

## **In India, rape survivors are considered guilty**

*An Indian human rights advocate describes the trauma that rape victims suffer as a consequence of being raped. Dalits – also known as ‘untouchables’ are particularly vulnerable. The lack of sensitivity towards them may ultimately lead to suicide.*

Comment by Manjula Pradeep, Director, Navsarjan Trust

As we express our outrage over the violent attack and gang-rape of a young woman in Delhi, I can't help but remember a 15-year-old Dalit girl who was also a victim of sexual assault one year ago. While the young woman in Delhi battled hard but could not survive her injuries, the 15-year old took her own life. She was forced to commit suicide because of the lack of support from her relatives and her community. The perpetrator was prosecuted and sentenced to life in prison, but that did not ensure justice for the Dalit girl. She faced continuous humiliation and hatred not only from the villagers but also her relatives.

I was there when her totally burnt body was brought to the government hospital. There was no one there to help us so we took scissors and cut off the burnt clothes from her body. Her father and her relatives had not even bothered to bring a cloth to cover her. I had to hunt for a sheet in the middle of the night. The entire night I was with the girl. She did not say anything. She kept yelling and in the morning she succumbed to her injuries. Her father and relatives were not prepared to take her body for cremation in her village as they believed that she had brought shame not only to the family but to the village as well. Her body was cremated by hospital authorities.

When I think of her, I am unable to control my tears. Why subject a woman or girl who has suffered sexual assault to humiliation and suffering? The reactions of people around her are pity, even hate. Worse, many blame the victim and her parents.

Dalit women are routinely subjected to humiliation. It can be abusive remarks in the work place. It can be sexual abuse by her upper caste employers. Very often we read about a Dalit woman who has been stripped and paraded. If a Dalit girl dares wed outside her community, she is not only shunned by her own community but is at risk from her upper caste in-laws as well. Often, a Dalit woman or girl is subjected to mass violence by other castes.

While handling cases of sexual violence and trafficking of young Dalit women, I have noticed that the various systems and mechanisms set up to ensure justice for the rape survivor all lack sensitivity. Doctors and police, who are public servants holding official positions, treat sexual assault as any other criminal case. Most of the time, medical examination of a rape survivor is done by a male doctor, and only sometimes in the presence of a female nurse.

The state does not realise that a rape survivor has not only gone through physical trauma but also through mental torture. Otherwise a system would be set up where a rape survivor is treated with care and dignity. There is no mechanism to ensure trauma counseling of the rape survivor.

### **Extreme forms of sexual abuse**

I have handled two cases of extreme forms of sexual abuse against young Dalit girls, one who was kidnapped from the government primary school in a small town and another who was gang-raped by four men while she was on her way home from school. In the first case, the girl's father, after she was found missing, tried to lodge a complaint at the local police station, but the police refused to register it. It took more than a year, with active intervention by Dalit rights activists, before a complaint was registered against the five accused, including the head of a village council.

As the state does not provide and ensure much needed trauma counseling for the rape survivor, I took her to a mental institute set up by a trust and she remained on medication for more than six months. The rape survivor was not allowed to live in her house by her mother because of the fear of social stigma, hence I placed her in one of our boarding schools, where she finished 7<sup>th</sup> grade.

Later on we also provided vocational education to her at our training center where she took a three-month tailoring course. Now the struggle for her parents is to find a groom as they believe that nobody will agree to marry a rape survivor.

The other girl became a victim of psychological trauma after she was raped. She was admitted in a government hospital and given electric shocks twice. It enraged me that there was not enough done to provide counseling and other assistance before putting her through the trauma of shock therapy. I brought her to my campus and she received support from mental health specialists. Her trauma did not end there. As her police statement was taken in my presence, I was asked to testify at the trial court. The defense team was unduly aggressive even to me, suggesting absurdly that I had malicious intentions against the accused and had forced the rape survivor to lodge a false complaint. It was with great difficulty that we were able to get a woman public prosecutor to take on the case. I had to go to the High Court to get the appointment order.

Even though the perpetrators were found guilty, the community chose to punish their victim. She and her mother were excommunicated by their relatives. For the last three years, they have been living at my campus. After a two year psychiatric treatment, the young girl cleared her High School examinations. At present, she is pursuing her studies in a college.

I describe these cases because it is possible, when survivors receive proper care and support, for them to rebuild their lives. But NGOs alone cannot carry this responsibility. This has to become the norm for the state. Each case has to be handled with sensitivity and without discrimination, where the survivor also receives counseling and compensation. Police training and reform is crucial to ensure that complaints are properly registered. This is particularly the case when the complainant is Dalit, since caste bias plays a terrible part in further victimising the woman.

The tragic events in Delhi have stirred the nation. Now it is time to take important steps to ensure change, both in ourselves and in the way that the state responds to such cases in the future.

*Manjula Pradeep is a lawyer and the Director of Navsarjan Trust in Gujarat, India. Working for Dalit human rights at the grass root level in more than 3,000 villages, the organisation has a national reputation, which led to the awarding of the Times of India Social Impact Award 2012. Pradeep has handled many rape cases against Dalit women and other atrocities against Dalits and marginalised communities. She is also involved in international work and has on several occasions presented her experience of gross human rights violations against Dalit women to UN human rights bodies and the European Parliament.*

*On 13 December 2012, the European Parliament adopted an urgency resolution on caste discrimination in India. On 17 January, India was once more the subject of a strong EP resolution, this time on violence against women, in reaction to the recent Delhi rape case and the brutal and widespread violence against women in India.*

**Links:**

[Navsarjan website](#)

[IDSN: European Parliament adopts historic resolution on Dalits](#)

[Link to EP Resolution on caste discrimination in India](#)

[IDSN: EP urges India to fight violence against women](#)

[Link to EP Resolution on violence against women in India](#)