India: 20 Years after the Mumbai Riots, Don't Forget Her Story

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As the 20th anniversary of the Babri Masjid demolition passed by on 6th of December, even though the violence that scarred the nation refuses to be forgotten, the experiences of women survivors remained silenced. A look at women victims in the post-Babri riots.

The use of video cameras to capture the gory images of rape of Muslim women in Surat, Gujarat, on December 8-9, 1992, in the presence of military and paramilitary forces has left a permanent scar, not just on the victims, survivors and their families, but on the psyche of concerned citizens everywhere.

But that bout of post-Babri Masjid violence is only one of the many instances of communal violence in India that specifically targeted women. Accounts of Partition violence, detailed by writers like Urvashi Butalia, Ritu Menon and Kamla Bhasin, had revealed how thousands of women were raped, abducted, molested, passed from one man to another, bartered and sold as chattel during that period. Women were also targeted for violence during the anti-Sikh riots in Delhi in 1984 and during the Gujarat carnage of 2001. In both instances, sexual and gender-based violence was used as an engine to mobilise hatred and destruction.

The jury of National People’s Tribunal on Kandhamal, established after violence that broke out in this predominantly tribal district in Odisha in 2007-08, observed: “During the attacks, women and girls were targeted for sexual violence, humiliation, brutal physical assaults or threats thereof. The jury observes, with deep concern, the silence that prevails in matters of sexual assault, at various levels including documenting, reporting, investigating, charging and prosecuting cases.”

It is a well-known fact that women and girls hesitate in speaking about the attacks meted out to them for various reasons. First, the stigma attached to sexual assault and notions of honour and purity of women’s bodies deter them from going public with their trauma. The International Initiative for Justice in Gujarat highlighted the fact that, in cases of sexual violence, not only are the perpetrators and victims unnamed, but also forces from within the community (concerned with issues of collective honour and shame) conspire with forces outside to keep the crime unnamed. This is true of other contexts too.
Second, as pointed out by Manoj Mitta and H.S. Phoolka in ‘When a Tree Shook’ on the Delhi carnage, in many instances of violence, women and girls had been orphaned or widowed, and rendered homeless. These are tragedies that overshadow their sexual trauma, in their own eyes as well as in the eyes of others. Further, religious notions of mercy and forgiveness, fate and destiny, combined with a feeling of loss of citizenship rights, discourage women further. The report, ‘Waiting for Justice’, on the Kandhamal riots had instances of this: A woman survivor stated that it was written in the Bible that Christians will have to suffer one day for Jesus and this violence was exactly that; another said that she had forgiven the perpetrators and wished for a peaceful co-existence between Hindus and Christians.

In addition, those who speak out about the attack on them are termed as liars by powerful sections of society, with their narratives being dismissed and their character, questioned. The vicious character assassination of Sister Meena by some sections of the local community in Kandhamal is a case in point. Such responses intimidate other women and girls into silence, even while sending the message out to the perpetrators that they had nothing to fear.

Women and girls also remain silent because of a poor track record of justice delivery and accountability in India. Yet, ironically, even the slim possibility of justice can only be realised if they break their silence. The existing law, which defines rape in narrow, patriarchal terms, does not even have the language to describe many of the horrific atrocities that women are subjected to, and its procedural requirements and demand for evidence make it extremely difficult, because the affected women have no access to hospitals, police assistance and other support services. The abysmal quality of state-sponsored free legal aid services - as S. Muralidhar points out in ‘Law, Poverty and Legal Aid’ – the corruption at every level and the absence of a witness protection system, all compound the obstacles to justice and accountability.

Many other factors come into play as well. A book, ‘Kandhamal: The Law Must Change its Course’, documented the biased and callous attitudes of the police who refused to register FIRs, or delayed the process; the lack of impartial investigations; the destruction of evidence; the rampant threatening of witnesses and the absence of functional autonomy to prosecutors. The legal system lacks a basic sensitivity to victim-survivors’ needs and experiences, thus making the miscarriage of justice a very real possibility. It is no surprise, then, that the first conviction for rape in the context of communal violence was secured more than 60 years after independence, in the case of Gujarat’s Bilkis Bano in 2008.

Apart from sexual and gender-based violence, women are also deeply impacted by communal violence in other ways. Their experiences do not always mirror that of men. For instance, it is well known that the community often restricts women’s mobility, leading to poorer access to education, employment opportunities, food and nutrition, health facilities, counselling and legal assistance. Many face destitution after their homes are destroyed or after they are forced to flee their villages. When male breadwinners in the family are killed during the violence, women are forced to financially support their families under great odds. They face specific emotional/psychological trauma, including fear, insecurity, depression and loneliness because of the loss of loved ones. In some regions, after communal conflagrations, women – especially adolescents - are left more vulnerable to the nefarious activities of traffickers.
Looking back at the violence that engulfed Mumbai in 1992-93, one wonders what really happened to women and girls during that interregnum. What was the impact that the violence had on their lives, their well-being, their personal relationships and their sense of security? No one really realises this aspect of the tragedy, because it remained largely undocumented. Three cases of communally-driven rape were recorded by the People’s Verdict (report of a Citizens Tribunal headed by Justice S.M. Daud and Justice Hosbet Suresh). Some recalled other incidents, including the molestation of women and girls by the police during house searches conducted in parts of Mumbai. But these are based largely on memories – and memories fade over time.

Clearly, the country has not done enough to capture the gendered impact of communal violence. Most instances are viewed as violence perpetrated by men against other men, as if women did not exist or, if they existed, did not matter. When silence prevails over attacks on women, when their stories remain untold or are considered untrue, when their narratives find no space in history; the notion of justice itself is undermined. It is important, therefore, that we are proactive in documenting women’s experiences in situations of communal violence. Today, as fact-finding reports of the Assam violence that broke out in July 2012 are being prepared, we await women’s narratives of their experiences.

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