

# **NIRBHAYA, NEW MEDIA AND DIGITAL GENDER ACTIVISM**

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# **NIRBHAYA, NEW MEDIA AND DIGITAL GENDER ACTIVISM**

BY

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INVESTOR IN PEOPLE

*I dedicate this book to my father. He reminded me every day to never give up the pursuit of knowledge. It is because of his unconditional belief that I have been able to embark on this journey. It is also his activism, his politics, his ideologies and his faith in knowledge that has motivated me to choose this path.*

*I also want to dedicate this book to my mother. She is the only reason why I am here today. I cannot thank her enough for always having faith in me and being such a magnificent role model. She will forever be my greatest inspiration.*

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## **Abstract**

Sociopolitical activism has been crucial in shaping the structure of contemporary Indian society. Over the last few decades, while information and communication technologies (ICTs) and social media have been increasingly popular and a widely used tool for activism around the world, it is only in the recent past that people have started using these technologies as an alternative platform for activism in India. One of the most extensive uses of digital technologies was witnessed in the nationwide protests in India after the Delhi Nirbhaya rape case on 16 December 2012, making it one of the biggest gender movements that the country has witnessed. The focus of this research is to investigate the use of ICTs and social media by civil society actors, activists and organisations specifically for gender activism in India. The cyberconflict framework (Karatzogianni 2006, 2015) forms the foundation of this research. However, this framework was not built with a gender focus and to explore the use of digital technologies specifically for gender activism; it was crucial to advance the theoretical foundation of the cyberconflict framework for it to create a broader understanding of the relation between social movements, gender and ICTs. For the purpose of this study, the protests after the Nirbhaya rape case on 16 December 2012 have been considered as a primary case study. Further data were collected from various online resources such as news reports published online, videos, articles on blogs, posts on social media sources such as Facebook and Twitter and by conducting semi-structured interviews with organisations and individual participants. Further thematic analysis was used to understand the nature and impact of use of ICTs and social media for gender activism in India.

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# Introduction

## The Story of Nirbhaya: The Fearless One

On 16 December 2012, Jyoti Singh Pandey, a female physiotherapy student from Delhi was on her way home with a male friend after watching *Life of Pi* in a popular theatre in Saket, South Delhi. At about 9:30 p.m., they boarded a bus from Munirka, Dwarka (a popular area in South Delhi). They were summoned onto the bus by a teenage boy stating that the bus would take them to their final destination. There were only six people on the bus including the driver Ram Singh, his brother Mukesh, Vinay Sharma, an assistant gym instructor, and Pawan Singh, a fruit seller. They became suspicious when the bus was diverted from its usual route. The doors of the bus were shut and the men started taunting the couple about their relationship, asking what she was doing with a man so late in the night and making lewd and offensive comments. Her male companion tried to protest, but he was immediately gagged and then beaten with an iron rod. As he lay unconscious on the floor of the bus the six men attacked Jyoti with the same iron rod because she tried to protect her friend. Then two of the accused men took her to the back of the bus and she was raped first by Ram Singh, followed by the teenage boy and then by the others. When she lost consciousness, she was again raped by Ram Singh and the teenager. After that, the half-naked bodies of the victims were thrown into the street from the bus. They were discovered around 11 p.m. by a passer-by and were taken immediately to hospital.

‘She was in a pool of blood but conscious. There was blood all over her face. I cannot even imagine the agonising pain she must be in’, said the nursing assistant who was taking care of her in the hospital (*The Hindustan Times*, 2012). Her first surgery lasted till about 4 a.m., when the doctors confirmed that she had undergone severe intestinal damage after being repeatedly hit by a blunt object on her abdomen. The extent of damage indicated that a blunt object had also been used to viciously penetrate her. The doctors further confirmed that she had suffered severe injuries to her body and face as she was brutally attacked with the iron rod. After a 4-hour operation, she was put on medical

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ventilation. For the next week, she went through a series of surgeries and was declared critical by the doctors.

After a cabinet meeting on 25 December 2012, it was decided that she would be flown to Singapore and admitted to Mount Elizabeth, a multi-organ transplant hospital. The decision to fly a patient in such critical condition was criticised by doctors all over India. Dr Samiran Nundy, Chairman of the Organ Transplant and Gastro-surgery Department of Sir Ganga Ram Hospital, New Delhi, commented,

I just can't understand why a critically ill patient with infection in blood and body, high grade fever and on the ventilator is being transferred. It will take weeks, in this case, to even look into the possibility of an intestinal transplant so why hurry and take the patient out of a facility which works so well. It seems more of a political move.

(Perappadan, 2012)

On her flight to Singapore on 27 December 2012, she suffered a cardiac arrest and her blood pressure dropped alarmingly. The doctors in the flight created an arterial line to stabilise her but she never regained consciousness. She was admitted to Mount Elizabeth hospital the next day with brain damage, an abdominal infection and pneumonia. On the morning of 29 December 2012, she passed away in Singapore. In accordance with Indian law, Joyti's actual name was never released to the media and pseudonyms such as 'Damini' (lighting), 'Jagruti' (awareness), 'Amanat' (treasure) or most commonly 'Nirbhaya' (fearless) were used.

When the Nirbhaya case happened, I had just started researching digital activism in India, and there was no doubt that I had to use this case as my case study for analysis. There are a few reasons behind this. Firstly, the reaction of the people in India, not just gender activists and organisations, but the general Indian public, was overwhelming. People across the country came together to protest for justice. Being a woman in India can be difficult because of the violence and discrimination women experience every single day in various forms, yet this was the first time I had witnessed a gender movement in India of this scale. The second reason was the extensive use of information and communication technologies (ICTs) such as mobile phones and social media for organisation, mobilisation and dissemination of information. It was also overwhelming to see the outpouring of anger both on the streets and online. It was evident that people had reached their breaking points and wanted change. ICTs became a primary tool not only for organising protest

activities but also to generate valuable conversations on gender violence and justice. Thirdly, the Nirbhaya case resulted in instant actions being taken by the government, which had not been witnessed before. It led to the quickest and most extensive overhaul of the Criminal Law.

Fourthly, the Nirbhaya case triggered, as Simon-Kumar (2014) says, 'both publicness and personalisation of rape in a way that has not happened before' (Simon-Kumar, 2014, p. 452). The case not only resulted in huge protests across the country but also resulted in large numbers of women coming out and breaking their silence about sexual violence that they had personally experienced. Some women did this anonymously while many others also used their actual names. This created a sense of community allowing many other women to speak out, discuss and report a case of sexual violence in India. Finally, this case resulted in an intense introspection into the nature of Indian society, ideas about patriarchy and current structures of the government that had clearly failed to provide justice to the country's women. There were extensive debates, both online and on mainstream media, making gender a significant issue in the public discourse. This further resulted in creating a bigger gender movement in India that started with the Nirbhaya case and stayed alive, flowing from one movement to another, raising awareness to garner support both nationally and internationally.

At this stage, it is also important to define what is meant by patriarchy. According to Walby (1989), patriarchy is indispensable to create an understanding of gender inequalities that exist in society. Radical feminists have defined patriarchy as a system of domination in which men as a collective group dominate women as a group and they are also the main beneficiaries of the subordination of women. They further state that patriarchy does not derive from any other systems of inequality and it is not a by-product of capitalism (Walby, 1989). Marxist feminists, on the other hand, consider the male domination of women to be a by-product of capitalism and they analyse the relationships between patriarchy and class under capitalism (Kandiyoti, 1988). Liberal feminists differ from both radical and Marxist feminists and believe that women's subordination is a result of the summation of several small-scale deprivations. Dual-system theorists, however, take into consideration both the radical and Marxist feminist approaches and rather than having a specific focus on either patriarchy or capitalism, they conclude that both systems exist and are important in structuring contemporary gender relations and gender inequalities (Walby, 1989).

Walby (1989) argues that there are several patriarchal structures in society that aid in suppressing women. She further states that patriarchy

can operate via paid work where women are severely discriminated against, leading to lower rates of pay as compared to men, or even through gendered divisions of labour within a household compelling women to take up the primary responsibility of the household and of childcare. Patriarchy also operates through the cultural representation of feminine attractiveness, male violence against women and through the activities of the state in form of educational opportunities and legal reforms.

However, the understanding of patriarchy can change in relation to different societies and cultures. India belongs to what has been termed as the belt of 'classic patriarchy' (Kandiyoti, 1988). Social structures of these societies are characterised by rigid gender segregation, specific forms of family and kinship and powerful ideology linking family honour to female virtue. Men are considered to be the primary breadwinners and are largely entrusted with protecting the family honour through their control over women within the family (Kabeer, 1988). From a young age, girls are groomed in appropriate behaviour by their mothers or other older women in the family by helping with domestic chores. Thus, in their childhood and adolescence they are trained and prepared for their married life. Due to their inferior status within the household, girls often have less access to food, education and freedom compared to their brothers. However, they are simultaneously seen as 'repositories of household honour and prestige; often their every act and utterance is closely scrutinised as inappropriate behaviour by a family's womenfolk threatens the whole family's honour and, thus, their marriage prospects' (Rew, Gangoli, & Gill, 2013, p. 151).

Under classic patriarchy, girls are given away in marriage by their fathers, often at a very young age, into households headed by their husband's father. There, they are considered subordinate not only to all the men in the family but also to the more senior women, especially their mothers-in-law (Kandiyoti, 1988). In this system, women also derive power from being mothers of sons but as mothers and wives, they are 'inextricably connecting with maintaining male honour and prestige' (Rew et al., 2013, p. 148). However, Kandiyoti (1988) states that class and caste have a significant impact on classic patriarchy and it is also subjected to transformation over time. This is particularly true in the case of India. In India, the urban middle-class population has undergone substantial changes. A large section of women now have access to education, work and technology. Further, there is an enormous diversity of practice in India, particularly between the North and South of the country. Rew et al. (2013, p. 150) state that women in the

South of the country have consistently exhibited greater female autonomy and more favourable demographic performance. Hence, these differences need to be kept in mind when talking about patriarchy and inequalities that exist in Indian society. It is also of utmost importance to consider patriarchy as a dynamic process that is contextually specific and changes with time.

Over the past two decades, digital technologies, including the Internet, social media and mobile phones, have become an integral part of the lives of people across the world. New sophisticated technologies have empowered people not only to use ICTs for personal communications but have also enabled them to develop personal relationships in the online space. These relationships are very similar to the relationships developed in the real world, thus often fading the lines between the real and the virtual, the online and offline. However, ICTs have not only changed the way people communicate on a personal level but revolutionised the way people collaborate, interact and form shared identities. This has made digital technologies an integral part of emergent social movements that use ICTs in unique and innovative ways to create opportunities, build profitable relationships, collect resources, develop a collective identity and generate mobilisation.

The main aim of this book is to provide an in-depth cyberconflict analysis of the Nirbhaya case and to investigate the use of ICTs and social media by civil society actors, activists and organisations specifically for gender activism in India. This meant to be an introductory text for students, researchers, academics and activists and does not assume prior knowledge about the subject area. It aims to move beyond general descriptions to provide in-depth analysis based on empirical evidence and current debates in the subject area.

In Chapter 1, 'The Cyberconflict Framework and Conceptual Considerations', I have developed the conceptual framework for this research that informed further analysis. To build a theoretical foundation upon which my analysis rests, I have used the cyberconflict framework. The cyberconflict framework was devised by Karatzogianni (2006) for us to understand the role of ICTs in social movements. The cyberconflict framework combines elements of social movement theory with media theory and conflict theory to understand the motivations, origins, dynamics and impact of ICTs on social movements.

In order to fully understand social movement theories and sociopolitical cyberconflicts, it is important to discuss concepts such as collective action, mobilisation structures, political opportunity and framing process. This further helps in developing an understanding of the emergence,

development and outcome of social movements. To understand the role of social media and ICTs in social movements, it is also important to understand the structures of the digital environment. Castells (2007) states that the structures of the networked society and the influence of new emerging technologies on society has created new concepts of globalisation. Following this, in Chapter 1, I also discuss in detail concepts of networked society and nature of activism within this environment.

The cyberconflict framework, however, was not built with a gender focus and did not extend for it to include the experiences of individuals with different gender identities. However, since this research is based on gender activism, it was necessary for me to look at the cyberconflict framework through the lens of gender and further extend it in order for it to be more critical of gender discourses and create a broader understanding of the relation between gender and ICTs. Hence, in the final section of this chapter, I mainstream gender within the cyberconflict framework to create a broader understanding of the relation between social movements, gender and ICTs. I have considered this so that this framework is not only applicable when analysing gender specific movements but can also be adopted when examining all social movements, which largely depend on ICTs, through the lens of gender.

In Chapter 2, 'Brief History of the Indian Women's Movement and Tracing Out the Sociopolitical and Media Environment', I sketch a brief history of the women's movement in India and also explore the sociopolitical, economic and media landscape of the country in both the historic and contemporary contexts. The cyberconflict framework emphasises the importance of understanding the environment of conflict and conflict mapping both in the real and virtual world. Since this book is based on India, in order to successfully analyse the Nirbhaya case and use of ICTs within the movement, it is extremely important to fully understand the broader historical context of gender movements in India. Further, to understand the progression of gender movements and changes it is equally important to look at the sociopolitical and economic environment of the country, which has either aided in the success or resulted in the failure of movements.

In Chapter 3, 'Analysing the Nirbhaya Case through the Lens of the Social-movement Framework', I have analysed the Nirbhaya case in the light of social movement theories discussing important aspects such as mobilisation structures, collective action, political opportunity structures and framing processes as witnessed in the Nirbhaya protests. This chapter follows the 'sociopolitical cyberconflicts' section of the cyberconflict framework. This will not only help in fully understanding the

emergence, development and sustainability of the movement but also help further exploring the importance of ICTs and social media in gender activism in India. One of the most remarkable aspects of the Nirbhaya case was the participation of individuals. Previously, mostly women's organisations or NGOs would participate in conversations and protests related to violence against women. However, after the Nirbhaya case, individuals who were not previously involved in the movement along with organisations participated in these conversations harmoniously, which resulted in raising of consciousness and spreading awareness. In this chapter, I also talk about the government reaction to the case and changes in the law that were implemented in order to understand the outcome of the movement.

In Chapter 4, 'Nirbhaya and Beyond – Role of Social Media and ICTs in Gender Activism in India', I have looked at the significance of using ICTs and social media in the Nirbhaya movement and beyond for gender activism in India. This chapter follows the 'media theory' section of the cyberconflict framework. Post the Nirbhaya case, India witnessed a deep reflection on the nature of Indian society, sexual harassment, abuse and the structures of governance that failed to keep women of the country safe. The discussions, both in the mainstream media and social media, varied from the nature of patriarchy, family structures, law reforms and enforcement, power dynamic within the society, nature of governance, the cause of sexual violence, women's safety on the streets and within the family. India previously had not witnessed such open conversations about gender both on a public and on a deeply personal level.

In Chapter 4, I have analysed the use of digital technologies in the Nirbhaya protests to understand the role of these technologies in gender activism in India. In this chapter, I have also discussed one of the most important changes post-Nirbhaya: the sharing of deeply private stories on social media which resulted in the creation of a community of solidarity that further fuelled the movement. I have explored the importance of these private stories in gender activism and how these stories have helped in creating a bigger gender movement in India. Finally, I also talk about transnational activism with the help of social media and ICTs and how the Indian gender movement has become a global phenomenon with Indian diaspora across the world becoming an integral part of it.

In Chapter 5, 'The Nirbhaya Case – An Intersectional Analysis', I focus on analysing the gender movements in India, especially the Nirbhaya case, through the lens of intersectionality. Gender violence in

India is not an insulated phenomenon but often it is a result of several intersecting factors such as class, caste, religion and geography. The concept of intersectionality put forward by Crenshaw (1989) was devised considering the issues faced by Black women in the United States. In this chapter, I have applied the same framework in the Indian context to understand the nature of violence and discrimination faced by women in India to explore the intersecting factors of class and caste when looking at gender violence. Using an analysis of the Nirbhaya case through the lens of intersectionality, an understanding of the different factors involved in the case is facilitated as is the rationale for the production of social media attention and resultant action.

In the concluding chapter, 'Conclusion: The Beginning of the New Phase of the Indian Women's Movement', I have summarised the key findings of the research critically analysing the impact of ICTs on gender activism in India. Emerging digital technologies have changed the way organisations and NGOs are thinking about activism in the digital media environment. I have also discussed the long-term potential of emerging digital technologies becoming an integral part of the women's movement and gender activism. Finally, I set out some recommendations and possible suggestions for further research opportunities.