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Prevalence of Rape Culture in India: Where are We Heading?

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ABSTRACT

“Feminism isn’t about making women strong. Women are already strong. It’s about changing the way the world perceives that strength.”

– G.D. Anderson

Dating back to ancient times, the status of women pertaining to equality had been quite deplorable. Instances derived from mythological events showcase the adverse behavior and conduct to which women are subjected to. The incidents of sexual abuse and rape with women have increased exponentially with time. Due to the tolerance of such events by the society, and normalizing them over a due course of time, the emergence of rape culture takes place.

This article would provide an insight about the victimization of women, status of them in society, cause behind such despicable incidents, and the legal provisions enacted to protect, and upheld their rights.

Keywords – Equality, mythological, Sexual abuse, rape culture, victimization.

I. INTRODUCTION

From the time immemorial the status of the women in society as compared to men is undermined. Women were treated inferior to men in every aspects of life, the disdainful practices such as Sati are evident to the vulnerable condition of women those times. We can derive from Indian mythology, there are several instances of sexual abuse done with women. One of the most notable story is of Ahalya’s, wherein Indra disguised himself as her husband Gautama, and had sexual relations with her, for which both of them were cursed by Gautama when the incident gets exposed. As its effect she was turned into a stone.

Such stories depict how the patriarchal standards of society appropriate the character and role of a woman to her sexual relationships, and reduce her purpose to child-bearing. Most cultures are so obsessed with the lineage of progeny, and chastity that imposing restrictions on women’s sexual freedom became a norm and continues even today. In present times, the

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clichés set by mythologies have got embedded subconsciously in the brain of the people, which made them followed to normalize sexual violence. And thus just like the mythological stories of the past, the victim is reduced to be face of activism or a subject of popular media.

Heather Timmons in an article in *The New York Times* states², “...almost inevitably, the art to go with a story about rape depicts a “shamed woman.” Sometimes, this woman also happens to be somewhat scantily clad.” The article rightly suggests that the woman is depicted as “disgraced” rather than wronged.

The term rape is derived from the Latin word ‘rapere’, means “to snatch, to grab”. Since the passage of time, the term has come to mean “to seize and take away by force”³. According to section 375 of IPC, rape is defined as an “intentional, unlawful sexual intercourse with a woman against her will and without her consent”⁴. When such acts of sexual violence against women becomes normalized and tolerated in the society, the emergence of rape culture takes place. Rape culture is usually formed when the general members of society eternalize the rape myths, which is largely influenced by media and popular culture.

II. RAPE CULTURE: PREVALENCE AND TRANSITION OVER TIME

The term ‘Rape Culture’ was originated in 1970s, concurred with the second wave of the feminist movement. During this time, the second-wave feminists had begun to engage in consciousness-raising efforts designed to educate the public about the prevalence of rape. When sexual violence against women becomes normalized and being tolerated by the society, formation of rape culture takes place.

The existence of rape culture can be traced back to 900 BC, by examining the mythological stories and events existed in the Ancient Greek society. The rape of women was common throughout Greek mythology. One of the most famous stories from this time is the rape of Leda by Zeus⁵. In which Leda was having a bath in the lake when Zeus disguised himself into the shape of a swan and proceeds to Leda and raped her. Though Zeus was a highly praised god in Greek society and was notorious for his sexual encounters with mortal women

The term’s first published use appears when feminists released the documentary film “Rape Culture” in 1975. The film exhibits the cultural normalization of rape of both men and women. Its purpose was to raise awareness pertaining to the normalization of sexual violence

² Pooja Priyamvada, Tracing The Origins Of Rape Culture In Mythology, *Feminism in India*, (Oct. 6, 2017), <https://feminisminindia.com/2017/10/06/origins-rape-culture-mythology/>.

³ Rape in India, Wikipedia The Free Encyclopedia, https://en.wikipedia.org/wiki/Rape_in_India.

⁴ manjeetsahu381, Change in definition of Rape in India, *Legal Service India – Lawyers*, <http://www.legalservicesindia.com/article/880/Change-in-definition-of-Rape-in-India.html>.

⁵ History of Rape Culture, Weebly, <http://historyofrapeculture.weebly.com/history-of-rape-culture.html>

in the society. This documentary was the first to establish the relationship between rape and our culture's outlook towards its sexual fantasies by examining popular culture and media. Feminists realized that they need to take a stand against rape culture and make people aware of its detrimental consequences.

Rape culture is nearly considered related to slut-shaming and victim blaming, wherein rape victims are considered to be at fault for being raped. As per a widespread notion, the root cause of rape culture is given to be 'objectification of women'. However, academic scholar states that rape culture does not necessarily have a single cause and may be localized based on the other social aspects of culture. Feminists tend to link rape culture to the widespread distribution of porn and pornographic material, which is often seen as an expression of a culture that objectifies women, reducing the female body to merely a commodity. As it's seen that individuals who more frequently watch pornography are more likely to engage in sexually aggressive acts than others who consume less pornography.

A recent incident in New Delhi, India named '**Bois Locker Room**' is evident to the fact that even today rape culture and sexism is too prevalent in society, especially amongst youth.

A group of school going children of South Delhi region created an Instagram group chat called 'Bois Locker Room' to share pictures of women, in which many were underage, and to have conversations relating to objectification of women and graphical sexual presentations. The controversy came into light when the screenshots of the chats are leaked and got posted on the social media by some of the victims. The screenshots from the chat room gets viral instantly and got spread across the region.⁶ Upon cognizance of the incident the Delhi Commission for Women takes required actions and sent notices to Delhi Police to take actions against this event.

The major causes for such incidents to take place are the outlook of the perpetrator towards women, especially those wearing western clothes, they think that they are immoral and offering, and indicating in some way, themselves to want sexual favors from them and the absence of fear of the police and law that they would be penalized and punished hard for their act makes them feel free to commit such offences.

III. SEXUAL VIOLENCE AGAINST WOMEN

With due course of time, sexual violence against women has exponentially increased in India.

⁶ Jyoti Yadav, Delhi women's commission wants 'Bois Locker Room' probed, sends notice to Instagram, police, (May 4, 2020), <https://theprint.in/india/delhi-womens-commission-wants-bois-locker-room-probed-sends-notice-to-instagram-police/414350/>.

It imparts a profound negative and traumatic impact on the life, and also instills a sense of remorse and embarrassment in the mind of the victim. It increases feelings of helplessness and fear in the victim, which in turn affects their self-esteem and causes to produce apprehension that they may be subjected to further violence in near future.

The World Health Organization (WHO), defines sexual violence as “any sexual act or an attempt to obtain a sexual act, unwanted sexual comments, or advances, 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 work⁷.”

Rape is one of the most protruding crimes against women in India. Prominence of which can be inferred from the records, that in every 15 min a woman is raped in India. The majority of reports displays that female youth are most vulnerable group of rape victimization. According to experts, only 16% of rapes are reported, and the conviction rate for rape cases is 25.4%. According to the National Crime Record Bureau annual report, 34,647 rape cases were reported across India in 2018⁸. Out of these, 90% cases were such which were committed by someone known to the victim.

Rape is a critical problem in cultures and societies across the world. India is infamous for its rate of crime and is on its way to being the rape capital of the world. For women in India, there is a constant fear that they may have to confront an act of sexual assault or rape, at any road, public place, and at any time. Rape is a growing concern in today's society and it is becoming increasingly difficult to ignore the alarming statistics about the crime.

IV. LANDMARK CASES

1. In the case of *Vishaka vs. State of Rajasthan and Ors., JT 1997 (7) SC 384*, a woman named Bhanwari Devi a lower caste worker working for the women's development programme in Rajasthan, was trying to stop a child marriage in her village and to which she was allegedly gang-raped by five men of the upper-caste community.

Supreme Court held in its judgement that the sexual harassment of a woman at a workplace would be violative of her fundamental rights given under Articles 14, 15, 19 and 21 of the Indian Constitution. The court further concluded that such Act would be considered as a violation of women's human rights.

⁷ Newsroom, Violence against women, World Health Organization, (Nov. 29, 2017), <https://www.who.int/news-room/fact-sheets/detail/violence-against-women>.

⁸ Reuters, NCRB data 2018: 1 rape reported every 15 minutes in India, India Today, (Jan. 11, 2020), <https://www.indiatoday.in/india/story/ncrb-2018-woman-reports-rape-every-15-minutes-in-india-1635924-2020-01-11>.

2. In *Tukaram vs. State of Maharashtra, 1979 AIR 185*, a 16 year old girl who belonged to a tribal community in Maharashtra named Mathura was rape by two police officers inside the premise of a police station. The family of the girl made criminal complaint against those police officers, but Supreme Court rejected this case stating – “*Mathura’s body bore no outwards sign of rape*”.

To this judgement a rage across many women groups across the nation developed turning it into a huge protest. After this entire incident an amendment was made in criminal law in 1983 consisting of the recognition of custodial rape, closed proceedings for the rape trial and ban on the publication of victim’s identification.

V. CONCLUSION

Despite having a number of punitive provisions in law against such crimes, the cases of sexual violence and rape are on a rapid increase. The causes of these awful incidents are invariably complex like many other crimes, the problem of sexual violence and rape may not be understood by a single factor, educational and cultural factors are two of many factors that constitutes in cause of such crimes. The children during their phase of upbringing along with proper education, the moral and ethical values must be taught to them and making them aware and conscious towards their conduct and behaviour to the other people in the society, especially women.

The need to reform and reshape the patriarchal models is imperative as to grow in these reformative and advanced times, where women and men are on equal platforms in every aspect of life and where there is no insecurity amongst women to be victimized as for being frail and inferior to men. As a society we can and we have to confront this problem by talking about it explicitly and dispassionately. Only through enlightened public communication we can arrive at an accord on what is deviant behaviour which needs to be called out and discouraged. Along with it, the pertaining laws and penal provisions must be revised as per the demand of the current situation and also must be made more stringent and rigid so as to create an apprehension in the mind of the perpetrators that if they dare to commit such crime then there will be no scope of getting an escape from the punishment prescribed for that crime.
