



# **A Report on Sexual Violence Journalism in Four Leading Indian English Language Publications Before and After the Delhi Bus Rape**

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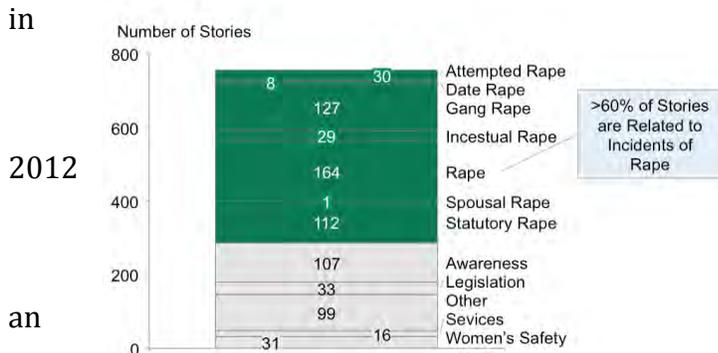
## **A Working Draft: Feedback, Suggestions and Corrections Welcome**

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This study is part of a larger project jointly shared between the Communication and Culture program, York and Ryerson Universities, Toronto and the Centre for Culture, Media and Governance, Jamia Millia Islamia, New Delhi. The Delhi Rape is a particularly painful episode in recent Indian society, bringing to the fore sexual violence against women and the emergence of gender justice as one of the most challenging issues confronting Indian society. Professor Emeritus Daniel Drache, [drache@yorku.ca](mailto:drache@yorku.ca), prepared this report in collaboration with Jennifer Velagic, [jvelagic@gmail.com](mailto:jvelagic@gmail.com). She spent two months in India as part of the York and Jamia exchange where she did extensive research on gender violence in India and the representation of rape in newspapers. We would like to extend our deepest thanks to Dr. Biswajit Das, Director of the Centre for Culture, Media and Governance at Jamia Millia Islamia, New Delhi for his support and encouragement; Kyle Ruttan, for technical support; additional research was offered by Lauren Daniel, Communication and Culture, York and Ryerson Universities and Monisha Bhatnagar, Centre for Culture, Media and Governance, Jamia Millia Islamia, New Delhi for research assistance.

## Executive Summary: Sex Crimes Reporting in the Indian Press -- Some Disquieting Results

Figure 2  
Incident Driven Rape Reporting



Source: Drache and Velagic

- The Delhi Rape is the most extensively covered rape case recent Indian history. This report chronicles a media monitoring exercise of rape reporting between January 1, and August 31, 2012 (See figure 2). The report also examines the three-month period after the Delhi Rape in empirical analysis of four leading Indian English language publications with a combined circulation of

2,946,340: *The Hindu*, *India Today*, the *Indian Express*, and *Tehelka*.

- Rape reporting increased by roughly 30% after the Delhi Rape, with the Delhi Rape taking between 10-20% of the share of rape stories across varying storylines.
- Sex crime reporting is best understood by identifying storylines. Monitoring the Delhi Rape, 5 storylines emerged: personal, public outcry, women's safety, police handling, and legislative. These storylines enabled us to probe the reporting of rape and sexual violence more deeply with respect to the context under which gender justice was addressed.
- In the case of crime reporting, the news agenda is highly impacted by the amount of public attention, both locally and globally, an incident receives. The globalization of the Delhi bus rape intensified the press coverage and it created a large public space for debate and the venting of anger. Further still, the attention granted by other sources such as newswire, independent journalists, social media, and civil society organizations also brings fresh perspective to bear on gender justice. To this end, this report works to understand both how the press covers stories of rape and also asks whether the press provides a corridor to discuss gender justice.
- Strictly speaking, the Delhi Rape is more than just a gruesome crime; it needs to be understood as a matter of gender justice. Gender justice situates crimes against women within the larger structure of power. The structure of patriarchal power has worked against the interests of women in the way sexual crimes are reported in India and other societies. We have developed a methodological yardstick to better understand the progress the press has made with respect to crimes of gender violence.
- Sexual violence can be broken down into four dominant categories: rape/honor killings/domestic violence/human trafficking. Given the number of news stories to

be coded, it became evident that the York University/Jamia Millia Islamia shared project did not have the resources to examine all dimensions of sexual violence. As a result, it was decided to focus on rape, however, it is important to point out the phenomenon of sexual violence in India today is much larger and more complex than is covered in our report.

- Sexual crime reporting often considers class and caste when determining what stories become part of the news agenda. Because the media is attracted to ‘people like us’ stories, the Indian press report crimes concerning middle or upper class urbanites in greater number and detail than stories centered around tribal or lower-caste characters (Khan 87). Through our own study, it became apparent that caste was only mentioned if the victim was a Dalit; otherwise, no mention of caste was made. Such omission only furthers Khan’s observation that stories of low class and caste are underrepresented in the Indian press. Amidst these trends in rape reporting, the common denominator remains – these stories are disconnected from a broader framing context or larger meaning. They exist as isolated islands without connecting to larger, more extensive developed storylines.
- So far, the Indian press has made small but important progress with respect to reporting on gender justice. On the one hand, when the press follows a story across diverse storylines, moving beyond the incident and crime cycle, it opens the possibility for gender justice sensitive reporting. On the other hand, when the story focuses simply on the sensational aspects of the crime, the powerful gender justice perspective is not well served. In the case of the Delhi Rape, reporting has indeed broached the subject of gender justice from multiple storylines; however, the reporting also gravitated towards the sensational.
- Who a victim reports a crime to speaks volumes about the confidence a society has in their authority figures. In our media monitoring study, we looked for mention of who sexual crimes had been initially reported, be it the police, family, or others, such as neighbors, friends etc. We found news reporting to be deficient, with 71% of news articles not providing any information regarding the role of police, family, or others. Without understanding how crimes are reported, we are left without an understanding of how these very personal crimes come to light.
- Based on the hundreds of stories we examined, the Indian press is still at the beginning of a long apprenticeship cycle with respect to the reporting of gender justice and violent crimes against women.
- The Delhi Rape can be understood as a trigger event that provoked Indian’s to engage with the issue of gender justice. Our empirical evidence leads us to conclude that incident based reporting is superficial in that it insufficiently examines the causes and prevention of rape from a gender justice perspective. The Indian press needs to take a hard look at its coverage of sexual violence if it intends to have a higher standard of journalism with a modern view of sexual crimes and violence.

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## **A Working Draft: Feedback, Suggestions and Corrections Welcome**

# **A Report on Sexual Violence Journalism in Four Leading Indian English Language Publications Before and After the Delhi Bus Rape**

Daniel Drache and Jennifer Velagic

### **Crime Reporting in the Indian Press Today**

On December 16, 2012, a 23-year-old physiotherapy student was brutally gang raped and beaten on a moving bus in south Delhi by 6 men. She had been returning home from a movie theatre with a male friend after 9 pm when the incident occurred. After the attack, the two were disposed of on the side of the road, finally receiving assistance from a passerby. While she initially survived the rape, the young woman succumbed to her injuries in a Singapore hospital on December 29, 2012. Now referred to as the “Delhi Gang Rape,” “Delhi Bus Rape,” or simply, the “Delhi Rape,” this incident of sexual violence has since been met with global outrage, becoming a fixture in the media. Given the global attention, the way in which the Indian print media has chosen to cover this story and the ensuing events is of great interest.

Examining the three month period after the Delhi Rape, as well as rape coverage between January 1, 2012 and August 31, 2012, this report is an empirical analysis of four leading Indian English language publications with a combined circulation of 2,946,340: *The Hindu*, *India Today*, the *Indian Express*, and *Tehelka*. Divided into 5 sections, this report is not about the importance of investigative journalism nor honoring exceptional journalistic abilities, but instead, is focused on the Indian daily diet of news reporting and the incident driven culture of modern journalism.

Crime reporting is often a response to a trigger event, however this type of reporting largely concerns only the surface facts of the incident, lacking the necessary depth and sophistication to understand the crime. Indeed, as David Krajicek, an American journalist, notes, “the bulk of crime coverage amounts to drive-by journalism – a ton of anecdote and graphic detail about individual cases ... but not an ounce of leavening context to help frame and explain the crime” (Khan 89). The same holds true for India’s print media, where incident driven reporting reigns and thoughtful examinations of incidents are reserved for exceptional circumstances, concerning particularly brutal stories, such as the Delhi Rape. Perhaps more significant than the severity of the incident, however, is the public attention a case attracts. Indeed, in the case of crime reporting, the news agenda is highly impacted by the amount of public attention, both locally and globally, an incident receives. The globalization of news intensified public reaction to the Delhi bus rape and created public space for local debate and activism. Further still, the attention granted by other sources

such as newswire, independent journalists, social media, and civil society organizations also brings fresh perspective to bear on gender justice. To this end, this report works to understand both how the press covers stories of rape and also asks whether the press provides a corridor to discuss gender justice.

## 1. Media Monitoring of Mass Circulation Dailies and Weeklies and Investigative Reporting of Gender Violence

While the mass media is often deemed society’s watchdog, it has been demonstrated that quite frequently the press does not fulfill this function. The investigative dimension of the press has acquired the status of a myth, as crusading journalists such as Bob Woodward of the Watergate Scandal are few and far between. And though there are still journalists who do excellent reporting today, most work is incident driven and largely concerned with the surface facts. Today, thoughtful reporting involving broader examinations of incidents is more likely seen during exceptional circumstances.

Media monitoring’s principal virtue allows us to track and monitor trends in reporting over defined periods of time, allowing us to capture the intensity of coverage as well as the kind of coverage. Utilizing such a method has enabled us to examine gender violence both in quantitative and qualitative dimensions. Our media monitoring study outlines “typical” versus “exceptional interest” rape reporting, where we examined rape reporting in four Indian English language publications from January 1, 2012 until August 31, 2012, before observing reporting after the Delhi Rape (December 16, 2012) until March 25, 2013. This time period and the four publications chosen constitute a portrait of information, and while there is a large non-English speaking press in India, analyzing Hindi, Urdu or other prominent Indian languages lies outside of our resources. Taking both a comparative and longitudinal approach, this study is a dynamic analysis of a rapidly changing story.

## 2. The Study of Rape and Sexual Violence: Some Preliminary Considerations

Our study began as an inquiry into the ways in which Indian print media reports crimes of gender violence. Sexual violence can be broken down into four dominant categories: rape/honor killings/domestic violence/human trafficking. Given the number of news stories to be coded, it became evident that the York University/Jamia Millia Islamia shared project did not have the resources to examine all dimensions of sexual violence. As a result, it was decided to focus on rape, however, it is important to point out the phenomenon of sexual violence in India today is much larger and more complex than is covered in our report.

Figure 1

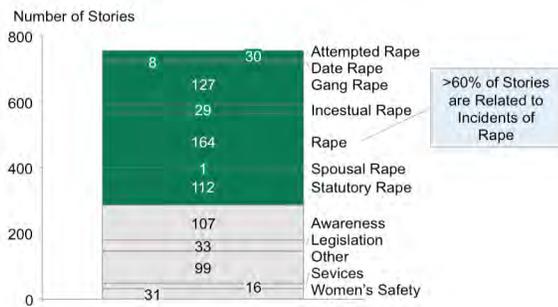
### The Reach of Indian Print Media

Publication	Circulation
The Hindu	1,396,597
India Today	1,100,000
Indian Express	278,243
Tehelka	171,500
Hindustan Times	1,087,840
The Times of India	3,223,393

The media monitoring project evaluated *Tehelka*, *India Today*, *The Hindu*, the *Indian Express*, which are among the most influential journals affecting the formation public opinion in news hungry India. *Tehelka* is an English language weekly known for

their investigative journalism with a strong focus on public interest stories. *India Today*, a fixture of Indian print media, was established in 1975. The weekly news magazine discusses news, politics, current affairs, cricket and other sports and is also published in Hindi, Tamil, Telugu and Malayalam. The *Indian Express* is a national daily newspaper highlighting local and national coverage relating to Indian society and business. Of the most highly read and regarded newspapers in India, *The Hindu*, is an independent general newspaper that started out as a weekly in 1878 and became a daily in 1889. Figure 1 details the circulation of the four publications as well as *The Times of India* and *The Hindustan Times*, two other prominent English language dailies.

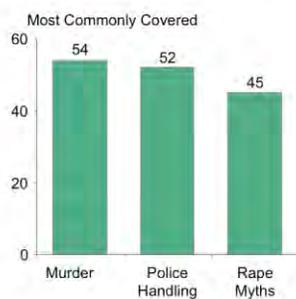
Figure 2  
Incident Driven Rape Reporting



Source: Drache and Velagic

Observing the four selected publications, the number of articles concerning rape has been relatively consistent across the eight-month period. Of the 1246 results for “rape,” 757 of those stories were coded and have been represented by one of twelve categories (See Figure 2). Some articles were not coded because the primary story was not about rape. Of the categories considered, stories relating to incidents of rape make up the largest form of reporting, with stories of rape, gang rape and statutory rape being of the most reported. The result of such incident driven reporting is an information gap. Engaging in a reactive form of reporting, the press leaves the reader with information concerning a single incident and little about the issue of gender violence as a whole. Further, awareness, where awareness activities here refer to awareness based actions such as protests, gatherings, lectures and conferences, were also widely reported. However, the efforts of those engaged in awareness activities often receive insufficient attention as only the most dramatic events get coverage, while other, less sensational efforts remain largely underreported.

Figure 3  
More to the Story: Additional Factors of Rape Reporting



Source: Drache and Velagic

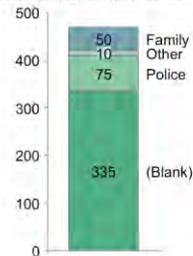
Beyond the first level of categorization, stories were coded by additional factors. The most prevalent were stories where the victim was murdered, where police handling was discussed, and those that included rape myths, such as victim blaming (See Figure 3). These results suggest that the news agenda is dictated by rape stories that have a more sensational undertone.

Because of the stigma surrounding rape, we thought it useful to identify who victims first turn to when reporting sexual crimes. As our results show in Figure 4, while the majority of stories are relate to incidents of rape themselves, they generally do not make mention of who the rape was reported. Of those stories that did mentioned who the crime was reported to, family was most often cited, after police.

Figure 4

### Sexual Crimes: Who Does the Victim Turn To?

Number of Stories Highlighting Who the Crime was Reported To

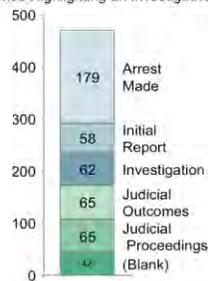


Source: Drache and Velagic

Figure 5

### Stages of Investigation

Number of Stories Highlighting an Investigative Stage



Source: Drache and Velagic

Also observed were the number of stories that represent a stage in the investigative process (See Figure 5). Of all the stories coded as incidents of rape, all but 42 were about a process in the investigative cycle. Because the press reports individual cases of rape, it is no wonder that 471 news articles refer to some stage of the investigative process. It can be said, then, that the investigative process drives reportage.

### 3. Typical Rape Reporting: The Single Incident Mindset, Caste, Class & Rape Myths

Indian print media's coverage of violent crime typically highlights the individual story of one survivor, one event, or one episode of violence. If the story is followed up on at all, it is often the result of civil society groups driving the issue (Khan 89, 95). The problem with such reactive reporting is that it often fails to provide necessary context and analysis, and sees incidents disappear as quickly as they were given top coverage. Indeed, there are many examples where the press has followed a single incident, reporting few facts beyond age, date, details of the crime itself, and the position in the crime cycle. Such examples include, "Man Arrested for Rape of 7-yr-old Daughter," *Indian Express*, August 12, 2012, a 144 word story that highlighted some facts about the father including his age (35), his inconsistent employment history, and drug and alcohol abuse. Other details concerning the date and address of the crime were given, as well as a few words discussing how the girl relayed the incident to her grandmother to who lodged the complaint. And while this article depicts typical coverage, there are others, especially those carried in weeklies, which follow individual cases with more detail. For instance, a few *India Today* articles including,

“Rape & Murder in Betul,” April 13, 2012; “A Mother Listens to Her Conscience,” July 2, 2012; and “Bigots Boycott Rape Victim,” August 27, 2012, go into great detail when reporting cases involving victims under the age of 18. Each article traces the individual stories of victims from the incident until the arrest and also calls attention to the unwillingness of police to take the safety and protection of the victims seriously. For example, in “Bigots Boycott Rape Victim,” the 13-year-old victim and her father had to approach three police stations before one finally agreed to lodge a complaint. While these examples provide a more complete description of victims’ experiences, they still focused on individual cases and further, only highlight crimes against minors, leaving those crimes involving women over 18 underrepresented.

News stories can also take on moralizing tones as stories concerning violent crimes involving women often revolve common rape myths and stereotypical images of women (Khan 102). Longstanding rape myths include the notion that rape is sex, that the assailant was motivated by lust, that men have a natural predisposition to get sex through force and that women provoke rape through their looks and behavior (i.e. dressing provocatively, being intoxicated, accompanying the perpetrator etc.). Also propagated is the notion that rape is deserved, only promiscuous women are victimized, women cry rape for revenge, are lying, and have ulterior motives. Further myths include the belief that sexual attacks sully the victims (Benedict 14 -19; Burt 217, 233; Franiuk et al. 288–289; Khan 102).

Of the rape myths found in Indian print media, false reports or false crimes appear frequently. While the press does not comment on the truth of the victims’ statements, mistrust is played out by news organizations when they run stories relating to false crimes. False crimes are those “cases where the woman was found lying about rape, molestation, assault, wife beating or used such accusations to blackmail men or when she misused the law that was meant to protect her”(Khan 104). Indeed, false report stories abound, especially those which revolve justification for premarital sex. Here, a woman is made out to have changed her story (i.e. she wanted it at the time) or has “cried” rape. Some such stories include: “Maid Booked for Registering False Rape Case against Employer,” *The Hindu*, January 9, 2012 and “Gross Misuse and Abuse of Rape Laws,” *The Hindu*, January 10, 2012. While the media focuses heavily on false crimes, the rate of false reports filed on sexual assault is only 2 to 3 percent (Khan 104).

Because of the prevalence of rape myths, news agencies have also come to give them undue prominence. For instance, “The Aptness of a Woman’s Garb,” *Tehelka*, January 2, 2012, discussed the tendency of police and political leaders to blame victims for their misfortune and point to attire as an invitation for rape. And while a women’s clothing should not be observed as an invitation, Mamta Sharma, the chairperson for the National Commission for Women has stated that what women wear cannot be discounted (“Women Should Take their Indian Culture Along When They Go Out,” *Tehelka*, March 31, 2012). “A Rape Victim I Knew was Shattered by the Media’s Character Assassination,” *Tehelka*, March 31, 2012 discusses the backlash victims often face in terms of unwarranted character assassinations by the media and police and further, highlights their use to increase the sensationalism of a story and even help the accused.

Finally, sexual crime reporting often considers class and caste when determining what stories become part of the news agenda. Because the media is attracted to ‘people like us’ stories, the Indian press report crimes concerning middle or upper class urbanites in greater number and detail than stories centered around tribal or lower-caste characters

(Khan 87). Through our own study, it became apparent that caste was only mentioned if the victim was a Dalit; otherwise, no mention of caste was made. Such omission only furthers Khan’s observation that stories of low class and caste are underrepresented in the Indian press. Amidst these trends in rape reporting, the common denominator remains – these stories are disconnected from a broader framing context or larger meaning. They exist as isolated islands without connecting to larger, more extensive developed storylines.

#### 4. Saturation Reporting and the Delhi Rape

The most widely covered rape case in recent history, the Delhi Rape has been described as a watershed moment where national outrage has effectively directed the news agenda for over three months. As is true of most all other rape cases, reporting began with the crime itself, followed by arrests, the condition of the victim, and subsequent judicial proceedings. And while judicial proceedings typically feed the news agenda, details in this case were limited as a gag order was imposed, preventing the media from reporting court proceedings. With the press unable to report such proceedings, it is little wonder why they began to develop new angles to follow the story. Indeed, the press’ coverage of the story has been voluminous, taking on multiple storylines such as: personal, public outcry, women’s safety, legislative and police handling.

The following graphs chronicle the media attention the Delhi Rape received between the December 16, 2012 and March 25, 2013. Figure 6 highlights the coverage in Indian publications, while Figure 7 emphasizes some of the global attention the case received, examining the amount of coverage provided by *The New York Times* and *The Guardian*. Appendix 1 provides a more detailed chronology of the incident.

Figure 6

### Local Audiences

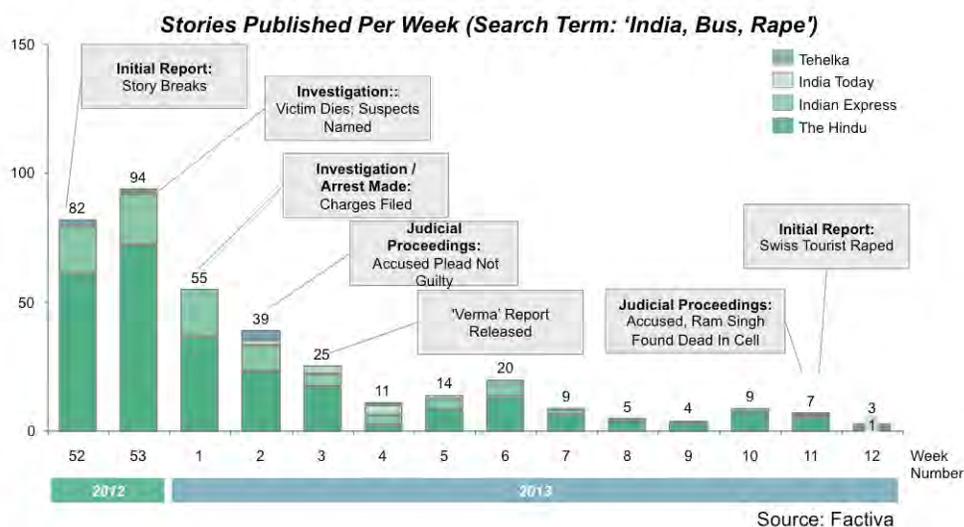
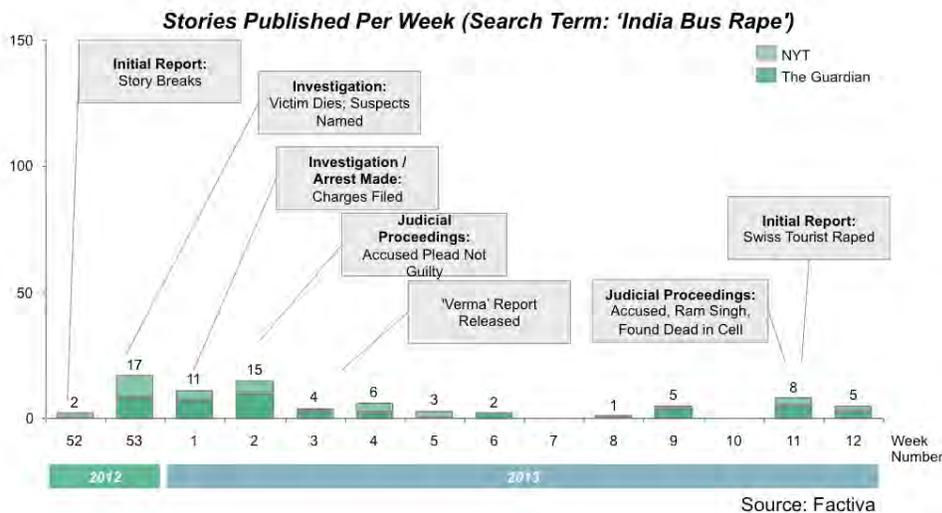


Figure 7

## Global Audiences



### b) Personal Storyline

Most readers first encounter a news story via the personal storyline. A powerful journalistic method to foster engagement with the public sphere, particularly in India, the personal storyline is a reminder of the importance of framing and selling a story to news hungry readers. Galvanizing the country and shocking the world, the press provided exhaustive coverage of the Delhi Rape via the personal storyline. Developing a backstory through interviews with family and friends, the press was able to extend the life of the story beyond the incident itself by highlighting the personal lives of the victims and the accused. A tactic used to humanize the victim, the press rushed to establish her educational background and her achievements. In the press' eagerness to make the victim more identifiable, the facts regarding her educational pursuits were printed without proper verification - an act which first saw her as a medical student, a paramedical student, and finally a physiotherapy student. Moreover, the press took pains to highlight her promise as a student. For instance, in "Month After Death, Rape Victim Clears Physiotherapy Exam with 73% Marks," *Indian Express*, January 24, 2012, the reader is provided a surprising amount of detail about her academic standing:

she secured 124 (out of 200) in physiotherapy in orthopaedics; 147 (out of 200) in physiotherapy in neurology; 151 (out of 200) in physiotherapy in cardiothoracic conditions; 144 (out of 200) in physiotherapy in general medicine; 160 (out of 200) in physiotherapy in clinical dissertation; and, 74 (out of 100) in research methodology.

The reporter even went as far as having the director speculate on her standing: "I have not seen the results of all my students but I guess she must be among the top three in this course at the institute."

Beyond news reports discussing her educational pursuits, her aspirations and sacrifices made by the family were stressed, both in dedicated articles and haphazardly interjected into news pieces. For instance, *The New York Times* interviewed the victim's father at length in "For India Rape Victim's Family, Many Layers of Loss," January 11, 2013. In the piece, he discusses his daughter's childhood dream of becoming a doctor, however, due to the exorbitant cost of medical school, she pursued physiotherapy. While she did choose a less costly option, her father still had to sell his land and work up to 16 hours a day to pay for her education. Continuing to identify her family's sacrifice, an article concerning one of her surgeries sees her father explaining, "we have to often live on just salt and roti" ("I Want to Live, Rape Victim Tells Mother, Brother," *Indian Express*, December 20, 2012). These inclusions work to create a feeling of connectedness as readers empathize with such stories of sacrifice in their own families.

In addition to developing the background of the victim, the press also highlighted the personal lives of the accused. On December 23, 2012, the *Indian Express* ran a story detailing the personal background of each of the accused in a piece entitled, "Who are These Men?" - the first article addressing the character of the accused. Taking a "people like us" tone, the article identifies the accused by their unremarkable occupations: "a priest, a wayward driver and his brother, a juice vendor —men with routine lives and routine travails. But on a Sunday night, these men from a south Delhi slum turned savage" (*ibid.*). Developing the backstory of the accused further, *India Today* dedicated over 700 words to a piece about the accused entitled, "The Unforgiven" on January 7, 2013. Calling the accused monsters, the article highlighted their unabashed brutality:

The high point of his life was when he thrust his tightly clenched right fist into the womb of the bruised and battered 23-year-old on the night of December 16. Nothing beat the excitement he felt when he heard her muzzled screams, saw her writhe in extreme pain and watched the blood spurting from her young body.

Focusing solely on the juvenile, the *Indian Express* carried the story, "I Thought he was Dead, Says Mother of Juvenile Accused" on January 6, 2013. Securing interviews with his mother, the story articulated his impoverished family situation. Deemed the poorest family in the village, the interview discusses how she lost contact with her son when he went to Delhi to work eleven years ago. The story goes on to highlight the trials of the family, such as their father suffering from mental illness, his siblings' struggles, and the fear that his eldest sister will remain unwed.

The prevalence of such personal storylines reveal a tension between the backstory and the front story, where the drama and sensationalism of the backstory often wins out - and understandably so. The victim of the Delhi Rape represents the aspirations of Indian society - a family making sacrifices so their children can go to college - and the accused represent the degradation of society - confirming that men are violent aggressors, taking what they want, whenever they want it. Such storylines work to highlight the common experiences of individuals, while indulging disgust - a combination that helps to keep such stories in the news and sell newspapers.

## b) Public Outcry

The public outcry that followed the Delhi Rape catapulted the story into the news and helped to assure ongoing media attention. Initially taking the form of protests and vigils, young women and men in India took to the streets in many demonstrations to publicize the incident, the shortcomings of the justice system, and the appropriate punishment for the accused, before taking on the issue of women's safety. As public outcry mounted, the press acted as both a watchdog of public interest and helped to organize public disgust and shame.

The first protest was reported in "JNU Students Take to Streets Against Capital's Shame," *The Hindu*, December 19, 2012. This protest, organized by the Jawaharlal Nehru University Students' Union (JNUSU), saw students protesting outside the Vasant Vihar. Angry students, organizing themselves through mass texting, social media, and word of mouth, protested for hours. The article also included an interview with the president of JNUSU, V. Lenin Kumar, who discussed the apathy of the Delhi police, the urgency in arresting the culprits, and the next scheduled demonstration - a candlelight vigil at India Gate. The press documented the following protests fairly consistently, often including slogans and quotes by representatives from student associations, civil society groups, and politicians, highlighting their shame and anger.

In "Angry Protests Across Delhi Over Gang-Rape," *The Hindu*, December 20, 2012, students from Delhi University, Jawaharlal Nehru University (JNU), Jamia Millia Islamia and the All-India Students' Association (AISA) demanded unconditional "freedom without fear;" for such freedom to be protected by police, government and judiciary; and a comprehensive law on sexual assault. Protestors from JNUSU also "demanded increased patrolling and deployment of police including police women in public places, fast-track courts to deal with rape cases, increased sensitization [of police in dealing with rape crimes] and effective investigation [and accountability of the police] dealing with heinous crimes against women." Finally, a "large number of workers of the Delhi BJP Pradesh Mahila Morcha and Yuva Morcha staged demonstration at Jantar Mantar [Delhi's designated protest area, located near Connaught Place] demanding death punishment to the persons who committed gang-rape" (*ibid.*).

Coverage of public outcry continued to highlight the demands of protestors. Leading this coverage was *The Hindu*, which on January 1, 2013 alone, covered:

- "JNUSU Holds Silent March," a 'Take Back the Night' march.
- "Tamil Nadu: Students Condemn Gang-Rape Incident" saw students concentrating on crimes against women, focusing heavily on the role of authorities in protecting women's right to go about their daily activities "without having to constantly look over their shoulders."
- "Protests Against Gang-Rape Continue" highlighted a peaceful demonstration which included many of the leftist organizations such as the Progressive Organization of Women, the Progressive Democratic Students Union (PDSU), the All India Democratic Women's Association (AIDWA), the Students' Federation of India (SFI), the All India Students Federation (AISF), and the Dhakad Youth Foundation India (DYF), among others. The demonstrators demanded "that the government impose

capital punishment on the accused and strengthen the laws relating to offences against women.”

Further, the individual voices of members of civil society groups were highlighted at length. Moving beyond the slogans of protestors, Kavita Krishnan, the Secretary of the All India Progressive Women's Association (AIPWA), addressed protestors outside (CM) Minster Sheila Dikshit's house in a twelve-minute speech that was captured by an onlooker and posted to YouTube on December 19, 2012. The Hindi speech, which has garnered more than 50, 000 views, focused on political responsibility, women's rights and safety, and the impact of those patriarchal attitudes ingrained in Indian culture. The speech, translated and transcribed by *Tehelka*, appears in “Freedom Without Fear is What We Need to Protect, to Guard and Respect,” December 21, 2012. In the speech, Krishnan discusses the daily life of Indian women living in a vastly patriarchal society and, in one of the most interesting sections, refers to the topic of women's safety:

I am saying this because I feel that the word 'safety' with regard to women has been used far too much - all us women know what this 'safety' refers to, we have heard our parents use it, we have heard our communities, our principals, our wardens use it. Women know what 'safety' refers to. It means - You behave yourself. You get back into the house. You don't dress in a particular way. Do not live by your freedom, and this means that you are safe. A whole range of patriarchal laws and institutions tell us what to do in the guise of keeping us 'safe'. We reject this entire notion. We don't want it. It's clear that in this country, if you leave out the women's movement - everything else, the government, the police, the political parties, the judiciary; when they speak of women's 'safety' they are speaking from within a specific patriarchal understanding of the term.

Beyond highlighting the demonstrations themselves, the publications also included individual reactions to the Delhi Rape, often focusing on the shortcomings of the justice system, police handling, and discussions of appropriate punishment. One such story by *India Today* entitled, “The Guilty Must Pay,” December 31, 2012, outlined responses from a variety of Indian elites:

- Former Attorney General Soli Sorabjee's response, “Action should be swift in rape cases. There should be special fast-track courts and proper judges appointed. The message must go out that the perpetrator will not get away with it.”
- Senior Advocate, KTS Tulsi said, “the entire criminal justice system must be shored up. Scientific investigations, quick trial and maximum sentence must be awarded to the guilty. Certain punishment is the best deterrent”
- The Additional Solicitor General, Indira Jaising, said: “Quality of prosecution must be improved to increase the conviction rate in rape cases. Prosecutors must work in better coordination with the police, which too should be sensitized”

On December 19, 2012, *The Hindu* ran a similar story entitled, “Celebrities Express their Horror at the Brutal Gang Rape,” where a selection of public officials' and celebrities'

tweets and Facebook posts were printed, cementing the fact that, in an information age, even horrendous crimes require rely on celebrities to bolster public outcry:

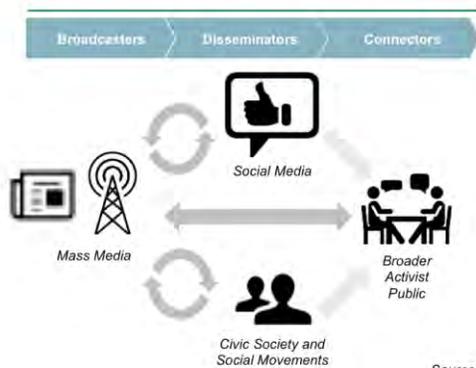
- Infosys founder Narayana Murthy tweeted: “Ashamed to be an Indian”,
- Former super-cop Kiran Bedi said: “We all pray she survives to see how anguished society is; demand an answer from the powers that Advocating for Shariat laws,
- Film-maker Farah Khan tweeted: “Sometimes I think the Shariat law would work well, we are becoming a country of barbarians.”
- Fashion designer Jatin Kochhar said: “New Delhi gang-rape...shameful and shameless.”

While there is an apparent tendency to fall back on stories driven by sensational quotes, the press also showed a desire to develop their coverage to include the expanding women’s rights movement and gender justice. Stories like, “Rape, Shame and the Curse of Patriarchy,” *The Hindu*, January 19, 2013, an opinion piece written by Ragini Nayak, an Assistant Professor in the Department of English, Lakshmi Bai College at Delhi University, highlights the shame that women in India are met with when they report rape. It looks beyond the punishment of the accused and instead focuses on the victim and her life after rape as it exists in a current culture of self-shame and the perception worthlessness:

Women are tag-marked as shameless transgressors for marrying without the consent of family, seeking divorce, asking for a share in ancestral property or refusing to cover their hair, face or body. Violence against women surges whenever the patriarchal status quo or the traditional mode is challenged.

Figure 8

**Broadcast Model of Rape Reporting**



The enormous public outcry after the Delhi Rape is proof that there is an active public. As shown in Figure 8, broadcasters and disseminators drew in the public. Taking an active interest in the crime as it had been broadcast, the public followed reporting as it appeared in the press and also through the efforts of disseminators such as civil society groups on the ground and information spread via social media. Getting involved, the efforts of the broader activist public became a part of the

news agenda and were reported by the press. *Piggybacking off of the various forms of engagement, the press developed a public outcry storyline that stretched between the simple and sensational and the more developed and informed.*

### c) Women's Safety

The Delhi Rape also spurred a new conversation about women's safety. Articles such as, "Bus Rape Spooks Working Women," *The Hindu*, January 4, 2013 and "Pepper Spray Out of Stock," *The Hindu*, January 14, 2013, expressed women's fears, while others could be seen to instill fear. For instance, *The Hindu* ran the article, "Capital's Hall of Shame" on December 18, 2012, which detailed gruesome rapes dating back to 2001. By calling upon other brutal rapes, readers are reminded that the Delhi Rape is not necessarily an isolated incident, a tactic that effectively instills fear.

Beyond detailing the dangers women face, other stories put forth considerations of how to make the city safer for women. "Forget CCTVs, Give us Well-Lit Facilities," *The Hindu*, January 9, 2013, discussed the importance of lighting in public spaces as a deterrent for violent crime. Other articles highlighted measures women could take in order to protect themselves, such as self-defense workshops with training in kickboxing, krav maga (an Israeli self-defense system), and kung fu ("Women Take up Martial Arts for Self-Defence," *The Hindu*, March 6, 2013).

Under the broader umbrella of women's safety, news stories also began to address the root causes of rape. Because of the complex nature of rape, the best examinations of the issue appeared in the weeklies. For instance, *Tehelka*, a weekly that specializes in investigative reporting, ran the story, "The Anatomy of Rape" on December 18, 2012, which examined how rape and sexual violence is discussed in society. This article highlights the importance of language in framing our understanding of rape. In "Education: The Only Way to Cure India's Rape Epidemic," *Tehelka*, January 24, 2013, rape in India and the importance of educating citizens about sexual violence is discussed. As Justice Verma, of the Justice Verma Committee, pointed out:

the sexual harassment endemic in India - the cat-calling, groping and stalking of women - is only the "first step" in a scale that slides up towards violent sexual assault. Such harassment, and its widespread acceptance, is a symptom of a much deadlier cancer, deeply ingrained in the culture: one which will only be cured with a massive, well-funded, government-led education campaign to transform people's attitudes towards women and girls. (*ibid.*)

As the Delhi Rape brought the issue of women's safety to the forefront, exactly how to achieve increased safety in Delhi and elsewhere has prompted the review of the role of police and legislation.

Figure 9

#### Sexual Violence as of 2011

Country	Reported Rape	Population
India	24,000	1.2 billion
United States	83,000	310 million
Canada	22,000 *sexual assaults (levels 1-3)	34 million

Source: NCRB; US Dept. of Justice; Statistics Canada

### d) Police Handling

The National Crime Record Bureau (NCRB) recorded 24,206 cases of rape in 2011 - a figure which represents an 873% increase in the number of rapes reported since the NCRB began recording such information in 1971 (see Figure 9) ("Crime" 12, 83). These

figures, however, are relatively low for a country with 1.2 billion, a reality that “has enabled politicians to treat such attacks as personal tragedies for the victims rather a pressing social problem” (Kazmin). Keeping these statistics in mind, it comes as no surprise that securing justice in cases of sexual violence is an increasingly urgent matter. In a highly publicized investigation carried out by *Tehelka* (“Investigation: The Rapes will Go On,” April 14, 2012 and December 31, 2012), members of the Delhi Police force were filmed discussing their apathy toward rape victims. In the videos, the policemen are shown supporting rape myths such “asking for it,” crying rape as a source of income, and other forms of victim blaming, among others. When such victim blaming occurs, women are deterred from filing a First Information Report (FIR).

Addressing these concerns, many news articles since the Delhi Rape have begun to discuss how inadequately police handle rape and what programs should be implemented to amend their shortcomings. For instance, in “New Action Plan to Combat Crime Against Women,” *The Hindu*, February 6, 2013, the Centre identifies the registration of a FIR at all police stations, police reforms such as a three-digit emergency response number, and publicizing the identity of those convicted of crimes against women as potential strategies to increase rape reporting. Another *Hindu* article berates the Delhi Police and the Delhi Transport Department for a lack of coordination, ultimately hindering public safety and security. In an attempt to improve coordination of procedures relating to rape, Justice Usha Mehra’s Commission on the Delhi Rape made important recommendations with respect to overhauling and modernizing police procedures. Her 2013 report has recommended the establishment of one-stop centres at hospitals in Delhi with a nurse, a gynecologist, a police inspector, a forensic expert, and a counselor to help expedite the examination and reporting process. So far, no action has been taken, however, establishing these centers would be a monumental step in the police handling of gender justice issues (“Justice Mehra Wants One-Stop Centres for Rape Victims,” *The Hindu*, February 25, 2013).

While the implementation of programs related to rape reporting are being considered, deep-seated rape myths affecting the handling of rape cases still persist. A lengthier report that appeared in *Tehelka* highlights rape in Betul, a city near Bhopal, Madhya Pradesh, which sees nine women raped every 24 hours (“Violation is the Norm Here,” December 23, 2012). Addressing this seemingly high number, Vimla Chaudhary, Section Officer from the Tribal Welfare Police Station of Betul claims that, “women allege rape to get compensation.” She argues that because the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities, 1989) Act provides tribal woman compensation (Rs 50,000 if rape is proven), women register rape cases, adding, “you should write in Betul rape is big business.” Such attitudes in support of rape myths coming from the police are unacceptable and exemplify the inability for women to come forward and report rape. Moreover, such deep-seated misogyny on the part of the police force greatly inhibits the possibility for change. Because police are part of the solution, their attitudes about violence and gender justice must change and conform to the laws of Indian society.

### **e) Legislative Storyline**

As the Delhi Rape reached a global audience, it became increasingly evident that India was facing a judicial and legislative crisis. The anger of public and civil society groups changed the national mood of India so drastically that the government had little choice but

to introduce legislation that would protect women from heinous crimes. Prior to the Delhi Rape, India's legislation failed to properly protect women and ensure gender justice (Verma, Seth and Subramaniam 57). Of those laws meant to safeguard women, one of the earliest concerned rape. First appearing in the Indian Penal Code in 1860, rape in India was narrowly defined as "penile penetration into the vagina" (Gangoli 103). In order for a charge of rape to be levied, section 375 was called upon to determine the circumstances needed for a crime to constitute rape.<sup>1</sup> Further, explanation provided in this section states that penetration is sufficient to constitute the offence of rape, leaving out all other forms of sexual assault. The exception in this section leaves out marital rape altogether if the wife is over fifteen years of age. Those charged with rape could be sentenced between seven and ten years, while the punishment for gang rape saw rapists imprisoned for no less than ten years (Gangoli 103-4). In addition to the narrow understanding of rape and sexual violence, the low conviction rates and disparity in sentencing highlighted the jurisprudential shortcomings of India's justice system.

Such inadequacies were the principal mandate of the Verma Committee, a three member committee comprised of J S Verma, a retired chief justice of India who passed away in April, 2013; Leela Seth, a retired chief justice of the Haryana High Court; and Gopal Subramaniam, former solicitor general of India. Completed on January 23, 2013, 29 days after the committee's formation, the Verma Committee Report was released.<sup>2</sup> The report, a staggering 657 pages, was summarized in "Revolutionary Roadmap to Gender Justice," *Tehelka*, January 24, 2013. The summary of the Justice Verma Committee Report stresses the misogyny inherent in Indian law, specifically highlighting "outraging of modesty" and "honour" of a rape victim. It goes on to acknowledge that legislation concerning sexual crimes "must include those against the transgenders, homosexuals and lesbians." Perhaps most significant is the redefinition of rape which includes,

any form of non-consensual penetration. And possibly for the first time, marital rape is discussed at length as an essential part of the crime. The relationship of the victim with the perpetrator should be of no consequence, says the report. (*ibid.*)

There is also an entire chapter devoted to police handling. For instance, jail time is suggested for those officers who fail to file an FIR. This is a powerful incentive for the police to take action and fulfill the letter and spirit of the law. Further, when it comes to proving that a rape has taken place, the report asserts that the weight given to medical certificates

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<sup>1</sup> Against the victims will,  
Without the victims consent,  
With her consent, when her consent has been obtained by putting her or any person that she may be interested in fear of death or hurt.  
With her consent, when the man knows that he is not her husband,  
With her consent, when at the time of giving such consent she was intoxicated, or is suffering from unsoundness of mind and does not understand the nature and consequences of that to which she gives consent  
With or without her consent when she is under sixteen years of age.

<sup>2</sup> The Verma Committee Report is available at <http://www.thehindu.com/news/resources/full-text-of-justice-vermas-report-pdf/article4339457.ece>

in the Indian context should be lessened, as they have been found to be less than reliable. Finally, while calling for harsher punishment for sexual offenders and rapists, the Verma Committee did not recommend the death penalty (*ibid.*).

Taking the Verma Committee Report into consideration, the government issued an Ordinance, which was promulgated by President Pranab Mukherjee on February 3, 2013. The Ordinance was subsequently replaced by the Criminal Law (Amendment) Bill, 2013 in March, and received presidential assent on April 2, 2013. The bill amends the Indian Penal Code, the Indian Evidence Act and the Code of Criminal Procedure concerning laws related to sexual offences. The most significant change to the rape law is the definition of rape itself and the penalties for rape which have been extended to include multiple forms of sexual assault.<sup>3</sup> Further, the punishment for rape has been toughened, with maximum prison terms being increased to twenty years, as well as the inclusion of the death penalty for those if, during

the course of such commission inflicts an injury which causes the death of the woman or causes the woman to be in a persistent vegetative state, shall be punished with rigorous imprisonment for a term which shall not be less than twenty years, but which may extend to imprisonment for life, which shall mean imprisonment for the remainder of that person's natural life, or with death. (Section 376A) (9, "India")

The punishment for gang rape has been increased to a minimum of twenty years and also requires those convicted to pay damages to the victim for medical expenses and rehabilitation (Section 376D) (9, *ibid.*).

Among other amendments, new legislation was introduced which has made voyeurism, Section 354C (7, *ibid.*); stalking, Section 354D (7, *ibid.*); and acid attacks, Section 326A (5, *ibid.*), punishable under criminal law, however, rape law in India still does not include provisions for marital rape. Also considered is how reports are taken. For instance, female officers are to record statements from victims of rape or attempted rape (Section 154) (13, *ibid.*). Such revisions are central to securing gender justice in India, as the failure of police to file an FIR has been a major factor in the lack of reportage. The new legislation modernizes and toughens the existing criminal code, significantly increases punishment, and makes provisions for women who are victims of rape. While welcomed by the public, there is significant skepticism concerning the commitment of police and the effectiveness of the judicial system.

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<sup>3</sup> Under the amendments of the Criminal Law Bill, the actions which define rape in Section 375 were broadened beyond penile penetration of the vagina to include scenarios where he:

penetrates his penis, to any extent, into the vagina, mouth, urethra or anus of a woman or makes her to do so with him or any other person; or  
inserts, to any extent, any object or a part of the body, not being the penis, into the vagina, the urethra or anus of a woman or makes her to do so with him or any other person; or  
manipulates any part of the body of a woman so as to cause penetration into the vagina, urethra, anus or any part of body of such woman or makes her to do so with him or any other person; or  
applies his mouth to the vagina, anus, urethra of a woman or makes her to do so with him or any other person.

## **5. Conclusion: Sexual Violence, Crime Reporting and the Responsibilities of the Indian Press**

Violence against women is a permanent fixture in the Indian press, with the most brutal cases garnering the greatest attention. Those cases, also known as trigger events, provide an entry point for deep reflection, allowing for the health of gender justice to be evaluated. The Delhi Rape provoked an unprecedented examination of gender justice in India. However, our study, based on an empirical analysis of two mass dailies and two weeklies, found that the press failed to strike a balance between a fully developed story and incident based reporting. As our eighth-month media monitoring study showed, reactive, incident based reporting was the norm for the coverage of sexual crimes. The Delhi rape is too important for the press to return to business as usual. It became a watershed moment in Indian journalism.

Our study revealed that the Delhi Rape had arguably the most extensive coverage of any rape case in India, which is significant. The globalization of the news cycle played a major role in public debate and demand for a significant response from the government to take immediate action to protect women from sex crimes. But there are many lessons to be learned from this remarkable coverage. It is the case that the sensational aspects of the Delhi Rape occupied centre stage. One rationalization for this is that the primary purpose of any newspaper is to increase circulation. For instance, the attention given to celebrities' views of the Delhi Rape and the personal story of the victim's pain and promise struck a cord with readers and, in turn, fulfilled this economic imperative. However, the Delhi Rape is more than just a horrific crime that ignited anger; it needs to be understood as a matter of gender justice.

Gender justice situates crimes against women within the larger structure of patriarchal power. The structure of power has worked against the interests of women in the way sexual crimes are reported in India and other societies. Over the course of this study, we have worked to better understand the progress the press has made with respect to gender justice against the propensity for sensationalism - a paradox that requires a great deal of thought. On the one hand, when the press follows a story across diverse storylines, moving beyond the incident and crime cycle, it opens the possibility for gender justice sensitive reporting. On the other hand, when the story focuses simply on the sensational aspects of the crime, the powerful gender justice perspective is not well served. And while the press is trapped between these two poles, the transition is incomplete with a long road for it yet to travel.

Before closing, there is a final point that needs underlining. Our media monitoring of the Delhi Rape demonstrated that much of the news coverage continues to rely on conventional news reporting. There is insufficient recognition that gender violence requires conceptual, analytical and practical changes in the culture of the Indian newsroom. The responsibility for a different kind of news culture relies on both the editorial direction of the newspapers we examined, and also the reporters, who are the frontline professionals. It would be important for journalists, as well as those in charge of editorial direction, to organize a major conference to probe and understand India's rape culture and the gender violence in the mass media.

## Appendix 1

December 16, 2012	Gang Rape. 23 year old physiotherapy student is gang raped on a moving bus in South Delhi
December 17, 2012	First 4 Accused Arrested
December 19, 2012	Male Victim Testifies in Court
December 20, 2012	2 Confess to Crime
December 21, 2012	6 <sup>th</sup> Accused Arrested
December 29, 2012	Victim Dies, Accused are charged with Murder
January 3, 2013	Delhi Police filed Charge sheet in Magisterial Court
January 5, 2013	Magisterial Court Takes Cognizance Charge Sheet
January 9, 2013	Gag Order prohibiting media from reporting on court proceedings
January 17, 2013	Case Committed to fast track court
January 24, 2013	Arguments begin
February 2, 2013	Accused Plead Not Guilty
February 5, 2013	Trial Begins
March 5, 2013	Police Testify in Court
March 11, 2013	Ram Singh Found Dead in Jail Cell
March 15, 2013	Accused charged with robbery

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