

FACTS

against

MYTHS

VIKAS ADHYAYAN KENDRA

Vol V # 11/99

INFORMATION BULLETIN

PATRIARCHAL FEARS & MISOGYNIC ASSAULTS: MYTHS ON GENDER VIOLENCE - I

COMMENT

Domestic violence, sexual assault and rape are but few of the many crimes committed against women. The women's movement in the country and abroad raised the issue of gender violence at national and international foras. A wide variety of forms of such violence hitherto unexposed are now public. These range from incest to sexual harassment; and paedophilia to cybersex. Prostitution, earlier seen as a 'social evil', is a form of violence against women as it not only commodifies women into saleable sex objects but has many aspects of coercion. Similarly, development policies e.g NEP, SAPs and the current phase of economic globalisation have been shown to have adverse affects on women. Since the era of "free trade" and "liberalisation" such policies are depriving poor women of their livelihood and exacerbating their household chores. This led to The Informal Working Group on Gender and Trade¹ to note: "WTO policies calling for trade liberalisation will severely compromise women's economic status by increasing the capital needed to stay competitive in market trade, and will further reduce their participation in international trade."

The worldwide recognition of gender violence has been officially recognised by the Indian judicial system. In its important judgment, Vishak and the State of Rajasthan, the Supreme Court — viewed sexual harassment, for the first time in the country's history, as a violation of human rights — stated that international conventions were significant "in the absence of domestic law occupying the field, to formulate effective measures to check the evil of sexual harassment of working women at all work places". On August 14, 1997 it promulgated guidelines prohibiting sexual harassment. The *Indian Express* (13-2-2000) reported that the Judges had stated that any international convention that was not inconsistent with the spirit and provisions of the Constitution, must be read into the existing law so as to enlarge its meaning and content.



Sexual Harassment

The various forms of gender violence, its proliferation and perpetuation through various societal institutions has clearly expanded the perspective of violence. Besides, the gender division to violence makes it a more complex phenomenon with women of all ages as targets of violence, right from the foetal stage² Amniocentesis, for instance, is meant to kill the unwanted female foetus in the mother's womb. The census figures, decade after decade, point to the growing rate of female infant mortality.

Women-specific violence operates by keeping women where they are — powerless within four walls — apart from restricting their ability to make choices about their lives. It is particularly insidious because sexual acts are ordinarily and rightly a source of both pleasure and communication. But like all other forms of violence, gender violence must be viewed in the context of the socio-economic and political reality of power relations. Its roots are embedded in caste, class and in the patriarchal social order where male power is omniscient. Women, however, are also at the receiving-end of the 'Varna' system and the religious hierarchy of caste. Dalit women especially have to additionally experience the oppressive structure of untouchability.

Feminist discourse² and perspectives have revealed that gender violence reinforces gender inequalities, and traced its roots to a) the exploitative production relations (the Marxist theories) b) the basic contradictions between men and women (the radical feminist discourse) c) the nexus between capitalism and patriarchy (the socialist-feminist school) and d) the caste-class linkage (Marxism-Phule-Ambedkarism current).

Women-specific violence have been shown to be one of the few cultural constants that cuts across geo-political boundaries, and woven into the fabric of society to such an extent that a) most battered women feel that they themselves are to be blamed and b) many of the perpetrators of such crime feel justified through powerful societal messages that view such violence as 'fait accompli'. Little wonder, then, that the Establishment e.g. the police, including medical and health professionals, fail to recognise violence against women as the serious health problem it is, a denial of the basic human rights of women.

Gender violence is, however, no historical accident but but manifestation of deep-seated fears and misogyny emanating from patriarchy. To illustrate:

In March 1989 Justice O.P. Sinha acquitted the 14 policemen guilty of mass rape of Adivasis women of Pasaria Village (Bihar) by accepting the Defense Counsel's argument that these women could not be equated with "such ladies who hail from decent and respectable society" because they are engaged in 'menial work' and were of 'questionable

character'. The judgment read: "It cannot be ruled out that these ladies might speak out falsehood to get a sum of Rs.1000/- which was the sum for them".³

The recently published views of Judges by Sakshi⁴ of Delhi revealed the Judges biases on gender-violence:

- ▶▶ 74% of the Judges believed that husbands have valid reasons to punish their wives;
- ▶▶ 64% felt that women are partly responsible for the violence they experience; that such violence is the sole responsibility of the male is preposterous,
- ▶▶ a woman's dress and behavior, "failure to take precaution" and her 'provocative' nature was responsible in triggering violence in men,
- ▶▶ 37% of women are reluctant to file a suit against the husband owing to a) lack of economic means and relevant information b) 27% due to family pressure c) 15% due to stigma attached to battery d) 14% due to shame and guilt and e) 7% due to fear,
- ▶▶ 55% of women experience negative vibes from Judges hearing their case on battery and experienced discriminatory responses on treatment between themselves and their male counterparts, through the Judges behaviour, expression, views and mannerism,
- ▶▶ 64% of women advocates experienced condescending, and patronising attitudes from male colleagues to the extent of being ignored, demeaned and harassed by them.

▶ On December 6, 1989, 14 women engineering-students were gunned down in Montreal-Canada by a 25-year old student as he held them responsible for not being selected into the college. Before committing suicide he left behind a letter containing a tirade against 'feminists';

Apart from these gender-blind biases, the major obstacles in understanding gender-violence are the deep-seated myths shaping societal attitudes and disbelief. Whilst denying this fact the obstacles simultaneously convey that women

being the guardians of morality, men are therefore not responsible for their violent behaviour. These fallacious arguments characterising the various forms of gender violence — sexual harassment, rape, prostitution — need to be exposed and dispelled with.

1. Sexual Harassment

Sexual harassment is unwanted sexual attention from an employer, manager, or any man with power over a woman. This includes saying something sexual that makes a woman uncomfortable, touching her in a sexual way, or making her to have sex. Every woman is in danger of sexual harassment. It does not matter if she works for her family in the country or in a factory in the city.

MYTH: *Sexual harassment are rare.*

FACT: Various surveys and studies prove that sexual harassment has been discovered to be extremely widespread but remains unreported. Although Section 509 of the IPC provides for prosecution of harassment, only a few cases are recorded; most are dismissed for lack of evidence. In the well-known case, Rupam Bajaj Deol, a senior IAS officer, filed a case against the DIG, K.P.S. Gill. The Government failed to take any action and the High Court merely dismissed the case.

- » An ILO Report⁵ reveals that 60% of working women and 55% of female students in colleges and universities are affected by the crime;
- » Outlook magazine (19-4-2000) cites two surveys viz., the National Commission for Women which in their survey on sexual harassment covering 5 States showed that 68 per cent of women experienced the crime; 26 per cent experienced physical harassment and 33 per cent gender discrimination b) In March 1999 a pilot study by Sakshi of Delhi showed that 72% women and 74% men either heard or experienced sexual harassment.
- » Finally, a report in the Free Press Journal (2-2-2000) stated that Janata Dal leader, Dr.A.N. Nadar had misbehaved with a senior IAS officer, Nalini Netto, on 1-2-2000. The case is still pending judgement.

There are number of reasons why it is hard for a woman to say 'No!' to sexual advances:

- » She may be apprehensive she will lose her job, which she needs to support herself and her family;
- » She may be conditioned to obey and respect the wishes of older men and men in authority;
- » The man may be a relative, and she may be afraid if she says NO or complains he will be made to look bad.

In some countries sexual harassment is called the "lay down or lay off" policy. This is because women are often fired if they do not have sex with the man who is harassing them. But no matter what situation a woman is in, sexual harassment is absolutely wrong. It is also against the law in any country.

MYTH: *Incidents of sexual harassment has been exaggerated. Most so-called harassment is actually trivial and harmless flirtation.*

FACT: Sexual harassment can be devastating. Studies indicate that most harassment has nothing to do with 'flirtation' or sincere sexual or social interest. Rather, it is offensive, often frightening and insulting to women. Research also shows that women are often forced to leave school or jobs to avoid harassment; many experience serious psychological and health-related problems.

MYTH: *Many women cook-up and report incidents of sexual harassment to take spite on their employers or others who have angered them.*

FACT: Again research shows that less than one per cent of complaints are false. Women rarely file complaints even when they are justified in doing so.

MYTH: *Sexual harassment is normal behaviour and carried out in light-hearted humor and a women merely over-react.*

FACT: Sexual harassment is about power, a way to dominate by embarrassment or degradation. It is not an expression of healthy human interaction. In most cases, sexual harassment involves men harassing women.

MYTH: *On just ignoring such behaviour, sexual harassment will go away.*

FACT: It will not! Research shows that simply ignoring the behaviour is ineffective; harassers generally will not stop of their own accord. Ignoring such conduct may even be perceived as condoning or encouraging it.

MYTH: *It will not be possible to complement someone you admire without being accused of sexual harassment.*

FACT: Complements in and of themselves are not generally considered sexual harassment but when in doubt, do not. It is the impact of, not the intent behind, a behaviour or remark.

Apart from sexual harassment there are also forms of sexual assault that often are not considered by most people as rape. For example, sometimes life events can push a woman into having sex when she does not really want to. This can happen in marriage. Some married women are made to feel that having sex is their duty, whether they want to or not. Although society does not punish this type of forced sex, it is still wrong.

2. Prostitution

Another form of gender-violence is prostitution, earlier defined as a 'social evil'. Like sex in general, prostitution is seeped in myths, one of which is the belief that it always involves someone else; the woman who sells sex is never our mother, our daughter, or our sister but someone anonymous 'other' who is ever so desperate than those we care or love. Similarly,



This girl was sold by her family, thinking she would get a job in another country. Instead, she was sold again to a brothel owner who forces her to sell sex.

the man who buys sex — as for that matter someone who indulges in eve-teasing — is never our father, brother, husband or boyfriend, but another whom we do not know and may not even wish to know. For many, these are women who work in the "flesh-trade" or "red-light" area, etc. But women who sell sex are a diverse group. A prostitute or sex worker may be a young girl or an older woman with several children at home. She may work in a brothel, or on a street with a pimp, or in a bar. What most of these women share in common, though, is that they sell sex because they desperately need the money.

MYTH: *Immoral and lazy women get into prostitution.*

FACT: On the contrary! Most women do so out of sheer economic necessity with no other means to earn their livelihood. They require the money not only for the daily necessities of life but to support their children and families, to pay debts, or to purchase essential medicines and other basic necessities.

This desperate need often arises in situations beyond their control e.g. her husband dies, or she gets divorced, or her husband or family abandons her. Or she may be raped or have an unplanned pregnancy and find that no one will marry her. If she has no job skills or ways to get money, she sells the only asset she has — her body — in order to merely survive.

Other women are forced into prostitution. Often women are tricked into thinking they are going to get employment or rich husbands in other



This woman lost her home and land when her husband dies, because there were no laws saying his property must be given to his wife. Now she has no money. She started selling sex to feed her children.

countries like the Middle East, etc and are sold into sex work instead. Then it is almost impossible to stop selling sex. The women may be in a new country illegally where she has no rights, no money, and no way to return to her home and family. She may have large debts to repay, or her employer may threaten and even blackmail her if she leaves. She has been turned into a sex slave.⁶

MYTH: *Women choose to go into prostitution.*

FACT: Not entirely true!

It is well known that children, for instance, who are victims of violence (abuse, rape, incest, etc) often lose their sense of physical integrity. This loss of feeling that their body belongs to them explains why women seem to “choose” when in fact there is no choice. Women who are in situations which are economically, socially or emotionally difficult often have very little choice and will become prostitutes where others never will. It is also well known that most prostitutes have been victims of violence.

Yet, on the other hand, for most prostitutes it is indeed a choice albeit a relatively limited choice. Given the reality that the choices are even fewer for impoverished women and those women from ethnic or Dalit communities, who are into this work, prostitution is preferable to the other limited number of options accessible to them. To that extent it is a question of economics— and survival. However, for the many women whose sexuality was stolen from them, contorted and used against them by men who abused them as children, the sale of sex becomes a much more viable option.

MYTH: *Prostitutes are a high-risk group in the spread of AIDs.*

FACT: (See FAM #12, 1993 for the demolition this myth).

3. Freedom of Expression

The on-going controversies on the film “Water” and earlier on “Fire”, among others, is an attempt to restrict the right to freedom of expression. This manoneover has relevance also to what is called offensive speech, i.e. sexual speech including sexually explicit material e.g. pornography. This raises the question of whether the law must prohibit all words and images that someone finds offensive. In such a situation much speech — certainly, much interesting speech — would soon be illegal.

Women’s speech might well be considered offensive because it runs counter to one’s religious beliefs. Feminist material on reproductive choice, for instance, would be particularly vulnerable. Should the Government force a woman to remove a pro-abortion poster or article from her office because her colleague finds its objectionable?

MYTH: *Sexually explicit material e.g. pornography is not only inherently harmful to women but above all leads to gender violence.*

FACT: First and foremost, gender-based harassment should be illegal whether or not it relies on sexual language or imagery. A woman is likely to be more intimidated by comments that she is a “dumb-belle” or “idiot” than by sexual jokes. Moreover, women themselves make and enjoy sexual banter. Very broad restrictions on sexual material treat women as infants and shore up destructive Victorian stereotypes that they are (or should be) so pure that any expression about sexuality offends and demoralises them.⁷

Finally, focus on sexual material deflects attention from the underlying causes of harassment. Gender-based harassment (whether it uses sexual language or not) is typically a power play by men who feel intimidated by women’s progress towards equality. Instead, it is the deeply-rooted social causes of such hostility that the authorities and culture cops need to first address. Research from various parts of the world including Asia do not show any causal link between pornography and violence. For instance, studies on violent pornography are inconsistent.⁷ Some find it increases aggression in the lab, some do not. Research also shows that aggression will be increased by anything that agitates a subject (raises heart rate, adrenaline flow, etc.) not only violent movies but also riding exercise bicycles. Agitation will boost whatever follows it, aggression or, for that matter, generosity. One research, measuring violence out of the lab, found that membership in a delinquent poorer group accounted for three-fourths of sexual aggression.

MYTH: *Men who watch pornography imitate it or force women to perform what they see.*

FACT: Violence and intimidation have existed since millennia pre-dating pornography and

tradition-bound countries like Asia, Africa or the Middle East are no exceptions.

The fundamental problem is force. Not sex. After all, treatise on sex have also been in existence since ages with all societies endowed themselves with an 'ars erotica'.

Moreover, people do not mimic what they read, see or hear in as knee-jerk or in a mechanical manner. People manipulate or juggle words and images — good and bad — with all the others they have seen, viewed or heard with all their life experiences. It is experience that is the strongest teacher.

Men do not learn coercion or force from pictures or graphics on sex. They learn it from the violence and contempt for women from the environment in which they live and interact — from their families, communities, for instance — where each generation passes down what type of force, etc., are acceptable, even "masculine".

Copycat theories and interpretations are nothing but "pornography-made-me-do-it" excuses for rapists and batterers. They relieve criminals of responsibility for their offenses against women.⁷

MYTH: Pornography degrades women.

FACT: Again, it is not sex but sexism — prejudice or discrimination against women — that degrades women. Though sexism pervades contemporary world cultures in both North and South in various forms, it cannot be eradicated by banning sex. Sexism and violence stem from long-standing economic, political and emotional factors. These are the ones that need addressing.

- ▶▶ Porn is a symptom, not a cause of women's oppression — only part of the wider image that advertises "passive" beauty queens and fashion models, air hostesses, smiling PAs, etc. These also need to be addressed;
- ▶▶ Women interpret pornography in various ways. Some find it sexist; some find it a form of fantasy, like dreams and movies. Opponents of sexual speech fail to realise that it is in everyone's

interest to allow a variety of pleasurable materials that enhance well-being and sexual fulfillment.

MYTH: Banning pornography will help and protect women.

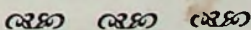
FACT: Historically, censorship has hurt women. Information about sex and reproduction has been banned under the facade of "protecting" women. All groups may be censored, including women. The best protection for women's ideas and voices is the constitutional guarantees to freedom of expression.

4. Sexual Assault

Rape refers to sexual contact that a woman does not want. It is sometimes called sexual assault because it is an act of violence using sex as a weapon. Studies show that overwhelming desire is rarely the cause of rape—it is more often tied to the establishment of power. It is also a commitment of the prevailing socio-economic condition where women engender resentment and experience violence.¹⁰ (See box on Pg. 7)

REFERENCES

1. E.Haxton, (ed) Gender Focus on the WTO, SIDA, Uppsala, 1999.
2. Gandhi, N. One India, One People, #6, Mumbai, 1999.
3. Kelkar, G. Violence Against Women, Indian Institute of Advanced Study, Shimla, 1992.
4. Sakshi, Judicial Perceptions, New Delhi, 2000.
5. Bhatkal, S.C. India's 90 Million Working Women Start to Speak Out on Harassment, TWN Features, Goa.
6. Niemann, S. (ed) Where Women Have No Doctor, Macmillan Education Ltd. 1997.
7. Women in Action, ISIS International, #1, Manila, 1998.
8. Kapur, A. (ed) Women Workers' Rights in India: Issues and Strategies, ILO, New Delhi, 1999.
9. Smith, J., Misogynies, Faber and Faber, London, 1988.
10. Tong, R. Feminist Thought, Unwin Hyman, London, 1990.
11. Men Stopping Rape, Inc., Box 316, 306 N. Brooks St., Madison, WI 53715.



MYTH: *When a Woman Says "No"! she actually means "yes"!*

FACT: Even if the woman knows the man and says "Yes", if saying "No" was not really an option, then it is rape. Hence, "No"! means "No"! Without her consent it is **RAPE!**

No = No

MYTH: *The greatest danger of rape is from strangers.*

FACT: Most rapes are committed by someone the victim knows and these are premeditated acts of aggression usually committed by men known and trusted by women. A large number of women are sexually assaulted within their homes.

MYTH: *Rape results from an uncontrollable sexual urge. It is all about sex.*

FACT: Rape is a criminal act of violence, using sex as a weapon. Rape is an expression of dominance and hostility. It is NOT a biological phenomena. It is sociological. The recent events in Bosnia illustrates this point, and where it was used also as a political weapon by the Serbs in their political strategy of ethnic cleansing.

MYTH: *Women often lie about being raped.*

FACT: False reports of rape are 2-4%, same rate as other reported crimes.

MYTH: *Because of a few violent, highly publicised incidents, the issue of rape has been over-dramatized.*

FACT: In the US, each year men rape millions of women, men, girls and boys.

MYTH: *Because of the special nature of the marriage relationship, a husband cannot rape "his" wife.*

FACT: Sex without consent is rape. A marriage license is not a license to rape, nor a substitute for communicating and establishing consent.

MYTH: *Only the poor and the less educated men commit rape.*

FACT: Men from all classes and economic statuses rape, including doctors, lawyers, professors, therapists, judges, police, accountants and managers. The Free Press Journal (20-1-2000) reported that a maid-servant, Anjali A. Ketkal was raped on 18-2-2000 by her employer, Mr. Kapoor, in his posh flat, Sagar Sangeet, at Juhu-Mumbai.

MYTH: *Men who rape other males (including boys) are homosexuals.*

FACT: Most males who rape other males are heterosexuals. Insecurity about their own masculinity leads some men to assault gays. These men assault to vent hostility and get a sense of power over others.

MYTH: *A man can tell by a woman's body language when she wants sex.*

FACT: When we assume what a body movement means, we are projecting what we want onto our partner. Acting on assumptions often leads to rape.

MYTH: *Men's reality = Women's reality.*

FACT: A group of men were asked "Why are you afraid of women?". Their response: "We're afraid they'll laugh at us". A group of women were then asked, "Why are you afraid of men?" Their response: "We're afraid they'll kill us".

MYTH: *A couple has sex: he does not ask, she does not say no. That cannot be rape!*

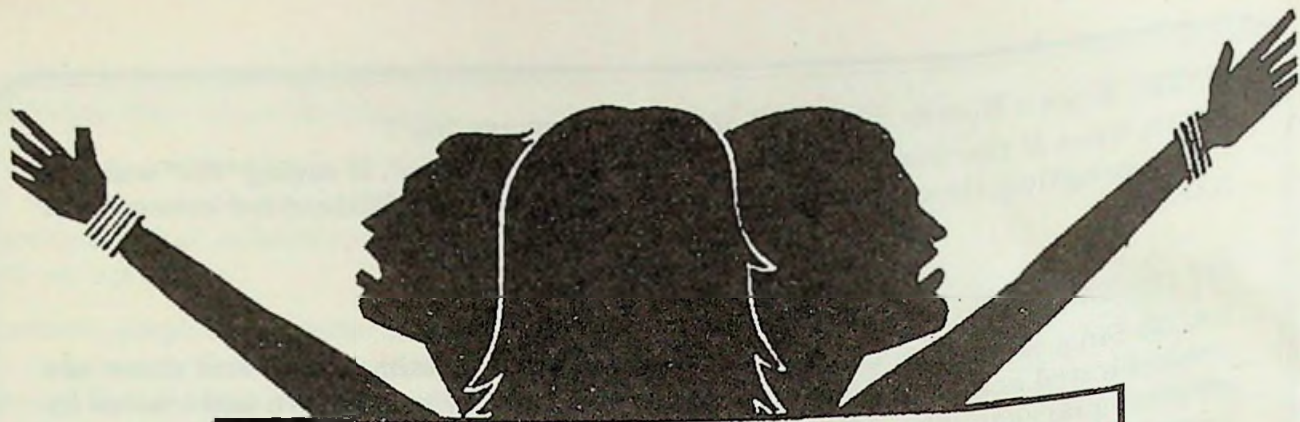
FACT: No response to a question not asked is not consent. Submission does not mean consent. Sex without consent can lead to rape.

MYTH: *"Normal" average men do not rape.*

FACT: Husbands, fathers, other family members, friends, dates, classmates and co-workers have been found to commit the majority of rapes.

MYTH: *Nothing can be done to stop rape when it is committed. It is a 'fait accompli' situation.*

FACT: Every day there are opportunities to change behaviors that support rape. Because men rape, it is men's responsibility to stop.



DON'T GO OUT ALONE AT NIGHT
THAT ENCOURAGES MEN.
DON'T GO OUT ALONE AT ANY TIME
ANY SITUATION ENCOURAGES SOME MEN.
DON'T STAY AT HOME
INTRUDERS & RELATIVES CAN BOTH RAPE.
DON'T GO WITHOUT CLOTHES
THAT ENCOURAGES MEN.
DON'T GO WITH CLOTHES
ANY CLOTHES ENCOURAGE SOME MEN.
AVOID CHILDHOOD
SOME RAPISTS ARE TURNED ON
BY LITTLE GIRLS.
AVOID OLD AGE
SOME RAPISTS PREFER AGED WOMEN.
DON'T HAVE A FATHER, GRAND-FATHER,
UNCLE OR BROTHER....
THESE ARE THE RELATIVES THAT
MOST OFTEN RAPE YOUNG WOMEN.
DON'T HAVE NEIGHBOURS
THESE OFTEN RAPE.
DON'T MARRY
RAPE IS LEGAL WITHIN MARRIAGE.
TO BE QUITE SURE --
DON'T EXIST!

(COURTESY: London Rape Crisis Centre-Guidelines on How to Avoid Rape)

PRINTED MATTER
BOOK - POST

Facts Against Myths is a monthly bulletin of factual information on a number of development myths and fallacies, etc, including information against alien development models, paradigms and false concepts on caste, creed and gender.



Produced and Published by :
Vikas Adhyayan Kendra
D-1 Shivdham, 62 Link Road,
Malad West, Mumbai 400 064, INDIA

☎ : 882 2850 & 889 8662 Fax : 889 8941
Email : vak@bom3.vsnl.net.in

Design & Layout : Kartiki Desai

Printed by : Omega Offset, 2/3, Emerald Corner,
Maratha Colony, Tilakwadi, Belgaum 590 006.

The Secretary
Community Health Cell
No.367 Srinivasa Nilaya
Jakkasandra, 1 Main, 1 Block
Koramangala, Bangalore 560 034