

Comprehensive Action Against Sexual Violence Needed

Safety at Public Places is Everybody's Business

New Delhi, December 23 : NAPM is shocked and dismayed by the rising wave of violence against women in our society which has been brought to the public conscience in a flash by the gang rape of a paramedical student by six drunken men driving around in a private transport bus in Delhi on December 16th 2012. We welcome the demonstrations against rape and the outrage against the long standing indifference of the administration and political forces in the country. **NAPM also condemns the brutal police action against the youth who were protesting against the sexual violence on the streets of Delhi.** There is an immediate need for stricter action against those responsible, take comprehensive steps for making public spaces safer and greater sensitisation to the violence and rape within homes too.

For reasons of the special circumstances of this particular case, it has awakened the public conscience much more than, say, the rape and murder of a thirteen years old school girl in Thooththukudi a few days later, the rape of a three years old by the husband of her nursery school director in Chennai, of the rape of a 78 years old village woman by a teenager, which were reported in the same week . The resonance was also much stronger than that in response to the desperate situation of Soni Sori, an adivasi school teacher, suffering outrageous violence in police custody and jail in Chattisgarh. **We are deeply moved by the will to live of the violated and severely injured young woman battling for life in Safdarjung hospital and we support her implicit statement that there is life after rape, even while we passionately desire to stop such crimes.**

Many of us working in people's movements are struggling for total transformation of society, towards equality, social justice, human dignity and full participation in decision making but also fighting the remnants of feudalism, casteism as well as modernized forms of male chauvinism and sexism at all levels. We are all being influenced by the portrayal of women in the media, commodification by market and by the inbuilt injustice of the structures of the state and the existing social institutions, including the judiciary, the educational system and religious teachings and institutions. **We hope the current waves of protests will lead to a greater awareness of the women's rights and see them as equal citizens and not an object of glorification, keepers of honour and bound in traditional roles.**

Rape is a manifestation of the continued existence of structures of patriarchy, caste and class.

We are agonized by the question of how to stop rape effectively, but we are also filled with sorrow by the realization that many of the people in the angry demonstrations in Delhi, Mumbai and all over

the country, are fiercely demanding the death penalty for rapists or chemical castration, assuming this will have the effect of deterrence. **There is no evidence whatsoever that the death penalty lowers the crime rate.** It has on the contrary been argued that the prospect of a death sentence would hamper the already low rate of convictions even more. Besides, crime statistics bear out that in over 90% of rape cases in our country, the perpetrator is known to the victim. **The violence is not “out there” in the unknown, it is present in our own midst, in our families and communities, where we socialize our children within the straightjacket of a deeply patriarchal and casteist culture, aggravated by the growing class contradictions under neo-liberal capitalism and the devastation of nature, which destroys resource base and livelihoods in most brutal ways.**

One of the crucial lapses in our social setting is the virtual absence of the concept of consensual sex. Rape is so much taken for granted that marriage (and implicitly acceptance of marital rape) is a must. The recent recommendations of the former Chief Minister of Haryana to lower the age of marriage in order to curtail the gang-rapes in the state is a clear expression of this situation. Socializing young women and men into a life of mutual respect, including respect for their own and each other’s bodies, is a corner-stone of a new society. This also implies the need to end brutalization and trafficking of human beings, be they male, female or any other gender. **We also strongly feel the need to effectively dis-empower caste khap panchayats which enforce marriage within caste boundaries.** The horrendous recent violence in Dharmapuri district of Tamil Nadu, which inflicted crores in loss of property and destruction of educational certificates on dalit families is an extraordinary example of pre-empting Dr. Ambedkar’s abolition of caste by inter-caste marriage, through large scale political violence from the side of a caste based party. Though this incident so far did not spark rape, it does have murderous implications, as witnessed by the recent murder of a dalit boy married to a Vanniyar girl, committed by her relatives.

Some of the suggested measures, which government can do are the following :

- The outrage against rape must be taken seriously by the State, the judiciary, the police and by all citizens. **We condemn the use of teargas, water cannons and lathi charge against the demonstrators.**
- **Swift action and accurate registration of FIR,** investigation and reliable resolution of rape cases through fast track courts.
- **Policing women is not the solution.** We endorse the slogan “**Don’t rape!**” instead of the warning to women “Don’t get raped!”
- **Introduce safe and frequent public transport system and well-lit roads and bus-stops.**

- **Establish functioning help-lines, counseling, medical aid, trauma relief** and all necessary support measures to safeguard life after rape and full re-habilitation of affected persons.
- Discouraging the sale and use of alcohol and drugs is crucial for curtailing the violence against women and for safeguarding food security and education of children. State liquor shops as a major source of revenue are unacceptable.
- Institute complaint committees on sexual harassment in the workplace in all institutions and enterprises and in tripartite boards of unorganized sector workers.
- Rape by police and security forces be included as a specific category of aggravated sexual assault under section 376(2) IPC.
- Persons with a confirmed record of assault on women cannot stand for public office or contest elections.

We also support the demands of women's movements to modify the Criminal Law (Amendment) Bill 2012, to **not** pass it in its current form. While the victim of assault can be gender neutral, the perpetrator must be limited to men. We strongly oppose the gender neutrality clause for perpetrators under section 375 IPC. Lastly, we would like to mention that safety in public spaces is everybody's business and we all must come together to make public spaces safe for everyone, to live with dignity and honour.

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