

LOS ANGELES

**Daily Journal****Addressing India's epidemic of violence towards women**

By Julie L. Kessler

I always assumed my husband and I would one day get to India, home of the famous Taj Mahal in Agra, and myriad other incredible physical and cultural wonders. However, despite my love of travel and world cultures, and my admitted near-obsession with seeing the entire world, I doubt we will go there. Not due to a lack of interest, but because of safety concerns — specifically concerns about rape, gang-rape and other violent crimes against women. Despite the fact that India is the world's largest democracy and the world's second most populous country (after China), it possesses a legal and social system incredibly ill equipped to address these crimes, which occur against both Indians and foreign tourists alike.

**Cultural Commentary**

This issue first really came to world attention during the past year and has tarnished India's reputation as a tourist destination and ignited widespread alarm. In December 2012, the gang rape and murder of a 23-year-old physiotherapy student on a bus in New Delhi resulted in protests throughout India, which in turn pushed the government to overhaul its laws and enact more stringent penalties for sex offenders. The Indian Parliament last year enforced the death penalty for rape, and also expanded the definition of assault to include related offenses, such as voyeurism and stalking. Notwithstanding, it is asserted that rapes are mind-bogglingly underreported in India, especially in rural areas and victims of sex

crimes remain widely ostracized; often in fact, these domestic victims are in effect forced to marry their rapists or risk even further social ostracism.

Last August, six men were sentenced to life imprisonment for gang-raping a Swiss tourist. Less than a week after that attack, a British woman visiting Agra jumped from a second-floor hotel balcony to escape an assault. On New Year's Eve, a 16-year-old Indian girl who had been gang-raped in Kolkata died of burn injuries when her attackers set her on fire as punishment for reporting the rape. Six weeks ago, three men were convicted for gang-raping and robbing an American tourist in June. A month ago, a Polish woman was drugged and raped in a taxi while traveling to New Delhi with her two-year-old daughter. Two weeks ago, a 51-year-old Danish tourist was gang-raped and beaten in an attack lasting nearly three hours near New Delhi's main railway station, where she had stopped to ask for directions to her hotel. Also two weeks ago, a 20-year-old Indian woman was hospitalized in critical condition after being gang-raped by more than 10 men in an attack that lasted several hours as "punishment" ordered by a village council's headman for having a relationship with a man from a different community. When the young woman's family tried to get her to a hospital following the attack, the family was threatened by those who had ordered the assault. Finally, two days later, the family was able to get the young woman to a local clinic, which in turn sent her to a hospital.

There have been many explanations for this violence. One of them is that rapid social change has resulted in high economic growth,

including for some women, but also high rates of income inequality. Thus, violence against women is used by some men as a method of demonstrating their perceived superiority and dominance over them. And then, of course, there is just plain old, garden-variety misogyny, as well as the kind of violence that some people will engage in against anyone more vulnerable than themselves.

However, in the instances of gang-rape, there appears to also to be a sort of "flash mob" mentality evident in the extent and viciousness of the attacks. Regarding domestic victims in rural areas, at issue also is the fact that village councils often hold enormous power over these communities, and often administer their own "justice" via ad hoc courts and the issuance of extra-legal decrees and punishments against women, including "honor" killings. Politicians who rely on such community elders for votes often fail to speak out, and those who do risk being ostracized.

Obviously, this grave and systemic problem will not be resolved overnight. Nor will a band-aid ap-

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proach suffice with a few high-profile tourist cases raising domestic and international ire and resulting in enforcement of the death penalty — at least for now — for certain sex crimes. Though somewhat satisfying from a retaliatory standpoint, it's really a bit of a Pyrrhic victory.

The first order of business in India, in addition to the promulgation and actual uniform enforcement of laws protecting women, absolutely

must be education to combat India's gender discrimination which is pervasive from cradle to grave in Indian society. And that must start with a massive literacy campaign. Great strides have been made in this regard since India's independence from Britain in 1947, when literacy was estimated at a mere 12 percent. According to UNICEF, for the period 2007-2011, literacy in India stood at 88 percent among young adults males (ages 15 to 24), and 74 percent for the same period for young adult females. However, for comparison purposes, China's literacy rate for the same period was 99 percent for both young men and women, Sri Lanka's rate was 98 and 99 percent for young men and

women respectively, and Burma (Myanmar)'s rate was 96 percent for both young men and women.

As a veteran traveler and inveterate cultural observer, I am sensitive to the cultural aspects inherent in the types of social choices that, to many Western sensibilities, may seem archaic, abysmal and frankly, often hysterical, such as the decision to carry out a village council's extra-legal punishment decrees. That said, as a Western-educated lawyer, who happens to be a woman, I know that there will never, ever be a place in my brain or my heart in which these types of crimes against women can be tolerated, at any level, even marginally, regardless of where on the planet they occur.

While the current situation in India that mandated the first wave of legal change seems to have been spurred on mostly from economic concerns and the resulting significant drop in foreign tourism dollars to India, that matters to me not a damn. Whatever the impetus, the laws must be enacted, the punishment uniformly delivered, and the population educated so that these crimes against people who often number among Indian society's most vulnerable becomes something relegated to dusty history books. Otherwise, this evident and monumental failure in India's social engagement will undermine and

ultimately destroy the otherwise impressive progress India has made on a number of fronts since its independence from Britain.

In the meantime, I have a very large and very heavy coffee table book about India, full of beautiful glossy pictures reflecting the country's many marvels. That will just have to suffice for now. Stay tuned.

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