


 CHILD RIGHTS

SILENT VICTIMS

PILAR CAPURRO/AP

Sexual abuse of children is a very real problem in India, and the situation is aided by the absence of effective legislation and the silence that surrounds the offence.

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ASHA KRISHNAKUMAR

I am filled with shame, disgust, guilt and low self-esteem. What I thought all along was affection, I realise now – after 12 years of sexual relationship with my uncle – was sexual abuse.

– Anjana, 15 years.

SHOCKINGLY, over half the children in the country share Anjana's anguish. India has the dubious distinction of having the world's largest number of sexually abused children with a child below 16 years raped every 155th minute, a child below 10 every 13th hour, and one in every 10 children sexually abused at any point in time. These figures resoundingly break the silence that surrounds sexual abuse of children and perpetuates the evil.

According to the World Health Organisation (WHO), one in every four girls and one in every seven boys in the world are sexually abused. But Lois J. Engelbrecht, a researcher working on the problems of child sexual abuse, quotes studies showing that over 50 per cent of children in India are sexually abused, a rate that is higher than in any other country (see interview). Huma

Khan of the Kanpur-based Centre for the Study of Human Rights terms child sexual abuse as one of the least documented violations. But studies made across India, documented in Grace Poore's resource book *The Children We Sacrifice* (which accompany the documentary on sexually abused girls) show the wide prevalence of the problem.

The Delhi-based Sakshi Violation Intervention Centre in a 1997 study that interviewed 350 schoolchildren, found that 63 per cent of the girl respondents had been sexually abused by a family member; 25 per cent raped, and over 30 per cent sexually abused by the father, grandfather or a male friend of the family. A 1999 study by the Mumbai-based Tata Institute of Social Sciences revealed that 58 of the 150 girls interviewed had been raped before they were 10 years old.

RAHI, a Delhi-based organisation that provides support to victims of sexual abuse, reports that of the 1,000 upper and higher-middle class college students interviewed, 76 per cent had been abused as children, 31 per cent by someone known to the family and 40 per cent by a family member, and 50 per cent of them before the age of 12.

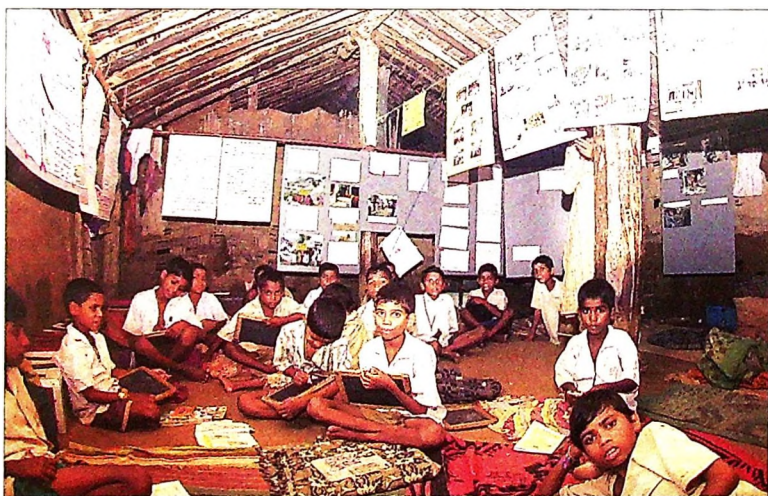
"It is time we acknowledged the prob-

lem and did something about it," says Dr. Preethi Menon, a Chennai-based paediatric psychiatrist dealing with child sexual abuse. "Very simply," she says, "sexual abuse is when a powerful person uses a vulnerable person for sexual gratification." It can take several forms – from verbal, visual, tactile, exhibitionist and pornographic offences and fondling to anything that sexually stimulates the offender. The strategy of the offender can vary from tricking, luring, forcing and pressuring to threatening the victim. According to Dr. Preethi, it is an abuse of power and a violation of the child's right to a normal and trusting relationship.

The main cause of the high prevalence of child abuse in India is the way children are perceived – virtually as properties of adults. Says Lois: "It is also important how boys are treated as over 90 per cent of the abusers are men." Also, says the Bangalore-based child psychiatrist Dr. Shekar Seshadri, often, in protecting the family structure, decisions and judgments are based on the concept that the individual derives strength from the family, and it, in turn, from the community, and the community, from the country; this tends to drown the needs and trauma of the individual.



Jeevan shalas or schools of life, the first of which came into existence 11 years ago, run primary classes for Adivasi children.



The *jeevan shala* at Manibell, one of the first of its kind.

their primary education in *jeevan shalas*. This changed in 1992, and now the NBA's work is recognised by the State. After a recent visit to the valley, R.R. Patil promised to provide the *jeevan shalas* with facilities that included uniforms and midday meals. The schools have so far been run by village communities, who contribute cash and grain. Parents either pay for tuition or donate grain. Much of the materials come from private supporters outside. Teachers are skilled in making teaching aids and the children have been taught to use the pedal generators that produce electricity for the schools.

The Minister was introduced to the *jeevan shalas* by 25-year-old Geeta Vasave, the first woman panchayat leader of the region. Geeta, who is from Nimgavan, was the first Adivasi woman in the Narmada Valley to graduate in Marathi. Like her father, she is the elected sarpanch of Undya Roshmal Panchayat. "There were four other women contestants but I was the most educated and so I won," she said. With 20 villages, Undya Roshmal is the biggest panchayat in Akrani tehsil. In the recently held elections, NBA representatives won 10 out of 13 seats in this panchayat.

Inspired in every way by NBA leader

Medha Patkar, Geeta is one of the key Adivasi activists of the NBA and has been involved in the activities of the non-governmental organisation since she was in the sixth standard. Determined to do what she can to save the valley, Geeta believes that "the only way for Adivasis to progress is to convert forest villages into revenue villages. All these government *yojanas* (schemes) have been useless. Adivasis have a better idea of their rights after the Andolan came here," she said.

The NBA is primarily seen as an organisation that fights for the rights of displaced people. But the fact is that the NBA is not just about protests. Keenly aware that the governments of the three States involved in the Narmada Valley projects are likely to remain unresponsive to the plight of the displaced, the NBA, along with volunteers and other NGOs, has undertaken the task of reconstructing their lives and proving that there are alternative, sustainable forms of development.

Amid the prevalent loss and destruction in the Narmada Valley, Bilgaon's micro-hydel project, the *jeevan shalas* and the presence of an educated Adivasi woman sarpanch are instances that prove that decentralised alternatives are a part of the new development paradigm. ■

Says Radhika Chandiramani, coordinator of the Delhi-based TARSHI, an organisation that deals with reproductive and sexual health issues: "In India, children are expected to respect and obey adults. This is a major problem that perpetuates child sexual abuse." As Radhika points out, the children, taught to obey adults implicitly are abused only by adults and that too, from within the family. "How can the child say 'no'?" she asks. "Yes" has no meaning when the child has no option to say "no". Yet, every child that is abused suffers from guilt and shame throughout his/her life.

According to Dr. Preethi, no child is safe; every child is vulnerable to sexual abuse. In her documentary "The Children We Sacrifice", Grace Poore calls sexually abused children the victims of a culture that prioritises family harmony, honour and duty more than individual trauma and pain. The "silence about sex" culture forbids parents from talking to their children about sexuality, and frowns upon any non-sexual intimate relationship with the opposite gender. The problem, according to the Chennai-based psychiatrist Dr. S. Vijayakumar, does not appear big simply because it is suppressed. These factors contribute to a high rate of child sexual abuse in India.

There are, according to Lois, primarily four driving factors that lead to child sexual abuse – the need to abuse a child sexually; convincing oneself about the act; building a good relationship with the people around the child; and gaining the child's trust. "There is thus," she says, "much time and a number of ways to stop child sexual abuse." Prevention, a recent report by the Delhi-based Voluntary Health Association of India argues, is easier especially as over 85 per cent of the offenders are those whom the children know and trust. Invariably, the familiarity and the trust they enjoy with the children – usually built over time – make them abuse the power over the children.

Prevention can be focussed at three levels. At the primary level, the focus can be on removing the causes, strengthening the child's competence to recognise and react, increasing parental awareness, strengthening social vigilance, and bringing in effective and punitive penal policy. At the secondary level, the emphasis should be on early detection, quick intervention and provision of a supportive environment in schools and families. Tertiary intervention should involve coordination among the police, courts, counsellors, doctors and social workers.

The offenders generally fall into two broad categories – paedophiles or fixated persons, and regressed individuals. While the first category plans the incident well and is more dangerous, the latter, which is more

common in India, comes mostly from within the family. According to Lois, while sex abusers in general are clever, intelligent and manipulative, paedophiles are even more so – they fix their target and plan and execute the act meticulously. The regressed offenders usually abuse children to relieve the stress they are unable to cope with. Hence the victims of the regressed are usually children from within the family who are accessible and over whom they can exert power. Paedophiles, on an average, have 300 victims in their lifetime – though some are documented to have had over 1,000 – and the regressed five to seven victims. Anita Ratnam of the Bangalore-based Samvada, which supports victims of sexual abuse, says that sexual abuse episodes are the results of opportunistic, calculated and rational moves.

According to Lois, boys are equally affected by sexual abuse. She argues that it may be worse for them when men abuse them sexually. Many sexually abused boys develop the fear that they are homosexuals themselves or have been infected and have to become homosexuals. Also, Indian families do not protect boys as much as they do girls. This may also be responsible for over 90 per cent of sexual abusers being men.

Says Dr. Preethi Menon: "Sexual abuse has immediate as well as long-term effects on the child, from emotional and behavioural problems to abnormal sexual behaviour and psychiatric disorders. Suicidal tendencies and drug abuse are common long-term effects."

According to Dr. Vijayakumar, sexual abuse leaves a deep emotional scar in children primarily because the act is done secretly. He says: "There is a clear behavioural and emotional pattern in the abused." To begin with, the child hardly talks about the incident. And, even if the child does, no one takes her seriously. The child then begins to feel that there is something wrong with her and develops a low self-esteem. This pushes her into a guilt trap. As she grows up, her compulsive behaviour further reinforces her guilt. Several adult problems, according to him, have their roots in abuse in childhood.

The report by the Department of Women and Child Development on the implementation of the Convention of Child Rights in India, prepared for the United Nations Committee on the Rights of the Child, has identified child sexual abuse as a priority issue for immediate action.

Although child abuse is rampant, India has no separate legislation to deal with it. The legal remedies available include the laws on rape (Section 375 of the Indian Penal Code), sexual molestation (Section 354 of the IPC) and sodomy (Section 377 of the IPC). But rape laws only recognise sexual

crimes involving penile penetration, and are totally dependent on medical evidence. Such evidence is very difficult to get, as child sexual abuse is usually not one isolated incident but a series of incidents; it even involves episodes in which the offender does not touch the victim. The sexual molestation law covers all sexual offences "that outrage the modesty of the victim", other than penile penetration. However, these two are bailable offences and attract only punishments of a maximum of two years in jail and/or a fine of few thousand rupees. Only Section 377, which criminalises sodomy, is harsh. Though this section can be used in the case of child sexual abuse, its reference to "unusual sexual offences makes it difficult for child victims to use this option as a legal remedy. As there is no clear definition of sexual abuse, the victims are largely at the mercy of the judiciary's discretion," says Chennai-based lawyer R. Rajaram.

According to the VHAI report, a child victim suffers four times – at the time of the offence, when narrating the incident, during medical examination and if brought to the court. According to the study, the silence about sex-related matters and the lengthy and cumbersome legal procedures perpetuate the problem in India. The average time taken for a sexual abuse case to find its way from the lower courts to the higher courts is 10-15 years. Between 1992 and 1994, 48 cases of child sexual abuse were reported in the newspapers. The children affected were in the 8-10 age group, barring one who was six months old. The VHAI report argues that if and when the cases come to the courts for hearing, the children would have become adults and may want to erase the nightmare of their experiences from their consciousness. Dragging the children and their mothers to court for years, the report argues, is "secondary victimisation", and is often worse than the offence itself.

Child sexual abuse seems to be pervasive because, as Lois says, it is hardly spoken about, and even if it is, there are hardly any legal measures to deal with it. Court proceedings, if things come to that level, are a long-drawn, traumatic process. This, she argues, is what the abusers take advantage of.

Most often, sexually abused children make no noise about their traumatic experiences. It is this that encourages offenders. Dr. Preethi agrees that "this secrecy has to be broken"; for this, she lays stress on talking to children about sexual abuse, listening to them, believing them, and recognising symptoms such as physical complaints and behavioural and psychological changes. She says: "Silence does not mean all is fine with the child." A child's silence can be eloquent. Only, if we care to listen. ■

'Every child needs to learn personal safety'

Interview with Lois J. Engelbrecht.

"Some habitual child sexual abusers are guilty of over 1,000 offences in their lifetime," says **Lois J. Engelbrecht**, founder of the Centre for the Prevention and Treatment of Child Sexual Abuse in the Philippines, Malaysia and Vietnam. Now in Chennai to set up Tulir, a centre to deal with child sexual abuse, Lois insists that child sexual abuse is not a problem of individuals alone but a public health issue that has to be dealt with by the community.

Author of over a dozen books and training material on addressing child sexual abuse, the Riyadh-based Lois has put together innovative teaching material for children, called "Personal Safety". Creating awareness, writing curricula for schools, and equipping parents, teachers, children and social workers with skills to deal with the problem have been part of her crusade against child sexual abuse.

The Tamil Nadu-born Lois, who has conducted seminars in several cities in Malaysia, India, Hong Kong, Vietnam and the Philippines, was awarded the Honour of Recognition by the Philippines President for developing a non-governmental organisation (NGO) movement against child sexual abuse.

A member of the International Society for the Prevention of Child Abuse and Neglect as well as the National Association of School Workers, United States, Lois says that putting in place a law to deal with the problem alone is not a solution. What is most important is to talk about the issue and create awareness among children and those concerned about them. She agrees that this may not be easy, but she insists that a beginning has to be made.

Lois spoke to **Asha Krishnakumar** on the complex issue of child sexual abuse, including the factors contributing to the problem, the trauma faced by the abused children and the need for support groups at the local level. Excerpts from the in-

terview:

► *What constitutes child sexual abuse?*

Very broadly, sexual abuse occurs when a powerful person uses a vulnerable person for his/her sexual gratification. A child is defined as someone less than 18 years. The offender is older and more powerful, though not necessarily an adult. Increasingly, we find more and more sex offenders starting off even in their adolescence. There are so many ways to get sexual satisfaction – physical such as touching and manipulating private body parts, and penetration; or verbal such as cracking a bad or vulgar joke; harassment such as making obnoxious telephone calls; or visual such as pornography (forcing children to look at or participate in it).

► *How common is child sexual abuse in general, and in India in particular?*

According to a number of studies made in India, more than half of the children here are sexually abused. This is ap-

palling. The victims are boys as often as girls. In the Philippines, our study showed that about 30 per cent of the children were seriously abused and nearly 48 per cent complained that they were receiving unwanted physical contacts. In the U.S., the figure is one in four for girls and one in five for boys (according to some studies, one in seven for boys). In Hanoi (Vietnam), informal research shows that 15-20 per cent of the children were sexually abused. In general, the figures seem to be higher in India than in any other country for which data are available.

► *Why is it higher in India?*

Partly because of how children are treated in India. In India we own our children. A lot of it is also because of the poor understanding sexuality and sex. In a culture that does not allow you to talk about sex or does not permit you to have a non-sex intimate relationship with the opposite sex, there is a good chance for

higher rates of sexual abuse. The limits set for relationships are important. Here there is a male right to sexual access. Therefore, it is seen as always the girl child's fault if she is abused.

► *What factors contribute to child sexual abuse within the family and in society?*

David Finkelhor, the prolific U.S.-based researcher on this issue, has come up with four preconditions for child sexual abuse. That these four pieces have to fit together for the crime to happen means that there are a lot of ways to prevent it. And yet, so many children are sexually abused, which shows our failure in preventing it.

First, there needs to be a person with a desire to have sex with children or is aroused by children. There are many paraphiliacs (sexually perverse people) in society. There are those who are aroused by amputees, by the smell of the feet, sweat and so on. The causes for all this are complex.





The "White March" rally organised in Lisbon, Portugal, to protest against the sexual abuse of children, on September 27. The rally, attended by 4,000 people, took place ahead of the opening on October 7 of the trial of a man formally charged with 35 acts against four minors.

It was earlier believed that sex offenders were themselves abused. But this is not often true. Maybe about half of them were. But all sex offenders do come from chaotic backgrounds that introduced them to sex inappropriately; something in their life that affected their sexual behaviour. A lot of it is depends on how society treats boys, how they are traumatised and how it reflects in their behaviour later. This is important, as 85-90 per cent of the offenders are men.

Second, after needing sex with children, they have to overcome their internal inhibitions that stop them from doing the wrong things – conscience, empathy and so on. We learn what is right or wrong from our families, religious teachings, societal laws and so on. The sex offenders have to convince themselves. This depends on the grooming process.

Many sex offenders do not have good mechanisms to cope with stress. They are called regressed offenders. They indulge in sexual abuse to relieve their stress. They generally abuse children in their own families as they are easily accessible. There are also those who plan the act. These are the most dangerous. They are generally intelligent and manipulative. They convince themselves that what they are doing is not wrong. In fact, they think

it is good. For example, there are families that believe that incest should be legalised, for, according to them, the best persons to teach children about sex are the family members themselves because they love them. And the best way to learn is by doing.

It is very common for fathers to abuse their children sexually. And, it actually makes cognitive sense but does not pass muster with empathy, conscience and so on. This is called cognitive distortions.

The paedophiles have their own network; they get onto the Internet and so on and develop a support system and actually feel good about themselves.

After overcoming the internal inhibitions, the offenders have to overcome the external inhibitors – society and the people around the children. He has to cultivate those people. Offenders usually lead a double life – of a pervert and of a successful, good person. They may get the best teacher award, become pastors or priests, are the best scout volunteers and so on. They do every thing to get society's trust so that they have better access to children. They say the right words, are very kind and behave very well. No one suspects them.

Once they convince the people around them, they have to pass the fourth

precondition – to overcome the child. Society does a great disservice to children by not teaching them the whole truth. It is said that a half truth is a full lie. We teach children to respect adults. This is good. But that is only the half truth. Parents also must respect children. That is never taught to the child. Therefore, with this half truth, we create vulnerabilities in children. A child is good if she obeys elders. So, when the abuse happens, and it is by elders in the family, the child is confused. She is taught only to obey. Only the child is blamed. Society believes adults more than it does children, because children are believed to tell stories, make up things, imagine things, fantasise and so on.

► *Given that there are these four factors that contribute to child sexual abuse, can it be prevented?*

Definitely. But because these factors are so strongly ingrained, it may not be easy to deal with them in one generation. That is why we have the programme "Personal Safety", wherein we teach children about safeguarding themselves. This is very sad because we would want children to be children. What we are doing is to try and remove their vulnerability. This is not about preventing child sexual abuse. It is only

about protecting "myself".

► *What does this programme teach children?*

It teaches low-risk children the difference between safe and unsafe touch. It teaches them whom they can tell if it happens, which is most important. It teaches children how to say "no" to an elder person or someone you love, or to someone your mother or father likes. We are helping children who cannot say "no" to "tell" (others about the incident). Then for the children who will never "tell" and have already been abused, we tell them "it is not your fault". They tend to internalise the shame and fault. It is this that leads to long-term effects such as suicides and difficulties in intimate relationships in life and so on. The sexually abused children learn about sex inappropriately and they misbehave sexually and otherwise. After the "personal safety" sessions they calm down, and there is a significant reduction in their misbehaviour. Most important is that it teaches the children of today not to become offenders of tomorrow.

► *What would be the emotional, psychological and social impact of sexual abuse on the child during her childhood and later as an adult?*

That is a difficult question to answer because the effects vary. It depends on each child, who the offender was, whether the child was believed when the incident was told to the elders, the age of the child, the gender and so on. But, generally, the child is sexually traumatised as she was taught about sex inappropriately. This makes the child love, hate or be afraid of sex. Some behavioural manifestations occur to protect themselves – some become fat and ugly and some do not bathe to remain dirty and untidy so that no one approaches them for sex. In fact, they do not know that being ugly and dirty makes them more vulnerable. Then there are those who become sexualised and are reviled for being "prostitutes".

When fathers abuse their daughters sexually, they are made to believe that sex is love; they feel good about it. They get traumatised only when they grow up and want to have boy friends. Some are not traumatised until they have sex with their husbands or when the first child is born. Something triggers the trauma.

► *What is the difference between child sexual abuse and child sexual assault?*

Child abuse is when there is a relationship. An assault is when the child is attacked. Thus when one talks about child abuse it means someone has abused

a relationship for sexual gratification. Child abuse begins long before the actual act. It begins in the mind of the offender. That is why it is difficult to take such cases to the court; the question is not the relationship between the child and the offender but the event, which is much more than the actual act. The children may love the offender or the act. They just cope as they feel there is nothing they can do. They feel trapped. They convince themselves that it is all right. They keep quiet to protect the 'family name'.

► *How common is it for abused children, boys in particular, to become homosexuals?*

When men offend girls, they may become afraid of men. But the real problem is when men offend boys. There is then the fear of homosexuality. I believe India is a homophobic country. Boys have to prove they are not homosexual. So when they are abused by men it is very traumatic. They ask themselves: "Am I homosexual? Is it why he chose me?" Or, "I have been infected. Now I am a homosexual." Actually, most offenders are heterosexual. When they choose a boy, it is not because of homosexuality but because they may have more access to boys. The abused children respond in a number of ways. Some of them turn offenders. According to available data, 30 per cent of the abused boys will have some kind of sexual behaviour problems while 10 per cent of them become offenders.

The other problems are – they lose trust in people, have eating or sleeping disorders or a sudden change of behaviour while some hate themselves out of shame or guilt leading to drug use, suicide and so on. There is a direct correlation between sexual abuse, alcohol and drug use.

► *What are the different approaches or schools of thought on child sexual abuse?*

There is the feminist thought that talks about power differentials. Then there are those who say that it is more than power, it is inappropriate sex. Studies all over the world show that men can have sex with girls under two circumstances – he can buy sex (not commercial sex, but by giving gifts) and when he is aroused.

► *What are the laws that deal with child sexual abuse?*

I believe people are talking about that now. While a law is necessary to set standards, it is certainly not enough. I believe child sexual abuse is a public health problem. Social workers, teachers and those on the ground are best equipped to deal with it. Medical professionals, lawyers

and the police have to help. Very few cases can go to court, and fewer still can win a prosecution. But the problem is that once you have a law, everyone pins all hopes on it. Going to court also traumatises the victims. So, it is a very complex issue.

► *What institutional support systems are needed to deal with child sexual abuse?*

The reason why Tulir is being set up in Chennai is that there is a need for it. First, every child needs to learn 'personal safety'. Children need to know their rights. Parents need to be taught to protect their children. Most important, parents should be taught to listen to their children when they tell them their problems. Parents should understand that they are not making it up, are not lying or exaggerating. The children have to be taken seriously. Adults should know how to respond appropriately to the child. There is a need in every society of some kind of a body that takes the reports of the children to the mother or the father or whoever that matters, and find the culprit and take appropriate action, such as treating the child and punishing the offender.

As far as I know, no one is teaching 'personal safety' in India. There are very few counselling centres. There are very good psychiatrists. But most children do not need a psychiatrist's help. They only need counselling.

In the Philippines, we are working with the Education Department to mandate 'personal safety' in every class. We have written a curriculum of 10 lessons for every grade. This means the teachers need to be trained too. The best persons to impart this are teachers. But as it is also a public health issue, we need to get outside help. So we also set up, close to the schools, local support systems consisting of a doctor, a lawyer, a social worker, a police officer and also someone from the school. All of them need to be sensitised first. The teachers concerned or the victims can then call on this body when the need arises.

► *What is the role of the state in dealing with the issue, particularly as child sexual abuse is a public health issue?*

The state definitely has to be involved. Sex offenders abuse their authority. They build relationships in which they are the big bosses. The only way we can manage the sex offender is through more authority. There has to be some kind of presence of a higher power telling the offenders: "We are watching. And this is against the law." Logically, that makes a lot of sense. ■