

NIRBHAYA: “AN ISOLATED REBELLION OR A SOCIAL REVOLUTION?”  
ANALYZING THE ROLE OF MEDIA AND LEGISLATION ON VIOLENCE AGAINST  
WOMEN IN INDIA

by

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## **Abstract**

India witnessed one of its most gruesome gang rapes, of a 23-year-old woman in Delhi on 16<sup>th</sup> December 2012, which ignited angry protests around the country as well as across the world. The barbarity of the sexual assault shook the conscience of the nation. Because the victim fought fearlessly for her life till the end, she was called Nirbhaya, the ‘fearless one’ in Hindi. The protests in turn, sparked a global media frenzy, drawing attention to sexual violence in India and exposing patriarchal attitudes prevalent in its culture. The Nirbhaya case is still being addressed in the mainstream press, a decade later, underlining the importance of the case in the discussion of sexual assault and women's security.

In this thesis, I explore the issue of violence against women in India through the lens of the Nirbhaya rape case. The literature reviewed unveils India’s patriarchal structures and stigmatization of rape, as well as how its victims are treated. Further, I investigate if Nirbhaya’s case brought about significant change in Indian society, through a media content analysis of two renowned English newspapers using three time periods: before, immediately after, and five years after the rape case. The results indicate that Nirbhaya’s upheaval positively changed the media narrative regarding sexual violence to some extent. This is followed by a critical analysis of the Criminal Law Amendment (2013), a legal reform outcome of the case. The analysis helps uncover that a pattern of continued increase in violent crimes against women to this day can be attributed to state negligence, in addition to a lack of sufficient implementation of the amendment and similar laws.

## **Lay Summary**

Violence against women remains a significant issue in India despite the passing of stringent laws and policy initiatives over the years. This research looks at the persistent issue of gendered sexual violence through an analysis of the 2012 Nirbhaya gang-rape, an incident that immediately drew global attention and caused mass protests through the media, public, activists etc. However, despite such mobilization and legal reform, violence against women has either been increasing or remained stagnant over the years. Nirbhaya's influence on society, media and a possible backlash in the aftermath has been explored. It is argued that the state's negligence through insufficient implementation of stringent laws such as Criminal Law Amendment 2013 is primarily responsible for the situation of violence against women in India.

## **Preface**

This thesis is an original, unpublished, independent work by the author, Tanya Ghai.

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I am grateful for my family's unwavering encouragement, which reminds me of my roots and humility. To my brother for always reminding me not to give up and to chase my dreams, to my friends for their critical and honest opinions. Lastly, I am indebted to my high school principal who taught me important values and, who ignited my passion for gender and justice.

## **Dedication**

To Ms. Asha Devi, Nirbhaya's mother

The warrior mother

## Chapter 1: Introduction

*“People in Delhi took to the streets demanding swift justice for the deceased victim, and urgent action to guarantee safety for women in the city. The rape victim is now remembered as ‘Nirbhaya’, meaning fearless, for her resistance against the perpetrators and the 13-day fight for life after sustaining the injuries” - Talwar (2013)*

Based on the National Crime Records Bureau, "one rape was reported every 16 minutes in India in 2019" (NCRB, 2020). Indian society treats crimes against women such as gender-based violence as commonplace, and through the years, some incidents have received local as well as global scrutiny before eventually receding into silence. This is ironic, given that a significant part of the population idolizes feminine deities who symbolize bravery, affluence, and strength in numerous Indian cultures (Sarkar, 2016).

The United Nations officially defines violence against women as “any act of gender-based violence that results in, or is likely to result in, physical, sexual, or mental harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or in private life” (United Nations Women Program, 2013). Over the course of their lives, an estimated 736 million women (nearly a third of all women) experience a form of abuse by a romantic partner, a non-sexual partner, or both, making gender-based violence a globally ubiquitous issue (WHO, 2021).

In India, the outcry against sexual violence and rape has grown into a widespread movement since 2012 (Ignatius, 2013). Not only has it compelled legislative reforms, but it has

also compelled people to re-examine sociocultural norms that denigrate women and promote violence against them. Nonetheless, the assault cases against women continue to rise.

According to statistics a few years ago, cited by Harbishettar (2014), at least two women were sexually abused every hour, and a married woman committed suicide every six hours in India. Historically, Indian women have suffered from abuse in a multitude of ways, through social alienation, income insecurity, financial difficulties, and inadequate self-protection, all of which are perilous issues affecting their role in society (Harbishettar, 2014).

In 2012, the issue of rape was given a new meaning. A sexual assault case sparked an unparalleled reaction amongst Indians and to some extent, the international media, drawing attention to India as an unsafe place for women. This led to New Delhi being branded as the world's "rape capital" through protests and discussions (Talwar, 2013). The extensive coverage of the 2012 Nirbhaya case, along with the huge response it elicited, revealed both international expressions of empathy as well as alarming reincarnations of misogynistic perspectives held by many Indians. The Nirbhaya case was presented as a case peculiar to India in foreign reportage, rather than as part of a global issue of systematic gender-based violence. The case served to portray India as a country where sexual abuse is widespread and rooted in daily life. A decade has passed and the Nirbhaya case is still being addressed in the mainstream press, underlining the case's importance in the discussion of sexual assault and women's security.

In this thesis, I investigate the issue of violence against women in India, through an analysis of the Nirbhaya rape case and its influence on Indian society, with emphasis on media reporting and legislative reform. Since 2012, several new sexual violence-focused media campaigns have been established in India. However, the National Crime Records Bureau statistics recording crimes against women reflect an upward trend since 2012. I explore the

reasons behind an increase in reported violence against women despite the Nirbhaya case producing an 'almost' revolution due to the stupendous media uprising and attention it received. This is where a deeper examination of the way Nirbhaya was portrayed becomes useful. Thus, I have carried out a media content analysis to portray the changes in media reporting after the Nirbhaya case and to assess its extent of influence on media portrayals in the long run.

This thesis focuses on the conversations that Nirbhaya created in the social and political realm, following the legislative reform, the Criminal Law Amendment 2013 that was generated in the aftermath of the incident. The first chapter provides a description of the Nirbhaya assault, its media outbreak, and consequent public outcry in the capital city New Delhi, which unfolded across neighboring states in a matter of days. This is followed by an exploration of counter-intuitive statistics that reflect increasing crimes against women/ rapes against women in India despite such a mass mobilization. While an increase in reporting can be the result of increased awareness and progressive mobilization rather than an actual increase in incidence of rape, I have attempted to investigate whether Indian society experienced a possible male backlash leading to an increase in violence against women after the 2012 incident in the later sections.

The second chapter, through the range of extensive secondary materials available – journals, books, research papers, and articles – allowed me to delve into understanding violence against women in India through an evaluation of how gender is perceived across the country and why women are victims to structured inequality in political and social aspects of life. I focus on the media's reaction, followed by an outline of the common perceptions of shame and stigma, through which sexual violence victims are viewed in India. This literature aids an understanding of how such mobilizations may be used to reinforce or deconstruct prejudices such as Indian women's alleged passivity or Indian men's purportedly violent and cruel tendencies, both of

which have a strong tradition in imperial narratives (Davidis, 1999). As a result, the media plays a crucial role in the preservation or modification of cultural conceptions in and about India.

The third and final chapter illustrates the methodology and results which aim to unravel the extent of Nirbhaya's influence on media portrayals of violence against women, if any, through a media content analysis focused on how the media portrayed and questioned the case details and state's role respectively. The results exhibit perceptible change in media reporting over the three time periods, which supports an argument that Nirbhaya as an exceptional case that received amplified media attention due to the horrific nature of the gang rape. I carried out a media analysis in 2017, five years after the incident to examine if the media reporting style returned to its original format or if there was a significant change. Further, the discussion section elucidates an investigation into the effectiveness of the 2013 CLA and calls attention to the state's negligence. Additionally, the hypothesized backlash argument is addressed.

### **1.1 *Research Questions***

The focus of the thesis is the following overarching question:

Did the social upheaval catalyzed by the Nirbhaya rape case impact Indian media coverage and state action on violence against women only temporarily, or were its impacts more significant over the years?

1. Which aspects of Nirbhaya's case can we attribute to gendered structures of violence against women in Indian society?
2. Did media reporting improve and become more feminist in its approach following the Nirbhaya rape case?

3. How effective has the Criminal Law Amendment Act, 2013 been in implementing legislative reform to reduce crimes against women, specifically sexual violence in India?

### **1.2 *The 2012 Nirbhaya case***

Jyoti Singh, who later came to be known as 'Nirbhaya', was a young university student. After seeing the movie *Life of Pi* with her boyfriend, at a cinema hall in South Delhi on Saturday night, 16<sup>th</sup> December 2012, they were waiting for a public bus to return home. When an almost empty bus with tinted glass windows ultimately came to a halt, a young worker on the bus convinced the couple (Nirbhaya and her boyfriend) to board with the assurance of transport back home.

During the bus ride, "Nirbhaya was assaulted inhumanely by six men who took turns to rape her, which included a minor, aged 17 years of age, Mohammed Afroz. It was the same minor who forcefully pushed a rod into her genitals which almost shred her intestines." (India Today, December 26<sup>th</sup>, 2012). As narrated by Talwar (2013) in his book "Courting Injustice: The Nirbhaya Case and Its Aftermath", they were both picked up by the Police Control vehicle soon after, from a highway as they lay sans clothing and were carried to the hospital. While they were hospitalized, two of the suspects were apprehended on December 17. Four arrests were made on the 18th. On December 21, the juvenile and final culprit were apprehended. On December 26, after being in medical care in Delhi, Nirbhaya was rushed to Singapore's Mount Elizabeth Hospital due to severe internal bleeding and a heart attack. The medical report stated that Nirbhaya underwent "internal hemorrhage and multiple organ failure". Three days later, Nirbhaya was finally "pronounced dead of multiple organ failure" (Talwar, 2013) on December



29. Seven years later, on Friday, March 20, 2020, at 5.30 a.m., “all four death row inmates in the 2012 Nirbhaya gang rape and murder case were executed after the Supreme Court and the trial court both rejected their last-minute appeals”, thereby ending their effort to avoid their final fate (Hindustan Times, January 8<sup>th</sup>, 2020). The nation had longed for this verdict since 2012.

The juvenile, who was the fifth convict, was released in 2015 after spending three years at a reform facility while the sixth convict accused, Ram Singh, was found dead in his jail cell on 13th March, 2013. The reasons for his death were ruled as ‘suicide’ but there were speculations regarding a possible murder as well (BBC, 2018). There was an unanticipated outcry when the minor in Nirbhaya’s case was released after three years in a correction home. As a result, laws concerning juveniles were changed in 2015. The government passed the Juvenile Justice (Care and Protection of Children) Act, stating that children between the ages of 16-18 years could be treated as adults if accused of committing heinous crimes such as sexual assault or rape.

On the announcement of the verdict, Nirbhaya's mother, Asha Devi applauded the decision, saying, “Justice has been served to my daughter. The execution of the four prisoners will give the country's women more authority. People's faith in the justice system will be strengthened because of this ruling.” (TOI, January 7th, 2020). The verdict was met with abundant acclamation and led to social media recognition that acknowledged long-awaited justice for Nirbhaya, 'India's Daughter', as called by many media sources. Despite this, certain political leaders emphasized how justice delayed is justice denied. Additionally, the literature on Nirbhaya's case indisputably altered the perception of Delhi. Since then, it has been tarnished as a dangerous city for women. Even after years, that reputation has not been altered as is evident from the statistics shown through the increasing crime rates in Figure 1.1.

### ***1.3 Mass protests & Legislative response***

Mass mobilization flared across the capital city Delhi and surrounding states as word of the gang rape spread (Alan Taylor, 26<sup>th</sup> December 2012 retrieved from theatlantic.com). The highly intense public outpouring of grief at India Gate, a soldier's memorial in New Delhi, led authorities to use 'lathis' (sticks) and water cannons to disperse the gathering and control the crowds. The media highlighted how nothing less than a death sentence would assuage the population's collective wrath at the time.

The agitation was not restricted to street demonstrations in support of retaliatory sanctions. Activists, ordinary citizens, and academics voiced their opposition to the state's initial sentence of life imprisonment for the accused, as well as their reservations about its protracted influence on sexual assault against women (Talwar, 2013). Such a mass coverage by the media and extensive interrogation of the state regarding women's issues was a rare occurrence; however, Nirbhaya's case pushed the media to practice its democratic rights explicitly. Therefore, such a mass mobilization unequivocally pushed the state to act promptly.

Immediate legislative action constituted the forming of two Inquiry Commissions by the state, called the "Justice Verma Committee" and the "Usha Mehra Committee" respectively. These were established in response to indignation over the case, with the objective of eliciting public opinion on how current anti-rape legislation should be changed and adding additional provisions to already existing laws (Shakil, 2013). In a meeting at UN Women, Justice Verma stated:

"In order to ensure its success, it is important that the Act be implemented with dedicated human and financial resources, and clarity in roles and

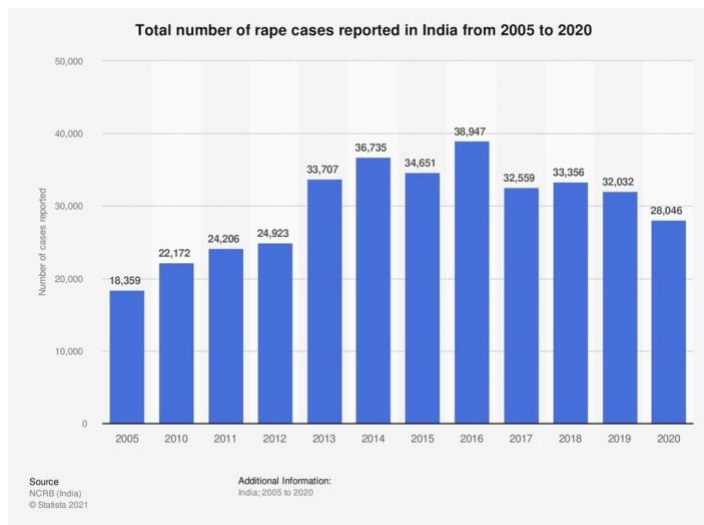
responsibilities. A law is only as good as the systems and individuals that implement them. Mindsets and attitudes need to change so women can truly be respected equally and value in society” (UN Women, 2013).

Three months after the rape, the Verma Committee Report prompted the adoption of the Criminal Law (Amendment) Act 2013 along with an annual Nirbhaya fund meant to be used for women’s welfare and safety.

It is argued by Shah (2019) that there had been an accumulation of societal tensions that culminated in the response this rape case elicited. Women in India viewed "Nirbhaya's" abuse and death on a very intimate level. Due to the involvement of the victims’ family in this quest for justice, her real name was revealed and used in media sources, however, Indian law prevents the public revelation of sexual assault victims' names. Thus, individuals gave the Delhi gang rape victim other names that inspired them and communicated their sentiments about a personal connection. For instance, “*'Jagruti' (awareness), 'Amanat' (precious possession), 'Nirbhaya' (fearless), 'Damini' (lightning), and 'India's courageous heart daughter'*” (Shethepeopletv.org, October 20, 2020).

On the contrary, NCRB rape rates tell a different story about crimes against women. Figure 1.1 shows an increased magnitude of rape reports after 2012 until 2016, however, it must be considered that reporting rates can increase when awareness increases and stigma is reduced, even if actual instances of rape do not increase (Clay & Burt, 2005). From 2016 to 2020 there was a gradual decline in cases, however, according to latest estimates, from data released by the Delhi Police Department & NCRB, rape cases in India increased by 29% from 2020 to 2021, while molestation cases increased by 17%.

Delhi, the capital city itself saw an increase from 1618 reported rape cases in 2020 to 1,969 cases in 2021(NCRB, 2021). This raises a question: how, despite stringent laws prompted by the Nirbhaya case in 2012, did gendered social stigmas in Indian society (in families as well as through the media) regarding rape continue to prevent progressive action and restrain positive implementation of these legal reforms?



**Figure 1.1-Reported rape cases in India 2005-20 (NCRB, 2021)**

While gender expectations, representations, as well as attitudes regarding sexual assault vary internally in diverse nations such as India, fundamental conventional beliefs and gender roles that reinforce gender inequality seem to be embedded amongst a sizable section of the population (Sharma & Sharma, 2015). Similarly, Kalra (2013) substantiates how culturally disseminated beliefs concerning gender and assault serve as a predictor of physical violence against women and girls. These preconceptions are frequently absorbed due to continued exposure to a predominantly masculine sociocultural environment. Sexual violence can thus, be understood as the outcome of a culture's pervasive misogyny. Girls, for example, lack autonomy

over their sexual identity in rural India. They are forced to marry and start a family quite young, thereby ceding control of their sexuality to a man, usually their spouse (Kaur, 2013). Thus, in India, like in many other countries with conventional patriarchal beliefs, men assert absolute control and authority over multiple aspects in women's lives.

#### **1.4 *Research Design***

There are several conflicting hypotheses for why, despite landmark cases such as Nirbhaya, India's crime rates against women continue to rise or remain. Scholars such as Kalra have predicted that because of gender-equity breakthroughs in patriarchal institutions, males may feel a threat to their authority, which may manifest as male backlash (Kalra, 2013). Similarly, Whaley (2001) substantiates that securing equality might unfortunately result in a reaction against women's achievements through increased crime and violence against them. Alternatively, however, according to intersectional feminism, "rape-supportive attitudes would become less entrenched into the institutional structure with increasing gender equality, thereby reducing their impact on forming unequal gender relations" (Whisnant, 2009). Considering the above, since Indian culture/society is currently undergoing a transition from male dominance to gender equality (Sharma & Sharma, 2015), the recent surge in cases of sexual assault, apart from being attributed to increased rape reporting after the case due to increased awareness, can also possibly be attributed to the negative male reaction against rising gender equality. This backlash possibility is hypothesized and will be explored in further sections.

Regarding media portrayals of violence against women, we might expect that Nirbhaya's effect on Indian society would be significant and long lasting due to the upheaval it caused.

However, considering the persistence of gendered violence after the incident, it is equally possible that media coverage of the Nirbhaya case was a temporary exception in its vast portrayal of brutal details of the case and questioning of the state that it prompted, due to the horrific nature of the gang rape and extent of available details about the incident.

I will explore the above possibilities through my research on the Nirbhaya case by carrying out a content analysis of the media's mammoth role in shaping public and legal discourse; followed by an investigation into whether a culture of male backlash exists in India, as indicated by the increasing crime rates against women after the 2012 case.

Given that the objectives of this thesis are to ascertain whether and how the Nirbhaya rape case affected Indian society and the media in a sustained and deep-rooted manner, as well as investigating why acts of gender-based violence continue to increase- I argue that Nirbhaya's case had a massive effect on the community, the state and the media narrative and thus led to legal reform. However, the reform did not translate into a consequential legislative modification regarding violence/assault rates in the aftermath due to state negligence, insufficient implementation, and a possible backlash, as will be explored through the analysis. I also examine whether Nirbhaya altered media reporting in the long run or not and find evidence to support its sustained impacts. My findings reinforce existing literature that claims that it is the absence of reformative forces and attitudes within state institutions, and an almost dereliction of duty in implementing the 2013 CLA that accounts for persistently high and increasing levels of violence.

## **Chapter 2: Literature Review**

### ***2.1 Violence against women in India***

The most consistent predictor of opinions supportive of violence against women is found in attitudes regarding gender roles or how a woman must behave in society. Nishi Mitra, through a canon of research papers, has characterized India as a patriarchal society, like many other third-world nations, where women have restricted access to various legal and financial sources; and are subjugated by masculine forces that are based on hierarchy and authoritative control. The situation has been amplified through the firm, restrictive and gender-biased conceptions that frame societal structures, such as customary kinship arrangements, stratified roles, caste, ideology, and lastly, unaccountable political systems in India (Mitra, 2013).

India has relied on the National Crime Records Bureau (NCRB) to provide accurate statistics regarding crimes against women such as rape since 1971. In 2012 itself, 24,923 instances were recorded, with just 15% going to trial and only 2% leading to conviction (Lapsia, 2015). Despite such report estimates, the aggregate incidents of rape are likely highly accurate due to misreporting or fear of reporting. Rape has historically been a taboo that stops families from filing police statements to sustain the “reputation” of their family, which in many Hindu interpretations, lies with the woman of the household (Mohta, 2019).

Similarly, Kaur (2014) substantiates that "current levels of violence reported through national and local law enforcement record represent a minimum of actual violence against women cases." Kaur also describes how sexual abuse victims in India face stigma, exclusion, and further abuse, that has a direct effect on their life, employment, economic independence, etc. (Kaur, 2014). This

points towards a structured inability of the current laws' accessibility and responsiveness despite the amelioration of policies tackling gendered violence in India.

Therefore, a lack of efficient execution of program regulations and legal statutes has further translated into a skewed, sexist, and stratified political realm for women participants over the years. This culture of sexism has been recognized through global surveys as well. The World Economic Forum's Global Gender Gap Index 2021 reveals India's deteriorated performance on 'women's representation' placing it at 140th out of 156 nations as compared to ranking 112th in 2020, and 108th in 2015 (WEforum.org, 2022). This failure goes beyond politics to community attitudes. A patriarchal view persists, and disparaging remarks about female politicians, for instance, are common on social media. An investigation published last year by Amnesty International revealed the startling extent of harassment directed against female political leaders in India on Twitter. Bigoted statements regarding women running for office, whether concerning their beauty, clothes, or experience, were presented as common (Mohta, 2019). Gender inequality's corrosive impact is still a key battleground, and thus, fostering gender equality is not just social but political and economic in nature. These interwoven aspects are an essential component for any effective violence prevention measures to address.

## ***2.2 Gender norms undergirding violence against women in India***

In India, gender-based violence is carried out and recorded predominantly through incidents of dowry deaths, sexual violence, and household violence (Roy Chowdhury, 2013). Additionally, practices such as girl-child feticide and infanticide are reinforced by social structures that have historically been predisposing a culture of misogynistic forces that rule over



women with absolute authority (Rao, 2015; Chaudhari et al., 2018). Scholarship on the issue of persistent sexual violence by Kumar (1993) provides an intricate inquiry into underlying social, financial, and individual aspects which have made the Indian situation so intransigent. Such scholarship has identified issues in the legal system that act as enablers, such as persistently reduced conviction rates, disparities between law and its implementation, as well as a culture of victim-blaming and shaming within the police and judiciary.

Barnett (2008) asserts that rape is rooted in “social, economic, and political systems that devalue women as property, often as pawns, and usually as secondary citizens in need of control by men.” Additionally, regarding gang rapes, Sela-Shayovitz (2015, as cited by Lewis, 2015) noted how such incidents may be considered as a form of punishment and degradation for women who are perceived guilty of having violated traditional gender norms (Shayovitz, 2015). The common practice of 'eve-teasing' or sexual harassment is thus, rampant in India where women see harassment as an everyday occurrence, and girls as young as seven years old have reported men sexually harassing them in public (Lewis, 2015). This culture of repression exists at multiple levels of society having a manifold effect on women's lives.

Such disparities further escalate the probability of violence by men against women and limit the capacity of victims to seek help. Thus, men with more traditional, rigid, and misogynistic attitudes are unsurprisingly, more likely to practice marital violence (Chaudhari et al., 2018). In today's technologically inclined society, the permissiveness of such attitudes has recently begun to be measured based on people's beliefs regarding mass media, political discussions, social movements, as well as criminal justice policies and legal reforms, as crucial determinants of gender representation in society, as outlined by Flood & Pease (2009).

Indian researchers such as Rao (2014), interested in examining the causes of unchanging rape rates, have also found inherent Indian practices that ascribe women as subservient to men and further objectify them through films, images, and other digital media platforms as attributable factors (Rao, 2014). This points to the significant role mass media has on our lives and opinions, especially regarding such social issues.

### ***2.3 Media's reaction***

While the initial state response (the constitution of Justice Verma and Usha committee) to Nirbhaya in the context of the mass mobilization and upheaval that ensued was applauded, the state also received criticism from researchers and journalists who were unconvinced of the state's success. Multiple stories were published, which left an imprint on the state's reputation in the aftermath of the initial sentence (life imprisonment). Further, deficiencies of the 2013 CLA crystallized issues of the insufficient state organization to effectively address the issue (Dube, 2014). The primary flaw in these regulations was the perpetuation of patriarchal notions that further subjugate women for the sake of maintaining the family unit or being held accountable for being assaulted through victim-blaming. Subsequent sections of this thesis will reflect how state reform did not fulfill Justice Verma's outcomes and suggestions. Dube (2014) (as cited by Lapsia, 2015) critiques the state and the "failure of the Criminal Justice Machinery in preventing the atrocity, the lack of sensitivity on the part of the officials in responding to the situation, the inadequacy of law to respond to rising crimes and most importantly, a societal frame with utmost apathy and disregard for women, in general."

While we have established how important media is in informing public opinions about violence against women, there lies a wealth of literature exploring how societal attitudes towards women and the mass media are interwoven. Since the Nirbhaya incident, global and national publishing houses ensured the case received extensive and incisive attention (Gopal, 2012). The quest for justice was one of the key concerns at hand. In this aspect, the enraged public demanded not just the most severe penalty possible, but something that would subjugate masculine strength, which is frequently regarded to be the primary motivation for rape. There was a popular clamor for rapists to be castrated as well (Sullivan, 2015). Renowned Indian journalists or emigrants addressed crimes against women, the issue of rape, etc. using social media platforms through a prismatic lens guided by the disappointment and indignation expressed through citizens' protests. These accounts shed light on legislative letdowns and societal debacles that have structurally controlled women's social position and control (for example, Gopal 2012; Singh & Kapur 2013).

Such an initial reckoning with violence usually indicates a historical pattern of its prevalence in society (Kumar, 1993). Thus, while shifts in perception can be achieved, it is crucial to focus on altering generational norms and societal practices that encourage inequality. Such discussions have been carried out through the media in recent decades, which play a paramount role as they did in Nirbhaya's case. However, what is unanticipated, as explained by Amrit Dhillon (2014), is that such media attention can lead to the disruption and disintegration of traditional norms, roles, and institutions. Thus, in the case of Nirbhaya, the degree of social protest that followed media reporting of the rape suggests that such change could have occurred, but the precise nature of the impacts need to be examined.

## **2.4 Victimology in India**

While media attention is crucial, the media approach and portrayal shape the way such social and legal battles are perceived across the country. Interviewed three years after her daughter's death, Jyoti Singh's mother was critical of the disparities in treatment between men and women and noted India's victim-blaming culture (Talwar, 2013). "Whenever there's a crime, the girl is blamed, she should not go out, she shouldn't roam around so late or wear such clothes. It's the boys who should be accused and asked why they do this" she said. As recently as March 2015, Mukesh, one of Jyoti's rapists, was interviewed for a documentary on Nirbhaya called 'India's Daughter'. He stated that "a girl is far more responsible for rape than a boy." He also talked about how Nirbhaya was responsible for her rape because she fought back and was out late with a man, which was improper of her as a woman (Sullivan, 2015). Thus, rape reporting is difficult to analyze in India due to the country's cultural complacency and stigmatization surrounding such issues.

Rajkhowa (2016) argues that sexual abuse victims suffer through emotions of impurity and of being contaminated. Society's sentiments regard raped women as unclean or "ruined goods" that make victim rehabilitation a complex issue. There have been reports of famous legislators criticizing rape victims for causing difficulties by going to bars, drinking, and smoking, or asserting that "boys will be boys." In many situations, rape victims have been married off to their assailants (Butalia, 2014). Victim blaming is not unique to India. This pattern is essentially an exercise that sets up assumptions of the "ideal victim" (Christie, 1986 as cited by McGarry & Walklate, 2015), who is the person who is the most readily given the status of "victim" as compared to others. The media analysis further portrays how Nirbhaya faced character

assassination, despite the horrific experience she went through. Her decision to be out late at night with her boyfriend led politicians such as Abu Azmi to question her morality as a woman (Talwar, 2013).

Social movements have the potential to modify present cultural characteristics, particularly when a crisis occurs. The extensive media coverage of violent sexual assaults has the power to lure individuals to mass protests which sometimes result in a swift protest movement, rendering the media a vital instrument in the formation of social change. Specifically, for Nirbhaya, an almost social revolution, it is thus crucial to explore how mass media conjoins forces, disseminates information, and constructs the discourses that emerge.

## Chapter 3: Results

### 3.1 *Methodology*

According to Amibranjan (2000), media coverage of an event like that of Nirbhaya's scale had the power to reach corners of global communities and develop into something more transformative. Since 2012, researchers such as Lapsia (2015) and Jayaraj & Sasi (2015) have used various overlapping methods of content analysis to look at media discourse in the immediate period of the assault; assess why this case was different and how Nirbhaya influenced Indian society. However, as shown above in Figure 1.1, a decade later, the situation regarding violence against women seems worse off. Thus, my contribution lies in unearthing factors responsible for this stagnancy and assessing the long-term effects of such a case on media reporting as well as society. I conducted a small-scale media content analysis, using articles of two major Indian newspapers: The Hindu (founded in 1878, English newspaper with a current readership of over three million people) and Times of India (founded in 1838, oldest English language newspaper). The online articles were accessed through UBC Factiva Library Access. This media analysis inspects the ways such cases were reported upon, both pre and post Nirbhaya case, as well as in 2017, five years after the incident. These time frames were specifically chosen to scan the differences in media reporting before this case until years later, to understand if the media narrative regarding rape evolved, and to what extent. Additionally, this contributes to answering the main research question in measuring the significance of the impact of the case on Indian society.

The three periods that will be used for this analysis are – the pre Nirbhaya-period- 1st October 2012- 1st December 2012, followed by the post Nirbhaya period- December 16th- February 16<sup>th</sup>, 2013 and lastly, the 2017 period- 1st January- 1st March 2017.

The news of this rape case in Delhi spread worldwide in a matter of days through professional media. I chose this time frame to capture the initial response culturally and analyze which aspects dominated the discourse, that led to later discussions in the media. Using a random sample of articles from all three periods, I looked for frequently used terminology or phrases using the NVivo qualitative data analysis software, which helped me cumulate my data and infer comparisons between them all.

To make my sample size manageable, I searched both newspapers under a multiple keyword function including the following words: “sexual assault,” “rape,” “Nirbhaya,” and “victim.” Through randomization I was able to select 30 articles from the pre Nirbhaya period, 40 articles from the post Nirbhaya period and 40 articles from the 2017 period. They were split across the two publications equally. It must be noted that the pre-Nirbhaya period search showed significantly fewer results. These articles were then analyzed using NVivo software via a function that helps cumulate word frequency from the data uploaded. The words with the highest frequency have been portrayed through pie charts below and analyzed further based on their periods.

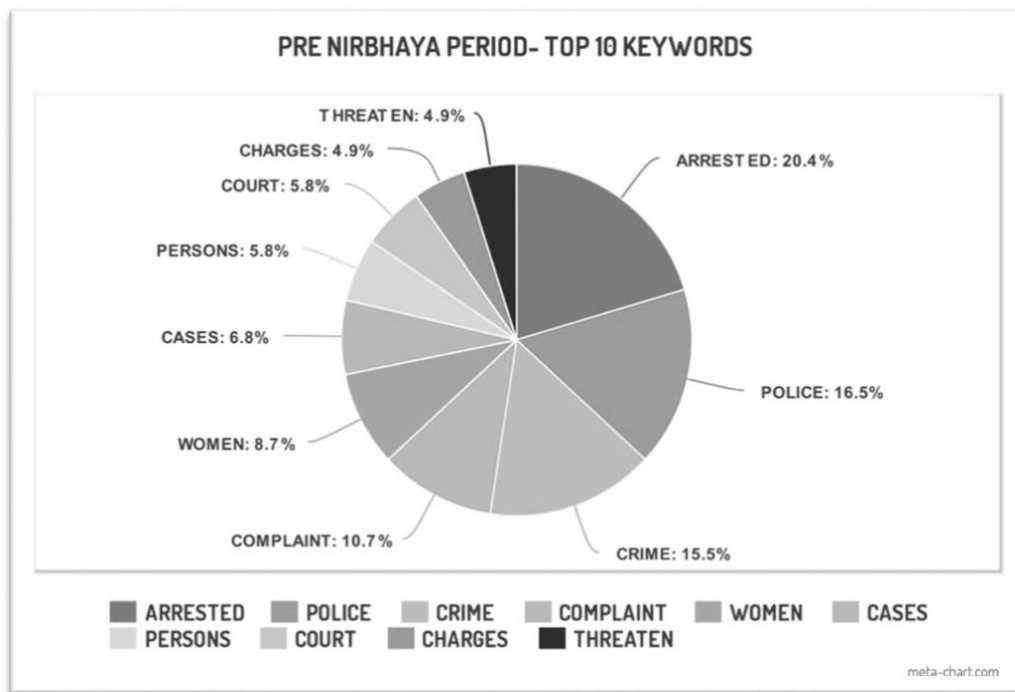
### 3.2 Results

Using the Factiva system's keyword "and/or" function, I found the articles based on the 3 different periods selected. The pre Nirbhaya period input retrieved 270 and 466 articles from The Hindu and Times of India respectively under the single keyword search function of 'rape'. However, the post Nirbhaya period retrieved 1433 (TOI) and 1131 (The Hindu) articles respectively under the single keyword search function of 'Rape'. More than 2000 articles were written in a span of 2 months. These search functions were customized to eliminate any duplicate articles as well.

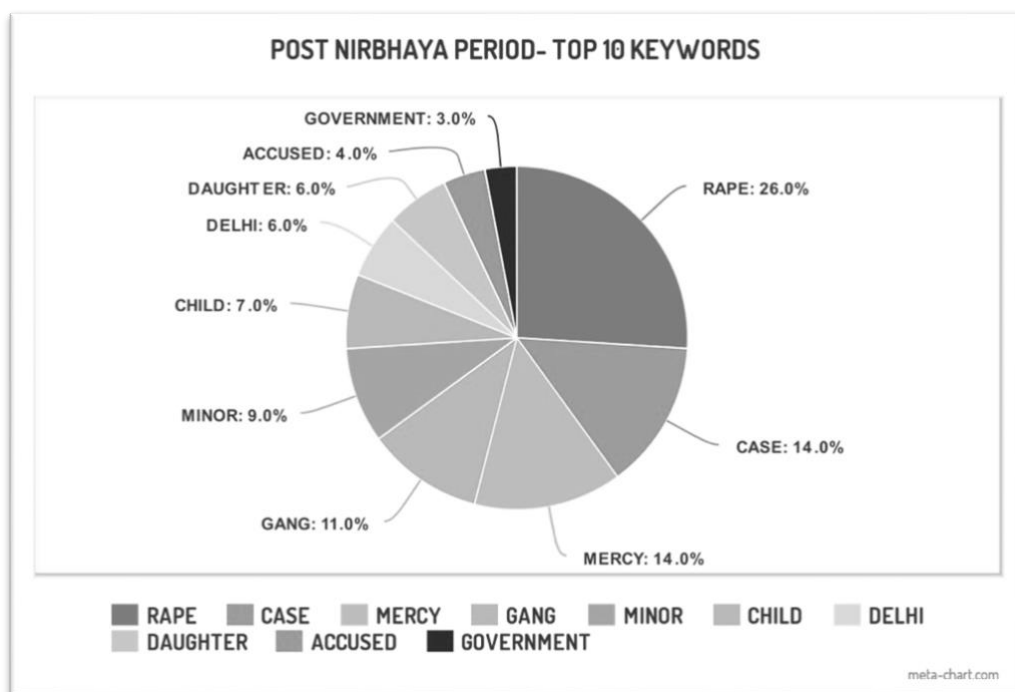
	Pre-Nirbhaya	Post-Nirbhaya	2017
1	Arrested	Rape	Court
2	Police	Case	Assault
3	Crime	Mercy	Rape
4	Complaint	Gang	Sexual
5	Women	Minor	Special
6	Charges	Child	Complaint
7	Threaten	Delhi	Politics
8	Court	Daughter	Threaten
9	Cases	Accused	Women
10	Persons	Government	Apology

**Table 3.1- Frequency based Top 10 key terms from Pre Nirbhaya, Post Nirbhaya & 2017 period**

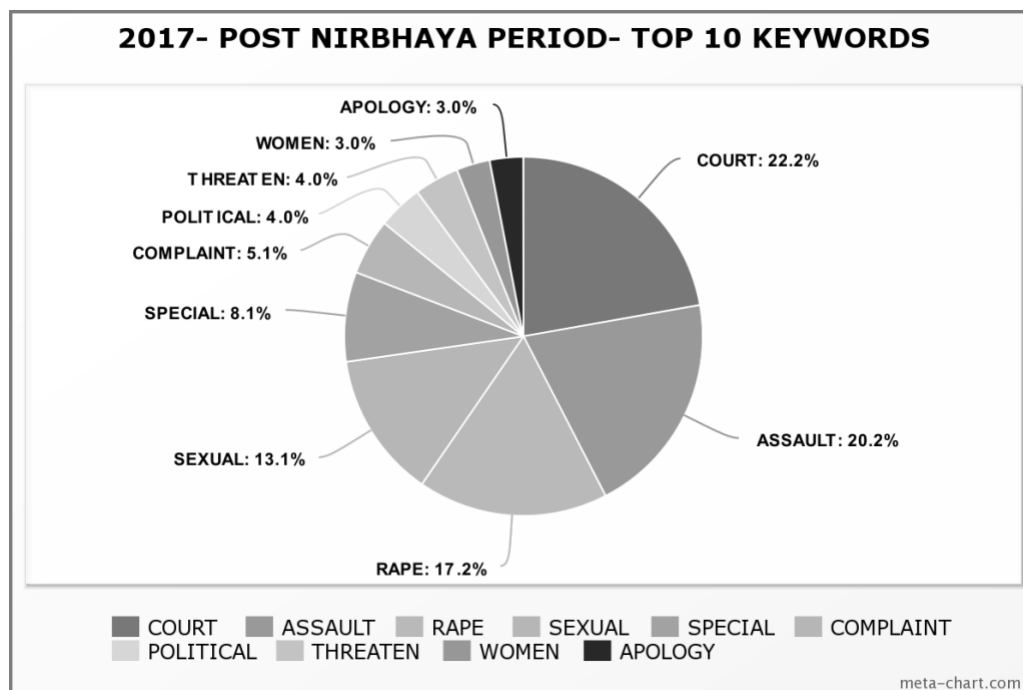




**Figure 3.1- Top 10 frequency key terms for 2012 newspaper analysis**



**Figure 3.2- Top 10 frequency key terms for 2012-13 newspaper analysis**



**Figure 3.3- Top 10 frequency key terms for 2017 newspaper analysis**

The post Nirbhaya period included stories that primarily focused on the case and legislative updates, the protests in and around the capital city, as well as increasing assault complaints being reported. Articles included headlines such as “Legal outrage”, “Bill rape revisions”, “Bury misogyny”, “Real men don't rape”, which indicated the acknowledgment of a need for change. Description of the Nirbhaya attack brewed differences in articles from both publishing houses. There were 9 articles out of this sample that talked about evidence and the actions of the accused directly. Reports suggested that the accused tried to wash the bus to prevent being traced. Additionally, the time frames provided by different articles of the incident occurrence differed. However, such statements and claims were not all backed by sources. On

the other hand, the pre Nirbhaya period articles focused on more information-based reporting. There were more factual accounts that included victim background, details of the accused – name, age, etc. Thus, it can be deduced, from looking at the pie charts and the terminology used, that the reporting style used to address sexual assault before and after the Nirbhaya case was distinct as the post Nirbhaya period was more analytical, with higher number of articles written on the issue and asserted a dominantly editorial perspective on the issue of violence against women.

The words 'arrested', and 'police' were most frequent in the pre Nirbhaya period sample. This is not surprising considering most factual articles were narrating how the police handled the rape cases and their actions, with reduced focus on the victims. In contrast, the word 'rape' and 'case'/'mercy' was recurringly used in the post Nirbhaya period. The keyword 'rape' itself came up 34 times in the post Nirbhaya period and only 6 times in the pre Nirbhaya period, possibly owing to the stigma around it before Nirbhaya's case. Similarly, words such as 'minor', 'accused', 'mercy' which had a higher frequency in the post Nirbhaya period. These words portray how media articles increasingly delved into minute details about the cases in comparison to the articles of the previous time frame. The 2017 sample shows a combination of 'court', 'rape', 'sexual', and 'assault' as the keywords with the highest frequency. This difference can be understood from the following quotations from the pre Nirbhaya period and the 2017 period where both articles are describing a rape case filed by the victim, respectively.

“Sonipat DSP Balbir Singh said medical examination of the girl indicated that the possibility of rape could not be ruled out, however, they were unsure and required more evidence.” (TOI, 27<sup>th</sup> November 2012)

“The charge sheet of the case was filed within 20 days. Even though registration of crimes against women dipped marginally in 2016, Delhi reported six rapes on an average every day, indicating that much more was needed to be done to bring the numbers further down.” (TOI, 20<sup>th</sup> February 2017).

While some of the lesser frequent terms used in pre Nirbhaya period such as ‘case, persons’ are common words used in newspaper reports describing sexual assault, post Nirbhaya’s lesser used key terms- ‘accused, government’ were more specific in nature. The 2017 sample, however, has completely different key terms at the bottom of the frequency table, ‘women and apology’. This inclusion sounds more victim-friendly and inclusive as compared to the pre Nirbhaya period as it shows consideration of the women’s opinions and voices. However, some of these differences and lack of associations can also be attributed to the limited sample size of the articles used.

Further analysis of the post Nirbhaya period articles shows that the media discussed the victim's story elaborately and followed up on cases more consistently as compared to before. 8 articles out of 40, after the incident occurred, were based on reporting public opinion, and highlighted the magnitude of the protests, their rapid growth, and how social media campaigns constantly evolved during that period. From the post Nirbhaya period, it was observed that the victim's details were declared: residential community, age, occupation, etc., however, the name of the woman continued to be concealed. With reference to literature by Rajkhowa (2018) & Mitra (2013), this is attributed to stigma surrounding rape, Indian traditions and possibly,

persistent social attitudes that continue to view a female victim of the assault as ‘servile’ and ‘contaminated’.

From the post Nirbhaya period, two articles also shed light on the escalated juvenile involvement in assault cases and pointed to increasing minor accusation rates as well as minor victim estimates since 2010 (TOI, 22nd January 2013) as a daunting issue (Headlined- “Man rapes 7-year-old, arrested”, 2012). However, the pre Nirbhaya period sample did not include any minor accused cases. The other major focus of reports in the post Nirbhaya period was Nirbhaya's saddening demise on December 29th, 2012. Six reports described her health, the way it deteriorated and details about the surgeons who took care of her.

While running the search for the pre Nirbhaya period, there were fewer articles that appeared, making this a smaller sample through randomization. There was increased reporting after the 2012 rape case. A point of divergence emerged in the qualitative assessment of the reports between the two periods. For instance, the pre Nirbhaya period included a report where the victim 'failed to identify suspects', and was later scrutinized/ questioned, which is emblematic of the victim-blaming culture. The report seemed to birth skepticism in the readers' minds about the victims' allegations. Reports of known perpetrators were high in number and included headlines- ‘Father raped daughter’ or ‘Woman raped under the false promise of marriage’, amongst others. It seemed that the victim and accused were both in question while the tone of cases of known perpetrators did not seem to scrutinize the accused. On the contrary, articles from the post Nirbhaya period were more empathetic, conciliatory, equity-based, and traced generational misogyny. An example can be seen from an article published in The Hindu on 19<sup>th</sup> December 2012 which stated:

“Finally, India’s society rails against rape, in the main, not out of concern for victims but because of the despicable notion that a woman’s body is the repository of family honour.”

Also, the accused was mentioned in more detail in the post Nirbhaya articles as compared to the pre Nirbhaya sample. The former sample included phrases such as “a man known to the victim's family” and “middle-aged police officer” when describing the accused. In contrast, the latter period included descriptive phrases such as “the only juvenile, Mohammad Afroz, 17 years old” or “the fruit seller, Pankaj Gupta, who resided in Jamia Nagar”.

Articles in the pre Nirbhaya period were predominantly factual and did not editorialize. However, in the post Nirbhaya period, they seemed to express an underlying opinion through words that demanded justice for Nirbhaya and did not engage in blaming the victim. While the sample size is insufficient to draw definitive conclusions, these observations demonstrate that one of the reasons the Nirbhaya case was startling was because it was an unimaginably brutal and horrific gang rape whose details were revealed in print. The international attention Nirbhaya garnered, specifically through social/digital media, pressured political leaders to reevaluate the discourse of such a stigmatized and prevalent, yet neglected issue. Despite constant criticism, members of parliament and civic authorities made a few contentious and disputed comments regarding Nirbhaya's case such as “Theek hai” which means “It is okay”; by Manmohan Singh, one of the most popular former Prime Ministers to serve India. His comment received a lot of anger online as well as in print media critiquing his casual approach to such a crime (December 25th, 2012, The Hindu).

Additionally, Botsa Satyanarayana, the Andhra Pradesh Congress president, incited public outrage by referring to the case as a “minor occurrence” (Lapsia, 2015). Such remarks called for an inquisition into what Indian society was like for women.

While the pre and post Nirbhaya periods show how media reporting changed as well as how Nirbhaya made an impact on society through the unusually vast media attention it received; the third and final part of this analysis focused on examining if this change in reporting was temporary or if it marked a fundamental change in media discourse. A sample period from January 1, 2017, through March 1, 2017 (5 years after the Nirbhaya case) was chosen and the same two publications were used to analyze media reporting using the Factiva database and running the articles through NVivo to learn about the major key terms covered in newspaper articles. Using Factiva, there were a total of 243 articles found that covered the words 'rape' and/or 'sexual assault' during these two months in both these newspapers. A randomized sample of 40 articles (20 from each publishing house) was chosen from these 243. From these, 9 articles mentioned the term 'Nirbhaya', indicating a presence of the case in some ways even five years after the incident.

The articles in this randomized sample were split between factual reports about registered rape cases; information such as the time, location, age of the victim and the accused; articles about the changed definition of rape in the constitution and lastly, about one rape case that constituted the focus of 7 out of 40 articles in the period. It was a rape of a ‘developmentally disabled’ 14-year-old girl who was raped by a 25-year-old man in a village in a southern state, Kerala. No details such as name or date were provided. The overall narrative that explained this incident followed a sympathetic tone and was meant to evoke emotional reactions from the

readers, synonymous with the kinds of articles that narrated Nirbhaya's story. One of the 7 articles stated:

“Childline officials said this it is one of the most heart-wrenching cases -not only because it throws light on the plight of the learning impaired, who live in the open and are subjected to sexual assault -but also because she was rejected from almost all quarters, as there is no facility in the state that keeps mentally unstable girls or women who are incontinent” (TOI, 21 January 2017).

Further, articles informed the public of the change in the legal definition of rape, which is a progressive step for the Indian Justice system and was proposed in 2013 but not implemented until much later. The definition now acknowledged "insertion of any material/object without consent" as rape. The articles that outlined this amendment were, however, factual, and concise offering no social opinion or argument. This shows the assertive yet diplomatic nature of the Indian media when exploring changes by the state.

Another state-related article was titled “No funds to extend the scheme to rape victims with retrospective effect, State informs HC” (The Hindu, 22nd February 2017). It highlighted how the Bombay state government appealed to the High Court as it had run out of budget and no longer had the allocated funds for rape victims, who are required to receive a government-funded welfare scheme for their well-being. The scheme is accessible to other domestic violence victims as well. Such articles shed light on how women's issues are neglected, improperly funded, and not given the redressal they deserve. Lastly, what stood out in this sample was how the media articles reported the crimes of and questioned the authority of politicians and the state, which



was not common in the pre-Nirbhaya sample. This is evident through an article titled “Rape accused Meghalaya MLA arrested” (TOI, February 3rd, 2017). Additionally, an article titled “Will Netas (politicians) now tell women how to dress?” (TOI, 13th January 2017) shed light on how a ruling party politician made sexist remarks on women who dressed in clothing revealing some of their skin, claiming that harassment by men was a justified response to such a display of skin. It stated:

"Society, police, politicians, and judges still rest a lot of their judgments on the way a woman dresses, speaks, and mingles with others. Unfortunately, men, who run an anatomy search on every woman they come across, do not face similar stigmatic branding. It would be safer for women on the streets if we start branding men based on depraved conduct and stand against them" (TOI, 13th January 2017)

Thus, we can suggest that the media narrative partially evolved. The paramount change found is in the way the media reported about the state and its officials. Such increased transparency supports the common citizen in holding the state accountable. However, it also portrays the persistent gruesome condition of sexual violence against women, five years after the Nirbhaya incident.

### 3.3 Discussion

#### 3.3.1 *The 2013 Criminal Amendment Law Analysis*

Considering the above content analysis results, which indicate to some extent, that Nirbhaya left an everlasting imprint on media, it is essential to explore if its pronounced legislative change translated into reality regarding violence against women. The 1983 CLAA (Criminal Law Amendment Act) was a pioneering act that attempted to incorporate cases of custodial rape and gang-based sexual assault; however, it was highly insufficient in requiting the humiliation and abuse that Nirbhaya and other victims went through.

The comprehensive Criminal Law (Amendment) Act 2013, introduced by Verma Committee Report, because of the public outcry against the state after Nirbhaya's case did initially enhance anti-rape legislation and penalties for assault-based offenses. The definition of the term 'rape' also underwent alterations in the constitution and now held a 'man' guilty "if he inserts, to any extent, any object, or a part of the body...into the vagina, urethra, or anus of a woman" (Talwar, 2013), however, this was not implemented until much later. Further alterations included the procedural change whereupon females no longer needed to visit a police arena to file an FIR for such a crime, instead, the officers (female officer/ assistant must accompany) needed to visit their residence.

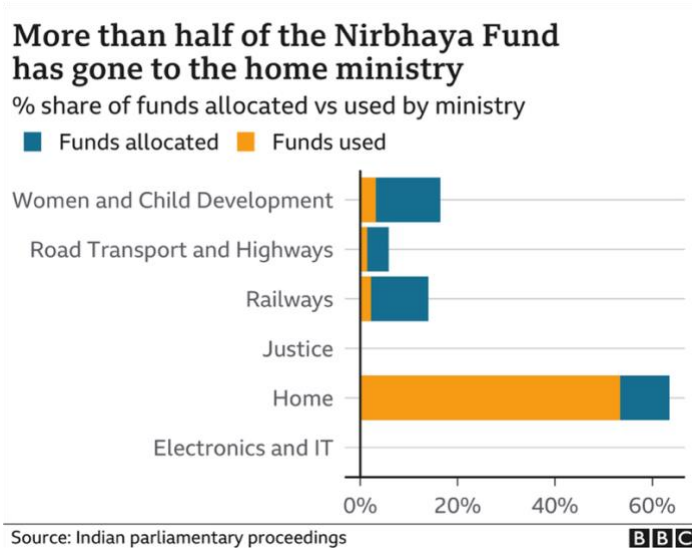
Yet is crucial to note that many such reform proposals made through the committee have not yet been implemented or been added to the original report which lacked scheduled follow-ups, amongst other inconsistencies (Mohta, 2019). Some of the recommended alterations included: the installation of safety applications in all mobile devices that allow women to notify the police instantly; a list of best practices that focused on segregation of jurisdiction among the

police force to enable an impartial and expeditious investigation; and creation of a designated area in every government hospital that would solely take care of victims/patients of sexual assault (Shakil, 2013).

Despite these suggested alterations, a persistent issue that exists to date is the exclusion or deletion of committee proposals in the final bill that was passed. Similarly, many policy changes suggested by the Justice Verma Committee were withdrawn by the government (Talwar, 2013). Some of these known removals concerned legal reform on the issue of marital rape, and disqualification of judiciary or parliament members that hold a record or have been accused of violence against women, assault, harassment, etc. This attitude of the state led to criticism by many feminist organizations that demanded the state take full responsibility for the rehabilitation of victims and hold those in power accountable (Rajkhowa, 2018).

### **3.3.2 Nirbhaya fund**

Apart from issues in the content of the policy, the state's negligence towards women's issues is reflected through an assessment of the Nirbhaya fund's failure. The fund is distributed amongst police forces. However, research carried out by the Kailash Satyarthi Children's Foundation and Amita Pitre, a member of Oxfam Foundation (India), amongst others, have found that the financing endowments focused on initiatives that scarcely improved women's situation. Alterations focused on "emergency response services, upgrading forensic labs, or expanding units fighting cyber-crimes and safer public transport" (Oxfam India.org, 2018).



**Figure 3.4- Nirbhaya fund allocation (BBC, 2018)**

While abysmal, the funds have been used by the home ministry to some extent. On the other hand, as can be seen from Figure 3.4, the Women and Child Development Ministry left most of the fund unconsumed, using only 20% for the establishment of female victim shelters and a digital and electronic helpline which can be contacted 24/7. This meagre allocation, according to the national survey report carried out by NCRB in 2017 (NCRB, 2019), however delayed by around twenty-two months in being published, has comparatively brought ‘myriad changes’ considering other ministries. As mentioned earlier, policies for women in India falter in sustenance more than initiation. The same is evident through Shubhangi Singh’s statement, a lawyer who counsels rape and domestic violence survivors: *“In Uttar Pradesh, public hospitals don’t even have enough rape kits or swabs or zip lock bags to collect and transport evidence”* (Shubhangi Singh, October 4, 2020, Twitter).

According to Oxfam's estimations, the Nirbhaya Fund is financially undervalued; it requires \$1.3 billion to reach even 60% of women who are victims of abuse. However, campaigners for women's rights argue that money is only one underlying problem. Other issues revolve around patriarchal mindsets prevalent in government officials and politicians responsible for these grants. (OxfamIndia.org February 8, 2021).

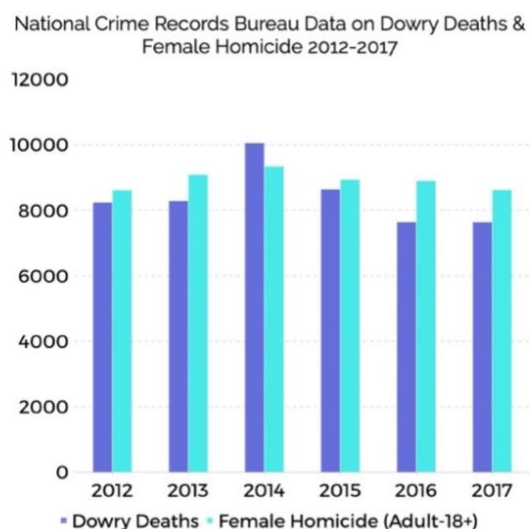
### ***3.3.3 Persistent violence against women & patriarchal backlash***

A more focused lens on the persistence and to some degree, increase in crime rates after the Nirbhaya case yields anecdotal corroboration which suggests that the 2012 Nirbhaya uprising initially led to attitudinal changes reflected through elevated reported crime rates and conviction rates (Lapsia, 2015). However, it seemed to be a temporary lift that has recently waned off. Since 2012, the NCRB has found that the number of rapes committed against women and girls has risen from 68 to 91.38 per day in 2021. While the number of rapes dropped slightly in 2020, attributed to Covid's lockdown, the number of homicides rose over the same period. The latest National Crime Records Bureau (NCRB) statistics show that about 77 rape cases were recorded throughout India per day in 2020, totaling 28,046 instances throughout the year (NCRB, 2021). Thus, barriers to progressive social change can be found in the descriptive literature that characterizes Indian society in previous sections, as being misogynistic, averse to social change, and thus, possibly responsible for the much talked about backlash in the aftermath of the 2012 case. This is further substantiated through Barnett's (2008) claim that it is the historic conception of how rape is rooted in social, economic, and political systems that devalues women in India, as property and usually as secondary citizens in need of control by men that encourage such

tenacious patterns of violence. Lodhia (2015) & Mehta (2010) further contend that sexual violence will increase once women significantly begin to play a bigger role in society, thereby, questioning customary norms and gendered functions, leading to a backlash by men to reinstate their authority.

What makes this proposed backlash situation (Barnett 2008; Lewis 2015) extensively complex to investigate is that national estimates only include purported rape, which as cited in the literature; is unreliably inconsistent with the actual number of incidents. However, by looking at dowry deaths and female homicide trends after Nirbhaya's case, which are more extreme forms of violence against women and difficult to dispute, we can explore possible backlash.

The dowry system in India was criminalized in 1981 and originated as a practice centuries ago, as a way for women to inherit money that their parents gave to the groom's family upon marriage. However, this practice eventually grew analogous to increasing crimes and violence against women through coercion by the groom's family after marriage for continued assets/gifts from her parents; harassment; and in many instances, death. Unfortunately, this practice remains deeply ingrained in society to date. It has historically been a tool that 'shames & humiliates' the woman reminding her of her inferior position in the household. Here, its persistence after the Nirbhaya incident is used along with female homicide, as an indicator to find out if there was a male backlash after the Nirbhaya incident.



**Figure 3.5- NCRB Data on Dowry Deaths & Female Homicide 2012-2017**

NCRB Data	2012	2013	2014	2015	2016	2017
Dowry Deaths	8233	8283	10050	8634	7634	7631
Female Homicide (Adult-18+)	8604	9080	9328	8928	8888	8614

**Table 3.2- NCRB Data on Dowry Deaths and Female Homicide 2012-2017**

By looking at dowry deaths and female homicides (Adult, 18+- due to familial /relationship reasons, as categorized by NCRB), the reported rates do not show an evident significant increase after 2012, making the backlash argument a difficult one to prove. Figure 3.5 shows a significant increase in 2014, more than a year after the Nirbhaya case (2012) where dowry deaths and female homicide increased from 8233 & 8604 in 2012 to 10050 & 9328

respectively, however, rates decreased, 2015 onwards. While there is an immediate rise post Nirbhaya, this can also be attributed to the increasing awareness and reporting rise brought about by the incident (Bart & Clay, 2005). There is thus, not enough evidence to prove if society experienced a backlash, considering the stagnant reported rape, dowry deaths, and adult female homicides due to familial or relationship reasons.

These are direct indicators of patriarchal beliefs and have been used by men to assert their authority for decades. The figures imply that physical abuse and harassment are persistent, also owing to the lack of proper legislative forces (Sidhu & Thakur, 2015). The political negligence found in CLA 2013's policy implementation, and the overall state disregard for implementing the new law are testaments to the structured unaccountability that illustrates why Nirbhaya's effect on the public and state was manifold, yet complex. To this day, marital rape is not criminalized.



## Chapter 4: Conclusion

The world's largest democratic nation was mobilized into quick action because of the nationwide uprising for Nirbhaya. Through the process of this research and the results obtained, it is fair to conclude that Nirbhaya's case left significant impressions on Indian society that have partially changed community norms and made media reporting regarding violence against women increasingly prevalent. Even five years after the incident occurred, Nirbhaya was used as an exemplary case when discussing sexual assault convictions. Further, the 2020 verdict is also indicative of the constant revolution to end gendered violence and assault that victims, activists, and many who are part of the common public, are carrying forward since it was ignited in 2012. While there is not enough evidence available to claim that a male backlash culture grew after the Nirbhaya incident, it is essential to acknowledge that most communities still prefer to silence the 'stigma' of sexual assaults around women. Dowry killings, domestic violence, and inequality are focal to the way Indian society functions.

Through this research, persisting or increasing rates of sexual violence since 2012 are attributed primarily to a combination of state negligence and insufficient implementation. Sexual assault on women was not a matter of state priority until a mass mobilization broke out around the country regarding gender violence in 2012. Alternatively, the positive developments of the Nirbhaya case can be seen through increased, regular, and fair reporting of rape cases in the media, along with increased rape reporting to the police. The state's creation of a rapidly evolving Nirbhaya Fund and Juvenile Justice Amendment due to such a far-reaching mobilization and the campaigns that followed have also been a step towards positive social change. I hope this work can contribute to feminist and judicial activist communities that wish to better grasp the

role of media and concealed trends in understanding prevalent social phenomena such as gender-based violence.

By examining these reforms, a positive norm condemning rape culture has begun to grow among many Indian citizens, as Shah (2019) anticipated. While traditional gender norms linger, the word frequency media analysis findings also indicate that the stigma surrounding rape and media reporting regarding gendered violence has reduced since 2012. While significant societal shift has not yet occurred, the increased emphasis and consciousness upon this issue is indicative of progress. The results that were brought to light from this research were the influence that media had in drawing a narrative around the Nirbhaya incident-and in shaping public opinion, which yielded political action for legal reform- However, my thesis shows that the government stymied transformation both by failing to prevent increased crimes and by allowing sexist attitudes in political processions and debates. It has fallen short of meeting the expectations of the protest movement as there are more than 88% of cases under Section 376 (Rape) of minor girls committed in 2019 still pending (The Swaddle, March 24<sup>th</sup>, 2021), thus pointing to improper implementation of the reformed laws.

For change to come as much as is required to lead the way, change also must come in cultural norms and religious beliefs in a patriarchal society that persists in resisting significant progress. The socialization that boys receive in a patriarchal society impedes significant progress in gender justice. Thus, the government's sustained effort for reform through legislation and reform at the grassroots level is critical for the way forward in gender justice. The conscience of India was shaken through Nirbhaya and the changes the nation came together to bring should not be forgotten.

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