

# THOSE WHO DID NOT DIE: BALLIA IN THE SHADOW OF BITIYA'S DEATH

- Ankita Anand

*Five years after the barbaric gang-rape and murder of Jyoti Singh in Delhi, what does her village in eastern Uttar Pradesh look like?*

## PRELIMINARY ENCOUNTERS

**A**re you looking for *bitiya's* house?' a vegetable vendor asks as I and a writer-lawyer, my contact in Ballia, try to navigate our way into the dark alleys of the Medaura Kalan village, quite far from the highway. In this part of eastern Uttar Pradesh, the evening is scary, unrelieved by lit-up shopping centres and street crossings. People here have no idea of the evening one talks about in a city.

Jyoti Singh, the 23-year-old student whose rape and murder in December 2012 triggered huge protests all across India, was from here. In her familial village people still fondly recall her as '*bitiya*', their daughter who had gone to the big city to pursue a career in physiotherapy but did not come home.

Instructed by a village elder, a boy of about 10 escorts us through a few narrow lanes till we reach the house of the village chief, the *pradhan*. It's here that we hope to have our initial conversation about life in the village in the shadow of a daughter's death. The *pradhan* is expected to tell us where exactly to go to meet Jyoti's extended family.

A boy opens the door. The ground floor is a cowshed from where we are led up the stairs. Walking up, we can hear the television belting out programmes in Bhojpuri. There's a cot in the living room where we are asked to wait for *pradhan-ji*. A while later, of the two men in the inner room, one comes out to meet us.

When I start noting down his name, he protests hesitantly: 'I mean I am not the actual *pradhan*, it's my wife.' Reservations for women in the Panchayati Raj institutions have facilitated their empowerment at the village level. In many cases though, they become mere signing authorities overshadowed by their husbands who act like the village heads. When I insist on meeting her, the husband hedges: 'But she is not that smart, you know, in speaking and all.' I persist saying it really doesn't matter. His reluctance is visible.

# **THE WAKE FOR DAMINI**

**-Anubhav Kumar Das**

**H**urry up!' 'Run!' 'They are coming again!' I heard voices panting around me as we rushed along the median strips of the long straight road that joins the imposing India Gate and the mighty Raisina Hill. The 'mighty' Hill didn't look anything impregnable as we ran past it, chased with batons by the men in uniform, who had taken us for ringleaders of a troublemaking gang, an anarchical mob threatening to lay siege to the seat of the Indian state. Or, did they fear we would scale the hilltop to shame the powers that be? We were young, we were angry and wanted an answer. We were shouting our lungs out, we wanted to bleed ourselves to shame this red-sandstone power structure. Yes, to shame the state before the whole world!

The 21st of December marks the shortest day on the calendar and by extension, among the coldest of the year. But that particular year, there was something different, unusual about the day. The last few days of 2012 it didn't feel cold at all. Maybe it was the blood boiling inside me, the collective anger of the twenty somethings that rebuffed the biting Delhi cold. Perhaps I did not get a sense of the dipping temperature because of the numbness that had gripped me for the past week or so. It wasn't just me though, I was one of the thousands, who were constantly living this paradox with no resolve. We were angry, screaming and yet, in the brief moments of silence, when each one of us was on our own, a terrifying numbness filled our hearts as we made constant attempts to reconcile with what was happening around us. I remember saying to one of my friends, 'I don't know if I should feel scared or angry, cry or shout, do I fight or sit down and moan!' And she responded, in a heavy, almost breaking voice, 'We do it all at once, for we have to survive.'

On the night of 16 December 2012, Jyoti Singh was going home with a friend. She was brutally raped, violated and practically cannibalized by six depraved, greedy men on a moving bus. Then what was left of her was thrown off the bus, along with her friend.

When taken to Safdarjung Hospital, she was still alive, and fought as best as she could for her life. Outside, on the streets of Delhi, people were gathering at different points, in varying numbers and in different ways to show their solidarity with her.

**THE CRIMINAL INSIDE US VIOLENCE AGAINST**

## **WOMEN**

**-Vijay Raghavan**

**I**t was a different world I walked into a quarter century ago- dark and violent. Young men lapsed into the black hole of criminality, women irreparably caught in the web of flesh trade- this was the milieu I opted to engage with in an attempt to save some of the ‘so called’ lost souls.

Way back in 1990, as the first social worker of Prayas – a field action project of the Tata Institute of Social Sciences – I moved into the vicious underworld of offenders prone to violence and crime. For the next three years I gained close intimate knowledge of the urban subculture around crime, drugs, and wasted youth. My experience, as I now look back, was first-hand and revealing.

The issue of increasing instances of brutal sexual assaults against women and children bothered me a lot. Having worked with young male offenders for more than 25 years now, I have tried to fathom the dark rings inside their minds driving them to violence. Between 1990 and 1993 I worked with youths in the 16-23 age group, arrested for a range of crimes from petty theft to murder and rape. Later as the Project Director of Prayas, I have led the team of social workers engaged with young offenders lodged in the prisons of Mumbai and Thane, and even after their release. In the social work lingo such persons we have been engaged with are called ‘clients’. Convicted in cases of burglary, dacoity, assault and more serious offences, they inhabited the jails facing an uncertain future. Those arrested in sexual assault cases, we have noticed, are often treated with disdain and utter contempt by the other prison inmates. Accused of wrongdoing and violence, the other criminals, however, find it unacceptable that some of their fellow travellers on the murky trail, have actually assaulted and sexually violated women. A case in point is the beating of one of the convicts in the high-profile Nirbhaya rape case by the other inmates at Tihar jail. More often, such young offenders stay away from the others and are reluctant to open up even to the social worker. Only those convicted in cases of ‘statutory’ rape – having consensual sex with a girl below 18 years – approach the social worker for counsel and support. They form an interesting category inhabiting a grey area of law. Under law, consensual sex with a minor girl amounts to rape. Elopement in such cases, as defined by law, is equated with kidnapping.

**RAPE OF THE WHITE WOMAN IN GOA: AN INQUEST**

## - Albertina Almeida

I grew up in a middle-class Catholic home in Goa, in the years after its integration into India from Portugal. This meant certain do's and don'ts for us. Among the don'ts were 'no to drugs', 'keep away from the hippies – they are deviant people', 'be careful about any stranger offering you something to eat or calling you to get near him'. And the most important do's: 'you must help a person in need or in trouble whoever it might be'; we learnt to give alms to beggars.

Circa 2012. That old picture of innocence and cohesion has turned completely upside down. The UK government travel advisories are asking English tourists to be cautious and on their guard while visiting Goa:

Don't accept food or drinks from strangers. There have been reports of travellers being drugged and robbed on trains often on overnight journeys.

Don't tell strangers where you are staying or details about your travel plans.

Growing up in Goa in the easy, languid seventies and eighties, with the do's and don'ts handed down by the family elders, I was confused about what I ought to do and what not.

One day, as I was crossing the Baga creek by boat, I heard a woman screaming from another boat. Panic-stricken, she clearly needed help, someone to rush to rescue her. Only a teenager then, I didn't know what to do, and of course I was too frightened to accost the other hippies in that boat. They seemed to be part of the same group. I was filled with unease – for not being of some help to the woman in trouble, and the looming threat of the hippies as well.

Today, a quarter century later, the image of the distressed woman, shrieking out for help and perhaps in admission of her mistake of being in the wrong company, still haunts me.

## **WHY DO THEY RAPE?**

- Sanjay Chugh

After weeks of therapy, she was finally talking about how she had been raped. ‘How could he do it?’ she asked, outraged and distraught at the same time. I turned the question back to her. ‘What do you think?’

She thought for a moment, then blurted out, ‘Because he thought he could!’

So, what happens when a man gives himself permission or the option, in his mind, saying it’s okay to rape a woman he knows? What goes on inside such a mind that one is willing to act in the most monstrous manner completely disregarding the reaction and sensitivity of another human being? The transformation of a normal man into a brute driven by lust raises many questions.

What are we doing so horribly wrong with our social management that such sick minds lurk around, hide among us, chameleoning as normal human beings?

A great deal of research is going on all over the world to adequately answer this question. Since the majority of rape perpetrators are men and the victims mostly women, we will be referring to the former as HE and the latter as SHE here.

One fact about which a wide consensus prevails is that rape is an act of violence; it is not just the sex thing. Rape is decisively more about subjugating the victim, aggressing, asserting brute power over her rather than satisfying the male sexual urge. It is a weapon to gain control over the other, filling in for some inadequacy within. It’s a crude, blunt statement of violation, not about one’s need for sex. Sex happens to be a medium through which these needs are fulfilled or a form in which the personality traits of a sex-crazed pervert manifest.

A typical scenario in which rape seems to happen, the kind that has often been depicted in our movies, is where the offender rapes the victim as an act of vengeance. He has either felt humiliated, subjugated, or let down by the victim or by any other person for that matter, and he uses her to vent out his anger and frustration. Such rapes would often involve a lot of violence, much more than what would be needed for just forced sex.

# RAPE CARGO FROM TINSEL TOWN

-Bhargabi Das

**T**he rugged terrain has something unforgiving about it. Natural, normal human responses like compassion seem alien to this place. The rocky ground, rust earth, lean rivers and the gaunt mountain ranges breathe an air of hostility around. The uncouth bandit-gang leader lays the already mauled girl down on a craggy slope, and brutally rapes her. The perversity of his maniac bellowing is so infuriating that his younger lieutenant shoots him in the head from a distance.

When I first saw *Bandit Queen*, Shekhar Kapoor's award-winning 1994 film, a deep anger and uneasiness filled me. Reassuringly, handled with remarkable sensitivity by the eminent filmmaker, the violation of a woman conveys a deep sense of revulsion, instead of acting as a ruse for titillation.

Indeed, the tinsel town of Bollywood is more a state of mind than a physical reality. It captures society both in its follies and foibles, sublimity and greatness more accurately than a large volume of scholarly work by the historians and social scientists. Every big moment in the life of the nation, the minutest twists and turns in its journey – all this has been unmistakably reflected in the films that have cast a spell on generations of Indians. If the idealism of a newly independent nation was caught in its disarming simplicity by the Raj Kapoor-Nargis movies of the 50s, the defiant dark mood in the country borne out of an overwhelming sense of disenchantment in the 70s found an authentic expression in the Amitabh Bachchan movies. The hero has always represented the new impulses in society, while the villain the badness inside us. The feminist activism in the wake of the Maya Tyagi rape case in Baghpat and an equally outrageous incident in Mathura in the early 80s found their echoes in Bombay talkies.

Films made around this time – BR Chopra's *Insaaf Ka Tarazu* (1980), and Avtar Bhogal's 1988 movie *Zakhmi Aurat* were clearly influenced by the Maya Tyagi case that had triggered massive political protests. The editors of *Encyclopaedia of Indian Cinema* see the BR Chopra film as a fallout of the horrible incident in which policemen paraded the pregnant woman naked in the street after shooting down her husband and two other men she was travelling with in a car. It grabbed the national headlines because Baghpat happened to be the parliamentary constituency of former Prime Minister Charan Singh.

**THE BATTERED WOMEN WHO ONCE SLAYED  
DEMONS**

## **-Usha Hayes**

**T**eknaf is a carved terrain in the estuary of the Naf forming the border between Bangladesh and Myanmar. The river has been a witness to the wonderful intermingling of two peoples and different layers of civilization on its either bank. And more importantly, to the proud traditions of a bloody struggle for freedom in both countries. Of late the Naf has been in the news as the gateway to escape for the persecuted Rohingya community from the Rakhine area of Myanmar. The picture of the fleeing refugees by boat across the Naf on the cover of *Time* magazine recently brought back the memories of my days in Teknaf in 2007 when as part of a UN mission I explored the Chittagong district which borders Myanmar. It's here that my daughter, seven years old then, first experienced the ugliness of exploitation. Such sordid facts of life, still unknown to the child, have long been part of our living experience.

The situation in the Nayapara Rohingya camps in Cox's Bazaar had a sad tone about it. The area in Chittagong to me was a piece of land sitting awkwardly between two cultures and national ethos. Seen closely, it offers a narrative of women's suffering in adverse circumstances.

It was a deeply moving story of the women sheltered in this government-run camps, set up in the 70s when the Rohingya had been first driven out of Rakhine across Bangladesh's southern border with Burma. The sheer squalor and stench around the rabbit warren of refugee camps repelled the visitors. The twisted alleys of hutments, an assortment of corrugated iron sheets, lengths of blue plastic and crumbling bricks depicted the trail of the refugees ousted from their homeland for no fault of their own. The shanties documented the refugee life from cradle to grave – infants being born here; the sick and old dying too. Girls, abused by their own folks, were growing up within a fragile privacy, in cramped rooms shared unequally between men and women, boys and girls. The girls grew up to learn the way to the world beyond the camps. In the markets of Cox's Bazaar food and work was available only if they dropped their guard letting the strangers trample over them. Their bodies were a mere means to satisfy the lust of the men in exchange of a few hours of measured freedom and a couple of hundred takas.

During my stay in Myanmar in 2016, I sought to understand the Rohingya issue in all its implications. The smoking fields of Rakhine were far away to my west, where over 400 people had been killed in the latest bout of violence.

## **POLITICS OF THE WOMAN'S BODY**

### **-Karen Gabriel**

**I**n 1975, Cambridge Documentary Films made a significant documentary film called *Rape Culture*, which examined the relationship between rape and our culture's sexual fantasies. While doing this, the

film produced by Margaret Lazarus and Renner Wunderlich, looked at a range of mass cultural objects like film, advertising, music and 'adult entertainment'. *Rape Culture* opens with a bleak, dismal view of the Lorton Reformatory, Virginia, USA; the concertina-topped high walls of the prison in sharp focus. Within these walls, a unique story is in the making. William Fuller, already in jail for 15 years for rape and murder, writes to the Rape Crisis Center, Washington D.C., seeking help. Admitting he committed the crimes both outside and within the prison, he asks for help to change himself. Loretta Ross from the Center, who has worked with the prisoners, recalls Fuller's urgent and disarming plea, 'I want to stop raping. Can you help me?' In an unprecedented initiative, the prisoners – rapists, their victims, men and women – create the platform, Prisoners Against Rape.

The film, which was revised in 1983, focuses on the issue of rape and rape culture through the voices of offenders, victims, and activists working in crisis situations. It revealed and documented the horrors of rape and the situation of both victims and perpetrators and triggered fresh debates and ways of thinking about rape and the ways to deal with it.

Yet, when one thinks of the long history of sexual violence, and of the significant role of 'culture' in shaping, perpetrating and understanding it, it is hard to believe that the phrase 'rape culture' was coined only in the late 20th century post the Lazarus and Wunderlich documentary. This film argues forcefully and quite convincingly that every society's perception of sex and sexuality is mediated substantially by its imagination of sexual fantasy, and by the representation of these imaginations in its cultural practices and popular media. It explored these issues in the context of 'rapism' – a medical condition that refers to the paraphilic tendency to get sexually aroused by viewing, or fantasizing about rape. (Incidentally, 'Paraphilia' is defined by the authoritative American Psychiatric Association as 'recurrent, intense sexually arousing fantasies, sexual urges, or behaviours generally involving non-human objects, the suffering or humiliation of oneself or one's partner, or children or other non-consenting persons that occur over a period of at least six months.'). The film, interestingly, examines popular films like *Gone with the Wind* and *Frenzy*, and adult entertainment (*Hustler* magazine) for the ways in which they condone and perpetuate rape.

## **THE FIRST TARGET IN CONFLICT SITUATIONS**

**- Humra Quraishi**

**F**or a very long time the word ‘rape’ had an association of guilt, not to be pronounced openly in polite circles but uttered under the breath in an uneasy hush-hush tone. In fact, it was during the 2002 Gujarat riots that I first heard about the violent act in gruesome and stark details. As a journalist I was able to meet the victims of Gujarat riots and hear their stories first hand in Ahmedabad and later in Delhi. The unfortunate women, slowly recovering from the trauma, recounted the fury and ferociousness unleashed on them. More than bruised, they were troubled and deeply unsettled. They wanted to know if their rapists could ever be apprehended, if not exactly arrested. ‘How can we expect those brutes to be nabbed if they enjoy political patronage? No, not in this lifetime – no justice for us...’ They said more or less the same thing almost in a chorus everywhere I went.

In my long experience as a journalist covering riots and sectarian violence, the ground reality has always remained more or less the same: each time a riot is organized by the political forces and land mafia, the minority groups and communities are mostly at the receiving end. Rape, molestation of women and even young girls take place in the midst of uncontrolled violence and anarchy. Cries for justice are often throttled by both political expediency and indifference. When I say minority groups I mean them to include minorities of every kind – religious, ethnic, linguistic, caste-based. If women suffered during the post-Godhra riots in Gujarat, they had proved easy fodder for the militants at the peak of insurgency in the Kashmir Valley in 1988-89 too. Seema Kazi, an expert on women’s issues from London School of Economics, has blamed the separatist militants for rapes. ‘Both security forces and militants are guilty of rape, though rape by the former outstrips the latter in both scale and frequency,’ Kazi writes in a paper, ‘Rape, Impunity and Justice in Kashmir’ (*Socio-Legal Review*).

This takes me back to the sectarian violence that shook western Uttar Pradesh in the summer of 2013. I met the victims of rape and molestation to complete the picture of devastation. And they clearly told me that they were not even allowed to lodge FIRs – formal complaints with the police. Why? ‘Because we were threatened by the local political goons... there’s a real danger of our families being attacked. We have been asked to keep shut or else see more destruction and deaths around. As it is we have been hounded out of our ancestral villages... nobody from the government came to our rescue even when we were fleeing like refugees. Certainly, the police are not on our side ... after all, we minorities. Who cares for us, who is bothered about our plight? We are camping here homeless and ruined!’

## **THE FIERY ACTOR AND HER CONTRACT OFFENDERS**

**- K Kunhikrishnan**

**A** five-year-old girl used to imitate the popular film stars dreaming to be like them one day. Even at that early age she had already decided the course of her life – yes, she would be an actor, striding across the silver screen mesmerizing her audiences. At 16, a mere 11th grade student, she

debuted essaying a major role in a film. The movie became a big box-office hit and she bagged the Kerala State Film Award for the best supporting actress. With her ‘charming looks, bubbly smile and attractive eyes’, she never had to look back in her acting career. A versatile actor, she went on to dominate the billboards all across the southern peninsula. The prima donna of Malayalam cinema acted with aplomb in Tamil, Telugu and Kannada movies as well. In the film-crazy Chennai she created a sensation when for her very first Tamil movie she won the best-actress award. A while later her Kannada and Telugu films too turned into big blockbusters earning her accolades and a large fan following. She bagged several awards and her career graph was soaring. She had by then acted in about 70 movies in almost all the major South Indian languages, and Bollywood was beckoning. She was all set to get married to her fiancé – a well-known Kannada film producer.

Right from the start it had been smooth sailing – a dream run. Her father, an assistant cameraman in the industry, had been a big support to her. But his sudden death had left her in a state of shock, making her postpone her marriage. Not to be cowed down by the tragedy, she kept working, executing one important role after another until – the day her world turned topsy-turvy. She is at the centre of this narrative and therefore she needs to have a name. Let’s call her Uma.

She was travelling in a SUV from Thrissur late one evening to her friend’s house in Cochin to dub for a film she was to shoot the next day. After the car left Thrissur, the driver, Martin, spoke to someone on the phone and sent frequent texts. About 25 km before Cochin a tempo traveller trailing her SUV rammed into it. As the driver got out ostensibly to check the extent of damage, four men barged into the car, forcibly tied her mouth and snatched her mobile phone and drove away in a daredevil attempt to abduct Uma. Inside the moving car, the desperados let loose an orgy of violence on her, subjecting her to the foulest criminal act. For the next two hours the car kept moving, while the men molested her, and perversely, filmed their macabre action apparently at the behest of someone. Undoubtedly the barbarity they unleashed was not an expression of wild desire, but a command performance directed by someone in remote control.

The dark design unfolded with the police filing the charge sheet against Pulsar Suni, the mastermind and the first assailant. He told Uma that he had been entrusted with the job of molesting her and video recording her in compromising poses.

## **THE ABSENT NARRATIVE OF THE VICTIM**

**-Prem Kumar Vijayan**

**C**onsider this: according to the National Crime Record Bureau (NCRB), in India, a woman is raped every 14 minutes. That’s four women every hour – and incidentally, one of those, every four hours, is gangraped. Which means about six gangrapes a day; that is about 80 women raped every day, about 560

women raped every week, about 2400 women every month, and about 28,800 raped every year. This is an average: actually, the figures have been consistently on the rise – from 2,487 rapes reported in 1971 to 34,651 in 2015. By the way, this does not include the reports of rapes of minors (or children) – which, in 2015, touched 10,854.

The fact that these are the reported figures is significant: studies estimate that, actually, about 90 per cent of all rapes in the country go unreported every year. So, for instance, the total number of rapes in 2015, by this estimate, would be around 3,40,000. This does not include the figures for either marital rapes – which are not cognized by the law in India – or for failed rape attempts. According to the NCRB then, there is a failed rape attempt every two hours – 12 a day, and about 4032 failed rape cases a year. If we assume that failed rape attempts are even less likely to be reported – or at least, as unlikely – then the actual number of failed attempts could be higher than 40,000 a year, on average. In other words, every year, nearly four lakh women in India are subjected to either rape or attempts to rape (again, not including marital rapes). Applying the figure of 90 per cent unreported again, to cases of rape of minors, we can estimate that, on average, another 1,20,000 rapes, this time of minors, also take place. Taking all this into account, we probably average about five lakh rapes in India every year (again, not including marital rapes).

Consider this too: only 28 per cent of the reported cases result in conviction. That is, of the nearly four lakh incidents of either rape or attempted rape, only about 8,000 in all – a mere two per cent – are convicted. And finally consider this: the number of rapes invariably goes up during civil conflicts, especially those that witness armed action (whether by state or non-state forces) against civilians. As such conflicts proliferate and spread to newer areas in most parts of the world, this kind of rape too is becoming commonplace.

Just to put these figures into a roughly clarifying perspective: according to the Ministry of Statistics and Programme Implementation, around 1.7 lakh people died of traffic accidents in 2014. That is, a woman is roughly four times more likely to be raped than to die in a road accident.

## **I WAS NOT ALONE**

**-Taha Kehar**

The gate creaked open, its rusty hinges squeaking like a mischief of mice. Asim's silhouette blocked the rectangle of light that fell on the floor. I heard him whisper my name, the softness of his voice creeping through the uneasy silence of the room.

'Nargis,' Asim screamed, a mix of anger and shock choking him. He pulled my languid body onto the charpoy and covered it with a warm shawl that he had bought me for my birthday last month. 'Who did this to you?' The repressed violence in his voice, his hot breath searing me – I began to freeze inside.

Patches of red stained the shawl, seeping through the length of the fabric, like rainwater moistening the ceiling of an old house. Asim's face alternately flushed with anger and darkened in sadness. Asim's clenched fist touched the tip of his nose, then he put it away, and shook his head. I knew an unknown fear had just begun to grip him.

'Was it Jamil?' Asim hissed. The edginess in his voice was unmistakable.

I kept quiet. I draped the shawl over my mauled body and let its smoothness soothe me a little, soak in pain.

Asim got me water in a steel glass and put a set of neatly-ironed salwar kameez at the foot of the bed. I sat up and flung the blood-stained shawl away. Looking at my wrecked body, blood clotted here and there, skin slashed, bitten off, I cried silently. The lanky figure without any hint of flab had been my proud possession. I had loved and taken care of it. At the moment I shivered looking at it.