves less noticeable to men and by not having a social media presence. Their movements, clothing, and demeanour are highly policed since they are seen as guardians of societal and familial honour. Not surprisingly, in many news media reports, the focus remains more on the victim's behaviour than that of the perpetrator.

Missing stories

State police data shows that Jharkhand has a high and increasing[3] rate of sexual violence (this does not reflect unreported incidents) — the number of registered rape cases were 1,122, 1,198, 1,146 and 1,335 in 2014, 2015, 2016 and 2017, respectively. However, the newspapers do not seem to reflect these numbers. In my 15-day reading of the *Dainik*'s print edition, I found only six cases related to sexual violence.

A casual attitude

In the period in which I studied the paper, only one report made it to the front page. Most others were relegated to pages 14–16, and given a bare minimum of column inches.

The sexual assault reports in regional/rural newspapers are often about violent instances of rape, at times involving the commission of other crimes such as abduction or murder. When such incidents happen in urban centres, they often receive prominent coverage in national papers, but the *Dainik* reports these cases blandly in an easily missed corner of the newspaper — including the arrest of a doctor for the rape of as many as 135 women[4] — as if they are barely newsworthy. The minimal attention accorded to such stories contributes towards normalising sexual violence. Unsurprisingly, such stories rarely make it to the national papers.

An absence of context

None of the stories I read made any comment about the possible positioning of the victim's identity/class/caste/community in the crime. For example, sexual violence by security forces in tribal areas, and even

within Naxal groups, has been documented over the years, but the local media tend to neglect these issues instead of exploring them with more features and contextualised reports.

Newspapers also fail to highlight the gaps in the system that either make it difficult to report rapes or to pursue justice. None of the reports I read were followed up with updates.

Further, journalists do not seem to take up a position of activism to address issues such as unreported rape cases, thus reneging on their duty to spread awareness, fulfil their 'watchdog' function, and effect social change.

CHAPTER 36

HELPING SURVIVORS SPEAK UP, FROM THE GRASSROOTS

MEGHANA G S

Where is rape more prevalent — in urban or rural areas? Does location play a role in how sexual violence is reported? It certainly seems that way.

In 2016, the *Guardian*[1] pointed out that there is a difference in how rapes in India's cities are investigated and reported compared with those in smaller cities, towns and villages. Rural India also appears to see more crimes against women, according to this report which quotes the National Crime Records Bureau statistics that of 24,923 rapes reported in 2012, just 3,035 were in major cities. According to another report in the *Washington Post*[2], the police are reportedly more apathetic in rural areas and there is even less outrage in these parts for the kinds of brutal crimes that have been garnering media attention in urban centres.

As a city girl who moved to a rural area to study medicine, I was curious about this culture of silence that surrounds sexual violence. While there are many societal, cultural, and legal changes that need to be made for long-term change, what can we do in the here and now to improve the reporting

of rape — by victims to the police, and by the media to the larger public?

The answer may lie, at least partially, with grassroots organisations such as the Grameena Abyudaya Seva Samasthe (GASS), a non-profit that, among other things, seeks to bridge the gap between the police and public in rape and sexual harassment cases. The organisation was appointed by the Department of Women and Child Development, Bengaluru Rural District, as a service provider for women and works to empower survivors of sexual violence.

In Doddaballapur, Bengaluru Rural District, I got in touch with Amali Naik who in 1996 co-founded GASS along with her husband Gopal Naik. She told me that even though modernity has made inroads in rural areas, the secrecy and silence around rape remains.

"We counsel and encourage the rape victim to file a case. We explain all the compensation schemes that the government offers. We assist the victim in getting appropriate legal guidance," said Naik, whose organisation also runs a 24x7 women's helpline.

"In spite of such efforts, the sad reality is that barely 5 to 6 per cent of victims come forward to file complaints," said Naik. The most likely reason, she explains, is the fear of social censure for the rape survivor and her family. Another factor is that filing a case may hinder a rape survivor's marriage prospects.

To encourage more survivors to come forward, GASS has created awareness programmes for the ASHA (Accredited Social Health Activist) workers and *Anganwadi* (rural child-care centre) teachers. The organisation also provides information on legal avenues and government benefits available for rape survivors, along with sex education.

In 2002, GASS opened a shelter for survivors of sexual violence, where they are given vocational training to build

their independence. For child survivors, the organisation provides counselling and ensures that their education continues.

GASS provides several other programmes focused on education, employment, rehabilitation, social security and empowerment — thus broadening the organisation's influence — and has made an impact on many villages in Doddaballapur.

In a 2013 article in *Firstpost*[3], journalist Praveen Swami observed: "For there to be progress in India, we need to know where rape happens, who the perpetrators are and how they chose their victims".

The hope is that, emboldened by service providers such as GASS, more survivors will file cases and cast off the veil of secrecy that has been not only rendering them invisible but protecting perpetrators. And as they tell their stories in greater numbers, there will be an impetus for better reporting from rural areas.

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NOTES

Introduction

1. Carter, C. (1998). “When the extraordinary becomes ordinary: Everyday news of sexual violence”, in Carter, C., G. Branston and S. Allan (eds), *News, Gender and Power*. London: Routledge.
2. O’Hara, S. (2012). “Monsters, playboys, virgins and whores: Rape myths in the news media’s coverage of sexual violence”. *Language and Literature*. Retrieved from https://doi.org/10.1177/0963947012444217
3. Rao, S. (2014). "Covering rape in shame culture: Studying journalism ethics in India's new television news media". *Journal of Mass Media Ethics*.
4. Joseph, A (2014). “Action, reaction, introspection, rectification”. *Media and Gender: A Scholarly Agenda for the Global Alliance on Media and Gender*, ed. Aimée Vega Montiel. Retrieved from https://tinyurl.com/y5gcf2ak
5. Joseph, A. and Sharma, K. (2006). *Whose news?: The media and women’s issues*. Sage India.
6. Galtung, J. and Ruge, M. (1965). “The structure of foreign news: The presentation of the Congo, Cuba and Cyprus crises in four Norwegian newspapers.” *Journal of International Peace Research*.
7. *See also* Harcup, T. and O’Neill, D. (2017). “What is News?” *Journalism Studies*.
8. NewsTracker was part of Media Action Against Rape, a research and capacity-building project that investigated the challenges that Indian journalists faced when reporting sexual violence. See www.maar.in for more details.
9. See Acknowledgements for a complete list.

1. The recipe for irresponsible coverage

1. Rao, S. (2014). "Covering rape in shame culture: Studying journalism ethics in India's new television news media". *Journal of Mass Media Ethics*. Retrieved from www.tandfonline.com.
2. Fadnis, D. (2018). "Uncovering rape culture: Patriarchal values guide Indian media's rape-related reporting". *Journalism Studies.* Retrieved from www.tandfonline.com.
3. Joseph, A. (2019, December 6). “A degrading discourse”. *Deccan Herald*. Retrieved from www.deccanherald.com.
4. Chaudhry, L. “Can the digital revolution save Indian journalism?”. *Columbia Journalism Review*, Fall/Winter 2016. Retrieved from www.cjr.org.

5. Simons, M. (2017, April 15). "Journalism faces a crisis worldwide — we might be entering a new dark age". The *Guardian*. Retrieved from www.theguardian.com.
6. Davies, N. (2008, February 4). "Churnalism has taken the place of what we should be doing: Telling the truth". *Press Gazette*. Retrieved from www.pressgazette.co.uk.
7. Pande, M. (2017, February 20). "Learn how not to report on rape from TOI". *Newslaundry*. Retrieved from www.newslaundry.com.
8. Harari, Y. (2015). *Sapiens: A brief history of humankind*. Penguin.
9. Couppis, M. & Kennedy, C. (2008). "The rewarding effect of aggression is reduced by nucleus accumbens dopamine receptor antagonism in mice". *Psychopharmacology*. Retrieved from www.motivation.site.wesleyan.edu.
10. Davis, H. & McLeod, L.S. (2003). "Why humans value sensational news: An evolutionary perspective". *Evolution and Human Behavior*. Retrieved from www.researchgate.net.
11. Stephens, M. (2006). *A history of news*. Oxford University Press.
12. Stanca, L., Gui, M., & Gallucci, M. (2013). "Attracted but unsatisfied: The effects of sensational content on television consumption choices". *Journal of Media Economics*. Retrieved from www.tandfonline.com.
13. Trussler, M. & Soroka, S. (2014). "Consumer demand for cynical and negative news frames". *The International Journal of Press/Politics*. Retrieved from www.cpsa-acsp.ca.

2. Just 'facts' are not enough

14. Jolly, J. (2016, July 20). "Rape culture in India: The role of the English-language press". Discussion paper, Shorenstein Center on Media, Politics and Public Policy, Harvard Kennedy School. Retrieved from www.shorensteincenter.org.
15. Blank-Libra, J. (2012, October 26). "Compassion is not journalism's downfall, it's journalism's salvation". Poynter. Retrieved from www.Poynter.org.
16. Times News Network. (2019, November 11). "Class X Tamil Nadu girl raped and murdered by tippler". *The Times of India*. Retrieved from www.timesofindia.indiatimes.com.
17. Harland, Kyle (2008, June 16). "Practicing compassion in an unbiased journalism. Center for Journalism Ethics, School of Journalism and Mass Communication, University of Wisconsin-Madison. Retrieved from www.ethics.journalism.wisc.edu
18. Kalita, S. M. (2017). "The arc of news and audience". Nieman Journalism Lab. Retrieved from www.niemanlab.org.
19. Bui, K.P. (2018, April 26). "Empathy tips for journalist". American Press Institute. Retrieved from www.americanpressinstitute.org.
20. Bui, K.P. (2018, April 26). "How to create a newsroom culture that supports empathy". American Press Institute. Retrieved from www.americanpressinstitute.org.

3. When numbers become 'just' numbers

1. See www.newstracker.maar.in.
2. See www.maar.in.
3. Dillard, Annie. (1998, January). "The wreck of time". *Harper's Bazaar*.

4. What journalists owe survivors

1. Viswanath, M. (2018, September 24). "Woman alleges doctor molested her in the guise of physical exam". *The New Indian Express*. Retrieved from www.newindianexpress.com.
2. 2018, September 23. "Sexual harassment in the pretence of a medical examination". *Hindu (Tamil)*.
3. Thirumurthy, P. (2018, September 23). " 'Chennai hospital protecting doctor who molested me': Woman sends legal notice". *The News Minute*. www.thenewsminute.com.

6. An ethos of fearlessness

1. Kavita. (2015, September 14). "The policeman said: Why don't you tell me what gaalis he whispers in your ears?". *The Ladies Finger*. Retrieved from www.theladiesfinger.com.

11. Real-ising rape

1. Mann, N. (2019, May 18). "Visual language of rape in India". Retrieved from *Medium*.
2. Gowen, A. (2015, July 9). "The shocking things Indian judges say about rape. The *Washington Post*. Retrieved from www.thewashingtonpost.com.
3. Nagar, I. (2016). "Reporting rape: Language, neoliberalism, and the media". *Discourse & Communication*. Retrieved from www.journals.sagepub.com.
4. Dutta, D. & Sircar, O. (2013). "India's winter of discontent: Some feminist dilemmas in the wake of a rape". *Feminist Studies*. Retrieved from www.jstor.org.
5. Holsanova, J., Rahm, H. & Holmqvist, K. (2006). "Entry points and reading paths on newspaper spreads: comparing a semiotic analysis with eye-tracking measurements". *Visual Communication*. Retrieved from www.journals.sagepub.org.
6. Holmqvist, K., Holsanova, J., Bartelson, M.& Lundqvist, D. (2003). "Reading or scanning? A study of newspaper and net paper reading". *The*

mind's eye: Cognitive and applied aspects of eye movement research. Retrieved from www.researchgate.net.
7. Mulvey, Laura. (1975). "Visual pleasure and narrative cinema". *Screen*.
8. Bardi, A.S. (2017, September 12). "In India's 'rape capital' designers change how people picture assault". *Columbia Journalism Review*. Retrieved from www.cjr.org.
9. Associated Press. (2014, March 20). "India convicts 4 men in gang rape of photojournalist". *CBC*. Retrieved from www.cbc.ca.
10. Thomas, S. (2019, March 5). "Shakti Mills gangrape: Convicts claim death penalty law confusing". *The Times of India*. Retrieved from www.timesofindia.indiatimes.com.
11. Nelson, D. (2014, January 1). "New protests after suicide of 16-year-old gang-raped twice in Calcutta". The *Telegraph*. Retrieved from www.telegraph.co.uk.
12. Shields, F. (2019, October 18). "Why we're rethinking the images we use for our climate journalism". The *Guardian*. Retrieved from www.theguardian.com.

12. பாலியல் + சம்பவம் ≠ rape

1. Krug E.G. et al., eds. (2002). "World report on violence and health". Geneva, World Health Organisation. Retrieved from www.who.int.
2. 2016, May 9. "अंकल' ने तीन साल की मासूम से किया 'गंदा काम', फिर गला घोंट कुएं में फेंका". *Dainik Jagran*. Retrieved from www.jagran.com.
3. 2017, November 28. "गाजीपुर में बालिका संग दुष्कर्म, आरोपी फरार". *Dainik Jagran*. Retrieved from www.jagran.com.
4. 2018, April 12. "शादी का झांसा देकर महिला से 12 साल तक दुष्कर्म". *Dainik Jagran*. Retrieved from www.jagran.com.
5. 2019, February 21. कोटर केआदेश पर सामूहिक दु कमर का मुकदमा दजर". *Dainik Jagran*. Retrieved from www.jagran.com.
6. 2019, October 20. "சிறுமி மீது பாலியல் வன்முறை 10 ஆண்டு சிறை தண்டைன உறுதி". *Dina Malar*.
7. 2019, "பொள்ளாச்சி பாலியல் சம்பவம் சி.பி.ஜே.க்கு ஐ கோர்ட் உத்தரவு". *Dina Malar*.
8. 2019, "குழந்தைகள் ஆபாக வீடியோ கேரளாவில் 12 பேர் கைது". *Dina Malar*.
9. 2019, "நிர்பயா' வழக்கு குற்றவாளிகளுக்கு கைடசியாக கருணை மனு வாய்ப்பு". *Dina Malar*.
10. 2018, June 17. "18 acquitted in Paldi gang rape case". *The Times of India*. Retrieved from www.timesofindia.indiatimes.com.
11. 2018, December 8. "Pune girl's rape and & murder: Victim's uncle held". *The Times of India*. Retrieved from www.timesofindia.indiatimes.com.

12. 2019, November 27. "Faridkot: Protests continue over sexual harassment case". *The Times of India*. Retrieved from www.timesofindia.indiatimes.com.
13. 2019, December 7. "Taken on joyride, 5-year-old raped by auto-rickshaw driver in Bihar's Darbhanga: Police". *The Times of India*. Retrieved from www.timesofindia.indiatimes.com.
14. Impe, A. 2019. "*Reporting on violence against women and girls: a handbook for journalists*". Retrieved from https://unesdoc.unesco.org.
15. Ghosh, A. & Pasricha, J. 2019. "*Gender-based violence in media: A media ethics toolkit on sensitive reportage.*" Available at www.feminisminindia.com.

13. The paradoxical language of rape in a Hindi newspaper

1. 2018, May 22. "गुरुद्वारा नानक प्याऊ में महिला सेवादार से छेड़छाड़, मामला दर्ज". *Dainik Bhaskar.* Retrieved from www.bhaskar.com.
2. 2018, May 17. "महिला बॉक्सर से बदमाशों ने सरेआम बदसलूकी की". *Dainik Bhaskar*
3. 2018, May 23. "60साल की मेंटली रिटायडर [sic] मिहला से रेप का आरोपी वीडियो के आधार पर गिरफ्तार". *Dainik Bhaskar*
4. 2018, May 30. ऑटो का इंतजार कर रही कलब डांसर को अगवा कर पीजी में ले जाकर सामूहिक दु कमर किया". *Dainik Bhaskar*

14. The creation of 'good' and 'bad' victims

1. 2019, May 17. "Man attacks woman with acid as she wanted to end affair". *India Today*. Retrieved from www.indiatoday.in.
2. 2019, July 15. "Mumbai actress alleges rape, assault by ex-boyfriend". *India Today*. Retrieved from www.indiatoday.in.
3. 2019, November 21. "Mumbai: Men's Day brings empathy for victims of false rape cases". *The Times of India*. Retrieved from www.timesofindia.indiatimes.com.
4. 2019, September 14. "Gurugram: Woman held for honey trapping businessman in false rape case". *The Times of India*. Retrieved from www.timesofindia.indiatimes.com.
5. 2019, March 13. "Pollachi sexual abuse case: Another woman comes forward, says there are more victims". *India Today*. Retrieved from www.indiatoday.in.
6. 2019, November 27. "Tamil director Bhagyaraj on sexual assault victims: 'Boys not only ones responsible, women have a weakness and they used it'". *The Hindustan Times*. Retrieved from www.hindustantimes.com.
7. DiBennardo, R. (2018, October 5). "Ideal victims and monstrous offenders: How the news media represent sexual predators". *Socius: Sociological Research for a Dynamic World*. Retrieved from https://journals.sagepub.com.

15. Sympathising with the rapist

1. See [15] in Chapter 12.
2. Brownmiller, S. (1975). *Against our will: men, women and rape*. Simon & Schuster.
3. National Crime Records Bureau, Ministry of Home Affairs. (2019, October 10). "Crime in India 2017". Retrieved from www.ncrb.gov.in.

19. Decoding the coverage of the Hyderabad gang-rape

1. Chishti, S. & Dastidar, A. (2019, December 7). "Due process vs instant verdict: Applause for Telangana police and a few questions". *The Indian Express*. Retrieved from www.indianexpress.com.
2. *Arnab debates #HyderabadJustice* [Video file]. (2019, December 6). Republic TV. Retrieved from www.republicworld.com/the-debate/1393/3907/arnab-debates-number-hyderabadjustice.html.
3. Dasgupta, P. (2019, December 2). "Hyderabad rape case: We fixed the police's advisory to women". *HuffPost*. Retrieved from www.huffingtonpost.in.
4. Kitzinger, J. (2000). "Media templates: patterns of association and the (re)construction of meaning over time". *Media, Culture and Society*. Retrieved from www.academia.edu.
5. 2019, October 22. "No stranger to crime: 93 per cent rapes in india committed by persons known to the victim". *News18*. Retrieved from www.news18.com.
6. 2019, December 1. "Hyderabad's Nirbhaya unwittingly taught us some lessons we can't afford to forget". *The Times of India*. Retrieved from www.timesofindia.indiatimes.com.
7. 2019, December 5. "Hyderabad replay in UP, rape victim set ablaze by accused". *The Quint*. Retrieved from www.thequint.com.
8. Srinivas, P. (2019, December 2). "Dalit alleges bias after wife's rape and murdered in Asifabad". *Deccan Chronicle*. Retrieved from www.deccanchronicle.com.
9. Chaithanya, J.T. (2019, December 7). "Hyderabad rape and murder case: Disha killers 'encounter' justice". *Deccan Chronicle*. Retrieved from www.deccanchronicle.com.
10. Tavris, C. (1988). "Beyond cartoon killings: Comments on two overlooked effects of television". In S. Oskamp (ed.), *Applied social psychology annual, Vol. 8. Television as a social issue*. Sage Publications.

20. How the Nirbhaya case changed India

1. Four convicts in the Nirbhaya case were executed on 20 March, 2020. Another convict had died in prison, in an apparent suicide, in March 2013.

21. When gender blinded the media to (an alleged) rape

1. Cyriac, B.B. (2012, June 15). "Was Pinki Pramanik asked to quit athletics?". *The Times of India*. Retrieved from www.timesofindia.indiatimes.com.
2. Chakrabarty, S. (2012, June 15). "Gender bender: Asian champion Pramanik charged with 'rape'". *The Indian Express*. Retrieved from www.indianexpress.com.
3. 2012, June 20. "Gender controversy: Run, Pinki Pramanik run". *The Times of India*. Retrieved from www.timesofindia.indiatimes.com.
4. 2012, June 16. "She is my daughter, not son: Pinki's mother". *The Times of India*. Retrieved from www.timesofindia.indiatimes.com.
5. Gupta, J. (2012, June 17). "Pinki's railways job fate hinges on court order". *The Times of India*. Retrieved from www.timesofindia.indiatimes.com.
6. Chakrabarty, S. (2012, July 3). "After questions on gender, Pinki Pramanik now faces MMS ordeal". *The Indian Express*. Retrieved from www.archive. indianexpress.com.
7. 2012, June 15. "She's-a-he & rape slur on sprinter - Framed, former golden girl cries". *The Telegraph*. Retrieved from www.telegraphindia.com.
8. 2012, June 16. "Pinki had bribed medical board, alleges 'victim'". *The Times of India*. Retrieved from www.timesofindia.indiatimes.com.
9. 2012, July 11. "I underwent medical tests with hands and feet tied: Pinki". *The Hindu*. Retrieved from www.thehindu.com.
10. 2012, July 14. "Jyotirmoyee Sikdar's husband asked me to frame Pinki Pramanik: Ex-partner". *The Times of India*. Retrieved from www.timesofindia.indiatimes.com.

23. The good, the bad, and the ugly of social media

1. Aneez, Z., Neyazi, T., Kalogeropoulos A., Nielsen, R. (2019). "Reuters Institute India Digital News Report". Retrieved from https://reutersinstitute.politics.ox.ac.uk.
2. Mustafa, S. (2018, 10 October). "Whoa #MeToo, hold your horses...". *The Citizen*. Retrieved from www.thecitizen.in.

3. 2019, November 22. "Can't permit guerilla warfare against accused". *The Hindu*. Retrieved from www.thehindu.com.

24. The anatomy of a 'high-profile' rape case

1. Lakshmi, R. & Kaphle, A. (2013, January 8). "In India, a history of high-profile rapes". *The Washington Post*. Retrieved from www.washingtonpost.com.
2. 2018, March 13. "Intestines damaged, couldn't control urination: Ahmedabad rape survivor dies, family receives no compensation". *Mirror Now*. Retrieved from www.timesnownews.com.
3. 2003, October 16. "School girl sexually assaulted". *The Hindu*. Retrieved from www.thehindu.com.
4. Galtung, R and Ruge, M.H. (1965). "The structure of foreign news". *Journal of Peace Research*. Retrieved from www.jstor.org.

27. Gender violence through the lens of economics

1. Chakraborty, L.S. (2007, January). "Gendering Microfinance in India: A Study of SGSY". Report submitted to the National Institute of Public Finance and Policy. Retrieved from www.nipfp.org.in.
2. Stotsky, J. & Zaman, A. (2016). "The Influence of Gender Budgeting in Indian States on Gender Inequality and Fiscal Spending". IMF working paper. Retrieved from www.imf.org.
3. Raj, A.. Bhadra, K., Bhan, N., Rao, N. & Ladusingh, L. (2018, December 26). "Gender-focussed budgets can reduce spousal violence, improve women's well-being". *India Spend*. Retrieved from www.indiaspend.com.
4. Chakraborty, L. (2018). "Analysing Justice Verma Committee's 'Bill of Rights': Gender budgeting in law and order". Munich Personal RePEc Archive (MPRA) paper. Retrieved from https://mpra.ub.uni-muenchen.de.

29. The silence of men

1. Jain, R. (2018, October 10). "Missing from India's #MeToo movement – the men". *The Indian Express*. Retrieved from www.indianexpress.com.
2. Buchwald, E, Fletcher, P & Roth, M. (Eds). (1993). *Transforming a rape culture*. Milkweed Editions.
3. *NewsTracker*: A conversation on how rape is reported in India. (2018—20). "I Think". https://medium.com/maarnewstracker/ithink.
4. See [15] in Chapter 12.
5. See [15] in Chapter 12.

32. Capital punishment: The death of a debate

1. 2018, August 17. "Zero tolerance for rapes, says Modi on Mann ki Baat". *The Asian Age*. Retrieved from www.asianage.com.
2. Bhardwaj, S. (2018, July 31). "Lok Sabha passes bill proposing death penalty for raping girls under 12". *India Today*. Treieved from www.indiatoday.in.
3. Pereira, S. (2018, April 24). "Death penalty for rape of minors below 12 years is knee-jerk reaction: Won't deter offenders nor protect victims". *Firstpost*. Retrieved from www.firstpost.com.
4. Ghatwai, M. (2018, September 18). "Seven months, 12 death sentences in Madhya Pradesh: Here is what a trial under its new rape law for minors entails". *The Indian Express*. Retrieved from www.indianexpress.com.
5. 2018, June 19. "Rapists burden on earth, don't deserve to live: CM Shivraj Singh Chouhan". *The Economic Times*. Retrieved from www.economictimes.indiatimes.com.
6. Naveen, P. (2018, July 28). "In 5 days, court hands death to child rapists in MP". *The Times of India*. Retrieved from www.timesoindia.indiatimes.com.
7. 2018, August 30. "Four get death penalty for rape in Rajasthan". *The Hindu*. Retrieved from www.thehindu.com.
8. 2018, August 22. "13 individuals sentenced to death for raping minor girls: Madhya Pradesh CM". *Deccan Chronicle*. Retrieved from www.deccanchronicle.com.
9. Pandit, A. (2018, November 25). "'Nirbhaya effect' strongest in Delhi, vicinity". *The Times of India*. Retrieved from www.timesoindia.indiatimes.com.
10. 2018, July 9. "Executions will not eradicate violence against women". Amnesty International India. Retrieved from www.amnesty.org.in.
11. Mallapur, C. (2017, December 12). "Crime against women up 83 per cent, conviction rate hits decadal low". *India Spend*. Retrieved from https://archive.indiaspend.com.
12. 2018, November 18. "Women cry rape to get back at ex-boyfriends, says Haryana chief minister". NDTV. Retrieved from www.ndtv.com.

33. Reforming the discourse on justice

1. 2018, November 22. "#MeToo: BCCI CEO found not guilty of harassment; CoA still divided". *The Times of India*. Retrieved from www.timesofindia.indiatimes.com.
2. A Baha'i Perspective. (2018, 27 November). "Ending violence against women". Retrieved from www.pressreader.com.
3. James, E. (2014, November 26). "'Prison is not for punishment in Sweden. We get people into better shape'". *The Guardian*. Retrieved from www.theguardian.com.

4. Awasthi, S. (2017, December 13). "What is an open prison?". *The Indian Express*. Retrieved from www.indianexpress.com.
5. Bahri, C. (2018, September 21). "Why open prisons are the solution to India's overcrowded prisons". *IndiaSpend*. Retrieved from www.indiaspend.com.
6. 2018, November 28. "15 years jail, meditation for rapist who assaulted girl with disability". Indo-Asian News Service. Retrieved from www.ndtv.com.
7. Kini, A. (2018, August 23). "Nothing to suggest that he can't be a useful member of the society: MP HC commutes death penalty to youth in minor's rape-murder case". LiveLaw. Retrieved from www.livelaw.in.
8. 2018, October 27. "MP HC commutes death sentence of man accused of raping minor". Press Trust of India. Retrieved from www.outlookindia.com.
9. 2018, December 8. "Supreme Court gifts life to rapist and killer". *The Telegraph*. Retrieved from www.telegraphindia.com.
10. Ashok, K,M. (2016, September 30). "September blow to 'death penalty'". *LiveLaw*. Retrieved from www.livelaw.in.
11. See 9

34. Curing a blind spot

1. Chandramouli, C. (2011). Census of India 2011: Rural-urban distribution of population (provisional population totals)". Retrieved from www.censusindia.gov.in.
2. Shrinivasan, R. (2013, January 5). "25 years' court data proves RSS chief wrong; 75 per cent of rape convicts from 'Bharat'". *The Times of India.* Retrieved from www.timesofindia.indiatimes.com.

35. How the news media normalise rape in rural India

1. 2018, June 17. "13 साल की मासूम को डरा-धमका कर किया रेप, प्रेग्नेंट हुई तो हुआ खुलासा". *Hindustan Dainik*. Retrieved from www.livehindustan.com.
2. 2018, June 18. "छात्रा का अश्लील वीडियो बनाया, तीन गिरफ्तार". *Hindustan Dainik*. Retrieved from www.livehindustan.com.
3. 2018, April 16. "Jharkhand witnesses rise in rape cases". *The Tribune*. Retrieved from www.tribuneindia.com.
4. 2018, June 18. "डॉक्टर और कंपाउंडर ने 135 मरीज महिलाओं को बेहोश करके किया रेप". *Hindustan Dainik*. Retrieved from www.livehindustan.com.

36. Helping survivors speak up, from the grassroots

1. Virmani, P. (2016, July 6). "Why is the rape crisis in rural India passing under the radar?". *The Guardian*. Retrieved from www.theguardian.com.
2. Denyer, S. (2013, January 8). "In rural India, rapes are common, but justice for victims is not". *The Washington Post*. Retrieved from www.washingtonpost.com.
3. Swami, P. (2013, August 29). "Mumbai gangrape: your outrage is only worth 24.21 percent". *Firstpost*. Retrieved from www.firstpost.com.