

India: Statement on the Delhi Bus Gang-rape and Popular Protests

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Solidarity with the protesters in Delhi.

Down with government violence and misleading information

Punish every rapist and all those who support or abet rape

There have been sustained protests in Delhi against the rape of a young woman of 23 in a bus, and the callous attitude of police, administration and politicians till the protesters forced their hands. This has been taken up across India. Protests have been heard in Kolkata, in Srinagar, and in many other places. This issue must be put in its proper perspective in order to understand why there has been such a massive outpouring.

It is not because this is just an incidence of unusual violence that people are angry. And it is not that this is a middle class issue, and that is why the middle class is angry. The former detaches the particular issue from the general, while the latter is a very one sided presentation.

In 2010, there were 22,000 recorded cases of rape in India, which means the actual number of rapes was around 130,000 (given the ratio of five unreported rapes to every reported case that is widely admitted, while one study of the Punjab for 1995 suggested as high as 68:1 as the ratio between unreported and reported rapes). In Delhi, the national Capital, there have been over 560 cases of recorded rapes in 2012 so far. In West Bengal, there are several thousand rape cases that have been recorded by the police yet have not started moving in the courts. In Manipur, Irom Sharmila continues her lonely protest by hunger strike, while the Armed Forces Special Powers Act continues to shield men in uniform who routinely rape and murder women. In Kashmir, the Shopian Rape and murder was hushed up by calling it suicide due to family conflicts. In Gujarat in 2002, political violence against Muslims included gang rapes in a large number of cases, lauded by the Chief Minister as "Newton's Third Law". Rape, in other words, is a threat that stalks virtually every Indian woman. The massive and semi-spontaneous outpouring, organised by little more than personal contacts and grass roots level initiative, was born out of popular hatred of this growing trend, and an utter rejection of politicians and police who are seen as vile, corrupt, promoters and protectors of rapists, who have pussy-footed when Khap panchayats have sought to dictate terms against women, and who have routinely put up history sheeters as their candidates, including men charged with rape (cases still going on) or with other sexual assault on women.

Because people routinely take part in elections, these parties go on repeating that Indian democracy is strong and deeply rooted. In fact it is shallow, and has come to mean little more than periodic contests between different gangs of crooks for all of whom people's social, economic and cultural rights and desires matter not a whit.

Rape is treated, by the capitalist-patriarchal system and its upholders, in a totally flawed manner. It is equated with sex, and therefore rapists are identified as individual perverts. Often enough, the women themselves are blamed. In the present case too, before the depth of mass outrage was seen,

one politician had remarked that the woman was too adventurous in being out so late. In other cases, women are virtually told they were inviting rape if they did not fit into a narrow dress code, if they were seen in various kinds of places socially identified as spaces for “bad women”, and so on. It is enough to remember the case of Bhanwari Devi, to understand that the reality is, women are raped because rape is a show of power. It is a display of violence on women by patriarchy.

At every stage, it is the woman who is victimised, traumatised and humiliated. Police routinely refuse to file an FIR (the Shopian case, the initial response in the Park Street, Kolkata case). The woman is humiliated when she goes to the Police Station. Cases are not handled speedily. Medical examination is often tardy or not even conducted. Rape is routinely described as a ‘fate worse than death’. Law-makers have gone on record using terms like *Zinda-laash* (living dead) to describe the rape victim. This means that rape is not treated as violence on the woman but as the loss of her “izzat” (honour) without which she is ‘better dead’. When Sushma Swaraj, the BJP leader, asserted in parliament that the woman’s life is now worse than death, she was actually endorsing the patriarchal value system that leads to rapes.

It is from this perspective that equally violent responses have been proposed. The most well-known is the demand for death penalty for rapists. Another is the demand for castration or branding rapists (made in the daily *Bartaman* of Kolkata by none less than a former judge).

We reject this mode of thinking. We assert that it is necessary to relate rape to every kind of sexual harassment and sexual assault on women. Rape is the most violent form of an entire range of patriarchal attacks on women, from passing obscene comments, to leering at women, groping, stalking, and assault that is short of the legal definition of rape.

We also reject all attempts to imprison women and girls in the name of their safety, by declaring which hours are safe or legitimate for them to go out on the streets, and dressed in exactly how much shame. What is needed, rather, is ensuring their freedom as equal participants in society and their right to a life free of perpetual threats of sexual assault, both inside and outside their homes.

We oppose the demand for death penalty on both principled and practical grounds. We are opposed to death penalty per se, and therefore to its extension. But we also assert that in reality, the enactment of a law making death penalty possible for rape will have the opposite effect. That is when class as a factor will seriously come into play. It is the elite who will get away with lesser penalties, or will not even be convicted as police play an even worse role than now, while one or two lower class rapists will be hanged as so-called “exemplars”. It is worth remembering that rape is very often used as a form of upper caste violence to keep the dalits “in their place”.

We agree with all those organisations and individuals whose statement points out:

“This incident is not an isolated one; sexual assault occurs with frightening regularity in this country. Adivasi and dalit women and those working in the unorganised sector, women with disabilities, hijras, kothis, trans people and sex workers are especially targeted with impunity – it is well known that the complaints of sexual assault they file are simply disregarded. We urge that the wheels of justice turn not only to incidents such as the Delhi bus case, but to the epidemic of sexual violence that threatens all of us. We need to evolve punishments that act as true deterrents to the very large number of men who commit these crimes. Our stance is not anti-punishment but against the State executing the death penalty. The fact that cases of rape have a conviction rate of as low as 26% shows that perpetrators of sexual violence enjoy a high degree of impunity, including being freed of charges.” (Statement by women’s and progressive groups and individuals condemning sexual violence and opposing death penalty. DECEMBER 24, 2012) [[1](#)]

We do express our difference with Arundhati Roy, who seems to feel that the protests are just a middle class anger. We feel this incidence was a tipping point. Yes, middle class youth played an important role. They can do so because in spontaneous mobilisations of this sort they have social advantages (mobiles, facebook, wider networking). But to shrug it off as middle class is to play into the hands of the state, which is trying to play down the meaning of the protests. It is true that media have often ignored the gravity of rapes when committed by upper castes against lower caste women, or by landlords against the rural poor women. That is hardly a fault of the middle class women. At most, we can say that we hope they will draw lessons from this experience and be equally vocal when it is working class women in brick kilns or unorganised sectors elsewhere who are being raped, when dalit women or when agricultural labourer women are raped.

We particularly condemn the violence inflicted on the protesters The Delhi police has called the violence it has inflicted on the protestors "collateral damage" and at the same time charged eight persons with murder for the death of a police man. If they are going to use the terms of US imperialism and call their violence in terms used in imperialist wars, then the death of the policeman too is collateral damage. If they want to treat citizens as hostiles and cut off the metro links of Delhi's central areas so that visiting dignitaries (Russia's Putin) were spared the view of protests, then what do they expect protesters to do. If there was undesired violence, and there was, that is not because there are hidden Maoists or terrorists, as it is being insinuated, but because the state decided not to respond until it was too late, and with promises that were too little.

- We express support and solidarity with the protestors.
- We express our heartfelt support to the family of the young women, and to all those injured by cop attacks.
- We reject Maun Mohan Singh's appeal, that people should go back home now that he has uttered his banalities.
- We condemn the attempts by the Delhi police to control the nature of the statement being given by the victim.

The reality is that mainstream parties do not care about women's equality. They do not care about rape, police inaction and related issues except in so far as these help them in election times. And this brings us to the weaknesses of the protests. The protesters utterly distrust and reject mainstream parties. Yet they are still unable to go beyond placing further demands on those very rotten elements.

A second weakness, being exploited by the parties like the BJP, is the demand of the death penalty. They feel that by using the rhetoric of exemplary punishment they can divert attention from the systemic nature of rape and sexual violence.

The crucial demands that need to be made are:

- Immediate police reforms, so that rape charges must be recorded at any police station, with automatic provision of penal action against the duty officers, the officer in charge, and if necessary the superior police officers, if FIR is not taken immediately.
- No need for permission from /governor or president if high officials or ministers are to be charged for cases of rape, abetting rape, or sexual assault.
- Scrap the AFSPA. Bring to book rapists in uniform.

- Set up fast track courts to ensure that rape cases are dealt with promptly (within a one year time frame).
- Arrest and punish rapists in every recorded case of rape.
- Review the role of the national commission for Women, given its numerous actions and utterances against the interests of women.
- Regarding the Criminal Law (Amendment) Bill 2012, we oppose the gender-neutral definition of the perpetrator and demand that the definition of perpetrator be gender-specific and limited to men. Sexual violence also targets transgender people and legal reform must address this.

The bourgeois media, with very few exceptions, has been presenting a distorted picture, and pushing a clear agenda. Its glorification of “spontaneity” has to do with its desire to save the political order in the final instance. The bourgeois media is aware that mainstream parties loot the country whether through the Commonwealth Games or the 2G scam, that they harbour rapists and other criminals, and assist and promote riots and caste wars. But these are also the parties and people who vote for bank privatisation, for turning water into a commodity, for every need of predatory capitalism. So people are encouraged only to ventilate anger at specific cases, not to seek for systemic changes. Against this, we urge protesters to understand the inner unity of the corrupt, the criminals and the political system, and unite with all the exploited for a systematic alternative.

Radical Socialist, 26 December 2012

Footnotes

- [1] See on ESSF (article 27402), [India: Condemn sexual violence, oppose death penalty](#).