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## **Gender and Caste Intersectionality in India: An Analysis of the Nirbhaya Case December 16<sup>th</sup> 2012**

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### **Structured Abstract**

#### **Purpose**

This paper deals with the concept of intersectionality with particular reference to the interconnectedness of gender, class and caste discrimination in India. Even though much of the work on intersectionality was done by scholars from the United States with specific emphasis on gender and race, this framework can be applied universally to understand the multiple axes of power within a society that results in further marginalisation of certain groups of women. The December 16<sup>th</sup> 2012 Nirbhaya rape case forms the centre of this chapter since it resulted in one of the biggest gender movements in India.

#### **Methodology/approach**

In order to develop a critical analysis a case study approach was adopted and data was collected by analysing news reports published online, videos, articles on blogs and posts on social media sources such as Facebook and Twitter.

#### **Findings**

The findings of the research showed interesting intersections of gender and class with relation to this case which has not been deeply analysed in order to understand the reasons behind the public uprising resulting in the government action.

#### **Social implications/ value of paper**

It is important to look at gender violence in India through the lens of intersectionality since often it is a result of multiple levels of discrimination on the basis of class, caste, religion and geography. This is important to recognise in order to ensure that the activism, education and change of policy helps to resolve problems related to extreme oppression and violence against women across the country.

#### **Key words**

Intersectionality, India, caste, class, gender activism, Nirbhaya rape case

## Introduction

This chapter deals with the concept of intersectionality with particular reference to the interconnectedness of gender, class and caste discrimination in India. India is significantly multilingual and multicultural which has led to vastly different perspectives on gender, inequalities and power relations (Purkayastha, Subramaniam, Desai, Bose, 2003). The concept of intersectionality as put forward by Crenshaw (1989) draws attention to the fact that the experiences of women of colour are often a result of intersecting patterns of sexism and racism. The marginalisation, oppression and abuse faced by women of colour cannot only be understood by considering feminist discourses and racism separately since race and gender intersect in shaping structural, political and representational aspects of violence against women (Crenshaw, 1991:1244). The concept of intersectionality arose from the pioneering work done by black feminists in the United States and United Kingdom on the hierarchical nature of inequality and dominance (Bilge, 2010). Although this chapter deals with gender violence in an Indian context, intersectionality is used to explore the influence of intersecting factors such as class and caste.

Indian society being extremely multi-layered with the existence of class, caste, urban and rural divides means that the inequality and abuse faced by women differ due to the intersection of two or more of these categories. In India, gender violence is often not only gender related crime but a combined effect of various other factors including caste, class and religion. A hierarchy based on caste, class and geographical location separates women across India and they experience varying degrees of abuse and marginalisation. This concurs with Crenshaw's statement that 'intersectional subordination need not be intentionally produced; in fact, it is frequently the consequence of the imposition of one burden that interacts with pre-existing vulnerabilities to create yet another dimension of disempowerment' (Crenshaw, 1991:1250). Therefore it is vital to recognise structural intersectionality in cases where women from rural areas of India are more susceptible to violence than educated women from the urban areas. This is also true of women belonging to lower castes compared to women of higher castes (Anne, Callahan, and Kang, 2013). The nature of violence faced by women differs according to their social class, caste and geography.

## Methods

In order to develop a critical analysis, a case study approach was considered to be most appropriate. The main focus of this research is the Nirbhaya case that took place on the 16<sup>th</sup> of December 2012. The importance of this case is that it resulted in one of the biggest gender movements in post-independent India. Yin (2014) defined case study as, 'an empirical inquiry that investigates a contemporary phenomenon within its real-life context, especially when the boundaries between phenomenon and

context are not clearly evident' (Yin, 2014: 16). The case study approach adopted for this study helps in the detailed analysis of events, environments and relationships using multiple sources of evidence. Further a single case study approach has been adopted. Yin (2014) states that a single case study approach is appropriate under five single case study rational- that is, 'critical, unusual, common, revelatory or longitudinal' (Yin 2014: 51). This case has also been chosen because it is also an unusual case. India in the past has not witnessed a gender movement of such scale and impact. It has given rise to several questions that need to be critically studied and analysed.

By analysing 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. Further to using this high profile case, three other prominent cases of gender violence are referred to in order to provide an in-depth understanding of the nature of Indian society, gender norms and gender violence.

Data was collected from news reports published online, videos, articles on blogs and posts on social media sources such as Facebook and Twitter and then analysed. Indian news websites such as CNN-IBN and NDTV were followed regularly and important articles were archived so that they could be used for the purpose of this research. Apart from that Twitter and Facebook posts of participants of the protests, blogs such as Youth Ki Awaaz and Kafila were followed. Several Facebook groups and communities were formed online after the incident which had discussions about the Delhi Rape Case but all of them had different agendas. Some groups spread information about the case and the protest marches, other groups such as 'Swift Justice in Delhi Gang-Rape Case' was specifically formed to create general awareness about crimes against women. Other groups such as 'Delhi Rape case, penalty to death' were formed specifically to advocate the death penalty for the rapists. Few of the groups are still active but most of these groups were closed and become inactive after a few months of the incident.

### **Intersectionality: The Theoretical Framework**

The intersectionality perspective emphasises that an individual's social identity exerts particular influences on the individual's beliefs and experiences of gender making it essential to understand gender within the context of power relations. Shields (2008: 301) defines intersectionality as 'the mutually constitute relations among social identities' and that this has become central to feminist thinking and contemporary studies on gender. McCall (2005) echoes this and states that intersectionality is one of the most important contributions to feminist theory in the contemporary understanding of gender. According to Shield (2008) it is the 'individual's social identities [which] profoundly influence one's beliefs about and

experience of gender' (2008: 301) and will be shown to be particularly the case in India. If we consider violence faced by women in India, it can be seen that the experiences of different women are often shaped by other dimensions of their identity including race, caste, and class. The intersection of race and sex has been considered in feminist practises, anti-racist theories and even transcended to the level of policy and advocacy yet it is in the context of the privileged groups who marginalise those multiply-burdened (Crenshaw, 1989). For many marginalised groups, identity based politics has been a source of strength, community, and intellectual development. In many cases, however, the problem with identity politics is that it ignores intra group differences.

Since Crenshaw proposed the concept of intersectionality it has been considered and approached in different ways and this has given rise to certain controversies regarding the theory itself. While some scholars have considered it as a theory, others have considered it as a heuristic process and as a strategy for feminist analysis. This has given rise to questions regarding whether intersectionality should be applied only to understand individual experiences and theorising identities or if it should be considered as a characteristic of social structures and cultural discourses (Davis, 2008). In the context of intersectionality, British feminists have talked about the concept of 'triple oppression' in which they claimed that black women often suffer a combination of three different levels of oppression or discrimination. They suffer oppression because of their colour, gender and as a member of the working class (Lynn, 2014). However, this concept has also been critiqued by Yuval-Davis (2006) who maintains that, 'any attempt to essentialise 'Blackness' or 'womanhood' or 'working classness' as specific forms of concrete oppression in additive ways inevitably conflates narratives of identity politics with descriptions of positionality as well as constructing identities within the terms of specific political projects' (Yuval-Davis 2006: 195). Such narratives can be harmful and further marginalise the experiences of women belonging to certain specific social categories.

Essentially, the importance of intersectionality as a concept cannot be ignored, as it is increasingly difficult to speak about gender without considering other social identities and structures of dominance. In this aspect Knapp (2005: 253 ) suggests that, 'the political and moral need for feminism to be inclusive in order to be able to keep up its own foundational premises opened up the avenues for dispersion and acceleration of race/ethnicity, class, gender/sexuality etc.'. Intersectionality is a reflection of reality and in reality there is no single social identity category that can describe how individuals respond to their social environment and how others respond to them in the same environment *and* it is important to consider an interconnection of multiple identities in order to fully understand the complex nature of reality (Shields, 2008). The fact that intersectionality may as a theory lack precision, it is this very imprecision which makes it a dynamic and an important device for critical feminist analysis. Thus on intersectionality, Davis (2008: 79)

comments that, 'it encourages complexity, stimulates creativity, and avoids premature closure, tantalizing feminist scholars to raise new questions and explore uncharted territory'.

### **The Nirbhaya Case: 16<sup>th</sup> December 2012**

On December 16<sup>th</sup> 2012 a female psychotherapy 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 pm they boarded a bus from Munirka, Dwarka (a popular area in south Delhi). They were summoned into the bus by a teenage boy stating that the bus was going in the same direction as their destination. There were only six people in the bus including the driver Ram Singh, his brother Mukesh, Vinay Sharma an assistant gym instructor and Pawan Singh, a fruit seller. The student and her friend became very 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 beaten, gagged and hit with an iron rod. As he lay unconscious on the floor of the bus the six men attacked her with the same iron rod because she tried to protect her friend (Biswas and Malik, 4<sup>th</sup> January 2013) . Then two of the accused men forced her to the back of the bus where she was raped first by Ram, followed by the juvenile and then by the others. When she lost consciousness, she was again raped by Ram Singh and the juvenile (Osborne, 3<sup>rd</sup> January 2013). After raping her, the half-naked bodies of both victims were thrown into the street from the bus where they were discovered around 11 pm by a passer-by and were taken immediately to the hospital.

After thirteen days of struggle Nirbhaya died in the Mount Elizabeth hospital in Singapore. The Indian Penal Code (Section 228) states that the name of a rape victim cannot be publicly revealed. Hence, on complying with Indian laws the actual name of the victim was never released to the media and pseudonyms like 'Damini' (lighting), 'Jagruti' (awareness) and most commonly 'Nirbhaya' (the fearless one) were used to honour the victim's courage and struggle. This particular case is important for two main reasons. Firstly, after this case sexual violence, India witnessed one of the largest gender based movements which stimulated questions about gender, not previously included in public discourse. Secondly, the case exposed the complex nature of intersectionality with respect to gender, class and caste in India.

Section 375 of the Indian Penal Code provides the definition of rape and section 376 provides the punishment for rape (Indian Law Cases, 2014). According to section 375, a man is said to have committed rape if he has sexual intercourse with a woman against her will or without her consent. He is also said to have committed

rape if the consent has been obtained by unlawful means such as fear of harm or death or under circumstances, such as intoxication, where the woman is unable to understand the nature and consequences of such consent (Indian Law Cases, 2014). New Delhi is often referred to as the 'rape capital' of India (Singh Shah, Kapur & Smith-Spark, 4<sup>th</sup> January 2013) with official data showing that overall rape cases rose almost 875 per cent over the past forty years. There were 2,487 rape cases in 1971 and by 2011 the number had risen to 24,206. Only 572 rape cases were reported in New Delhi in 2011 and more than 600 in 2012. Human rights activists point out that due to under reporting, the real figure is most likely to be much higher.

After the Nirbhaya Case, a separate commission, headed by Supreme Court judge J. S. Verma was set up on 23<sup>rd</sup> December 2012 to identify what changes should be made to the criminal law in order to provide more severe punishment for those convicted of sexual assault. The committee was asked to complete its report as a matter of urgency and submit its findings within thirty days (Verma, Seth & Subramaniam, 2013). The Verma Commission handed over its reports to the government on 23<sup>rd</sup> January 2013, exactly thirty days after the commission was set up by the government. The first few words of the report stated that 'the constitution of this Committee is in response to the country-wide peaceful public outcry of civil society, led by the youth, against the failure of governance to provide a safe and dignified environment for the women of India, who are constantly exposed to sexual violence... It is unfortunate that such a horrific gang rape (and the subsequent death of the victim) was required to trigger the response needed for the preservation of the rule of law - the bedrock of a republic' (Verma et al., 2013).

After much deliberation, the recommendations of the Verma Commission became the Criminal Law (Amendment) Act that amended various sections of the Indian Penal Code, the Code of Criminal Procedure and the Indian Evidence Act (The Times of India 4<sup>th</sup> April 2013). Even though many of the recommendations of the commission were incorporated into the law, other recommendations such as criminalising marital rape and rape by military officials were not included in the new law. The major changes in the new law included harsher punishment for those accused of sexual assault. However, capital punishment was sanctioned for only two cases. Firstly, if it had led to the death of the victim or if the accused had left the victim in a 'persistent vegetative state' and secondly, if the accused were repeat offenders. People accused of rape could be subjected to rigorous punishment of no less than twenty years and this could be extended to life imprisonment and the payment of a considerable fine. Punishment for acid attacks, stalking and voyeurism were also included. The new law stated that an offender of acid attack could attract jail terms of five to seven years and if the attack caused harm to the victim, the convicted would be subject to a jail term of a minimum of ten years which might again be extended to a life term. Stalking and voyeurism were also defined in the law for the first time as non-bailable offences if repeated the second time. The new law

only recognised rape as a gender specific crime and only men could be punished for such offences (The Times of India 4<sup>th</sup> April 2013).

### **Caste, Class and Gender Violence in India**

It is important to contextualise the social, political and the economic background to understand the impact of caste and class in gender violence in India, particularly the intersectionality of caste and class in the Nirbhaya case. India has a long history of rape by authority and custodial rape where women have been raped by landlords, police and other men in positions of authority. Women in lower caste tribal or rural areas have been the most common victims of custodial rape thus establishing a belief that it is people belonging to higher and more powerful castes or authoritative positions who exploit their positions and take advantage of women. That the representation of rape in the eyes of the law has been associated with a patriarchal process has resulted in women being under constant scrutiny and questioned as to their chastity and purity. Because gender based stereotyping often assigns blame to women for being raped and they are judged on their clothes, attitude and past relationships. If a case gets to court, it is often suggested that she was not raped but was asking for sex thereby breaking gendered (and acceptable) social norms (Naqvi, 5<sup>th</sup> March 2015).

It is important to look briefly at past cases of sexual violence and anti-rape activism and to examine the detail of the changes in rape law previous to the amendments after the Nirbhaya case. Her vicious rape underpins Hanmer and Maynard's (1987) contention that rape is one of the ultimate forms of violent expression of class and patriarchal oppression. According to Crenshaw, in cases of the rape involving minority women (lower caste tribal or rural women in India), their interests often fall in the void between concerns about women's issues and concerns about racism. However, 'when one discourse fails to acknowledge the significance of the other, the power relations that each attempts to challenge are strengthened' (Crenshaw, 1991: 1282). It is of interest to note that the 1970s witnessed a new wave in the Indian women's movement (Gandhi and Shah, 1992). In 1978, a large number of women's groups across the country started a conversation about violence against women. New feminist groups were just in the process of formation when the case of the rape of a women called Rameezabee was reported (Rao, Vaid, and Juneja, 1979). It was then that police rape was highlighted by several of the feminist organisations with the result that these issues received special significance.

In 1978, Rameezabee and her husband were returning from the cinema when she was arrested on charges of prostitution and then raped by a group of policemen. Her husband, a rickshaw puller was murdered by being brutally beaten up by the police

when he tried to protest. This incident sparked severe anger amongst the people of the city (Kannabiran, 1996). Though this case received substantial media attention, some of the core issues of this particular case became side-lined as the agitation grew. Both Gandhi and Shah (1992:39) remarked that 'The Rameezabee case will be remembered as a particularly grotesque rape; for the fantastically arrogant and cunning police cover-up, for the sexism and blindness of the court's judgement and the spontaneity of public protest'. The Enquiry Commission declared that the policemen were guilty but later they were acquitted by the Session Court (Kannabiran, 1996). A few feminist groups came out and protested and went on to appeal against the verdict in the higher courts.

In June 1980 the rape of Maya Tyagi, a 23 year old women from a well-to-do farmer's family was reported. When Maya was teased and taunted on the street by two policemen, her husband and his friend retaliated in order to protect her. In response to this action the police fired at them, killing the husband. They then dragged Maya out of the car brutally beat her up, robbed her of all her ornaments, stripped her naked and paraded her in the marketplace. She was then dragged to the police station and raped. In their defence the police claimed that they had shot three *dacoits*<sup>1</sup> (Sahai, 1981). After much pressure from the government a one-man-commission headed by P.N Ray was set up to investigate the incident. The report presented by Ray accepted the fact that Maya's husband and friends were killed and framed as *dacoits*. The report also accepted that the police dragged Maya out of the car and stripped her. But the commission asserted that Maya was not raped by the police (Sahai, 1981). Women's groups across India took up the issue of police/landlord rape and many demonstrations and rallies were held.

Campaigns against the incidents such as this remained isolated events until in 1980, an open letter was published by four senior lawyers against a judgement that was passed in the case of a police rape in Maharashtra (Baxi et al., 16<sup>th</sup> September 1978). This letter, protesting against a decision of the Supreme Court, was in connection with a rape case that had occurred in 1972, and initiated an intense campaign uniting feminist organisations across the country. A young tribal Dalit (untouchable) girl called Mathura, aged between 14 and 16 was gang raped in the police station. Under pressure from her family and other villagers a case was registered against the accused policemen. When taken to court, the policemen were acquitted on the grounds that she had previous sexual intercourse with her boyfriend which made her non-virtuous (Basu, 2013). The case was later taken to the High Court where the accused were punished with one and five years of imprisonment. However, the verdict was later reversed by the Supreme Court on grounds that she had a boyfriend and was thus loose and could not be raped (Keira, 27<sup>th</sup> January 2015). The court stated that there was no reasonable evidence that the policemen

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<sup>1</sup> A dacoit is a robber or member of a gang



were guilty, as there were no visible marks of injury on her body and no signs on the men's body to show that she resisted rape (Basu, 2013).

In protest against this incident, in January 1980, the Forum Against Rape (FAR), a women's organisation, was formed in Mumbai which later came to be known as the Forum Against Oppression of Women (FAOW) in order to fight against violence against women (Chehat, 2015). They decided to campaign for the reopening of the case and gave call to feminist organisations across India to join them in demonstrations across the country on 8<sup>th</sup> of March, International Women Day, to demand a retrial of the case, implementation of different sections of the Indian Penal Code (IPC) and changes to the law against rape. This was the first time feminist groups across the country had come together in a co-ordinated campaign. In major cities like Delhi and Mumbai, joint action committees were formed which comprised of mainly feminist groups, socialist and communist party fronts and students, to co-ordinate the campaign (Mondal, n.d.). This marked a new stage in the development of feminism in India.

Soon after the formation of FAR, protest marches against police rape were held all over the country only some of which were actually organised by feminists. All these protests received reasonable media coverage. As a result of the substantial interest from the press, the issue of police rape was acknowledged in a new way in India. The kind of press coverage the incidents received made it an issue of political significance. Different political parties allied themselves to the cause which was widely debated in the House of Parliament. In a short span of time, the campaign was not only joined by centre-right political parties but controlled by them. Thus when a politician resigned from his party and went on hunger strike, the government decided to amend existing laws on rape. The Criminal Law (Second Amendment) Act 1983 was introduced based on the suggestions made by feminist. The major part of the amendment concentrated on defining the category of custodial rape and also added the categories of mass and gang rape to that of individual rape cases. The bill laid down a mandatory ten years punishment for custodial rape and the onus of proof to be shifted to the accused. It also codified distinctions between different categories of rape (Wright, 9<sup>th</sup> January 2013).

There were several drawbacks to this campaign and it was weakened due to various reasons, a major problem being the nature of the issue itself, and the manner of social sanction accorded to rape. In India sophisticated medical technologies are available only in big cities which makes the task of obtaining evidence and proving guilt increasingly difficult. This was the first time a joint action committee was set up for a feminist cause bringing together women's organisations across the country, opening doors for future projects where rape was dragged out of the closet forcing people to try to understand the nature and extent of the crime (Gandhi & Shah,

1992). Most importantly it introduced custodial rape as a distinct category in the law (Wright, 9<sup>th</sup> January 2013).

All the three cases mentioned are examples of cases of rape that received considerable attention both from the public, as well as feminist groups across India. The common link between all these cases was the factor of power and authority related to the positions of the perpetrators. In two out of the three cases the victims were low caste and low class women and in all the above cases the perpetrators belonged to a higher class in terms of power and authority. Even though caste and class are recognised forms of discrimination in Indian society, people tend to ignore the importance of both these factors when addressing issues related to gender violence. In the Mathura case, for instance, there was very little attention focussed on the issues of class and caste violence. Even feminists of that era ignored the intersectionality of gender and class identity in this case.

Mrudula et al. (2013) state that caste and gender are the two major forms of discrimination in Indian society and people simultaneously belonging to both the minority groups experience the majority of the suffering and sexual violence. Orchard (2004) supports this view stating in her study that women from lower castes, especially Dalit women, are regularly raped by men belonging to upper castes in order to reinforce their power and authority. She adds that in many villages lower caste women are forced to have intercourse with high caste men in order to settle debts and disputes (Orchard, 2004). However, in the same village women belonging to the upper caste do not encounter the same level of violence and men belonging to the same lower caste do not face similar discrimination. It is those belonging in the intersection of gender and caste who are the primary victims of violence and discrimination (Anne et al., 2013).

Gender violence is not constrained to rural India but is equally prevalent in the urban landscape (Koenig et al., 2006). According to the UNIFEM report, 'one in three women around the world will be raped, beaten, coerced into sex or otherwise abused in her lifetime' (UNIFEM, 2003). However, the nature of the violence faced by women in the urban landscape can be quite different to the nature of violence faced by women from the lower castes and lower class rural landscape. Patriarchal ideas of gender, power and honour hinders the recognition of intimate partner abuse and domestic violence, especially within the urban middle class. These experiences are similar to those faced by women of colour as Indian women often are unwilling to report cases of domestic violence to protect themselves from public scrutiny. This silence is linked to the question of social respect and stigma and prevents women from reporting cases of intimate partner abuse and domestic violence. In addition, the lack of trust of authorities such as the police and the legal system increases women's vulnerability and maintains their silence. However, as evidenced above there have been attempts to politicise the issue of violence against women and to

challenge beliefs that violence occurs only in homes of rural, deprived or uneducated families.

Patriarchy is a system that operates on both the ideological and material levels and interacts with the relation of production and transforms itself accordingly to benefit both men and the capitalist system. It reproduces itself in different ways, through different relations and institutions to maintain systemic inequality between the sexes. Whilst the majority of women share the prevalent understanding of male domination and patriarchy, their reactions differ relative to the intensity of the violence and their class origins. Research by Gandhi & Shah (1992:63) has shown that 'working class or peasant women were more used to occasional slapping, kicking or thrashing and were not vehemently opposed to it... On the other hand, middle class women are shocked and become numb with terror'. Middle class women's reaction to domestic violence is often self-blaming. They are made to feel that it is not the man's problem but it is their failure as a wife which culminates in violence and the humiliation of being beaten often silences these victims. The family as an institution has not been sufficiently analysed as a site of patriarchal dominance and oppression. Patriarchy, unlike its earlier usage as a father's right, is now understood more as a 'distinct system of control men have over women's labour, fertility, sexuality and mobility in the family, workplace and society in general' (Gandhi & Shah, 1992:89). Thus in order to understand the violence and discrimination faced by women in different parts of India it is essential to consider other intersecting factors such as caste, class and geography.

### **The intersectionality of gender, class and caste in the Nirbhaya Case**

The Nirbhaya case demonstrated a very peculiar case of intersectionality. In all the cases discussed the perpetrators belonged to a higher class or were in a position of authority as compared to the victims. However, in the Nirbhaya case this was reversed. In terms of class, the victim belonged to the middle class but the perpetrators were extremely disempowered and came from very poor backgrounds. They migrated from their villages and lived in slums in New Delhi. Only one of the perpetrators had a school education (BBC, 13<sup>th</sup> September 2013). In this instance the dynamics of the sexual hierarchy, where some female bodies are superior to others, were reversed. In this context Kabeer (5<sup>th</sup> March 2015) comments that the Nirbhaya case has brought out in front of the world the effect of the widening inequality in a modernising and globalising economy. She says, 'this was violence perpetrated by men from the underclass of Delhi, men who will never share in the benefits of 'shining' India, against a woman who symbolised the country that India hopes to become' (Kabeer, 5<sup>th</sup> March 2015). It was the class and the background of the victim that struck a specific note with people across the country.

Middle class people across the country could relate to Nirbhaya and her story. She was perhaps the ideal victim that could trigger a protest like this (Christie, 1986;

Gilmartin--Zena, 1983). She was educated, belonged to the urban middle class, she was accompanied by a male companion who would be expected to protect her, it was not late in the night, it happened in a very popular and populated area in one of the busiest cities in India. Everything about the circumstances was extraordinarily ordinary. Almost every urban middle class woman could relate to her background and circumstances and felt that if it could happen to her, it could happen to anyone (Brown 4<sup>th</sup> January 2013). Geography also played an important role as the case happened in the heart of the capital city of Delhi. This prompted the media to report the story very quickly. In the several cases of rape and sexual violence that have been reported since the Nirbhaya case some have caught the public attention, some have disappeared but none of them have resulted in a mass movement. The Nirbhaya case made gender violence a reality to the people in urban India. It was no longer something that they could ignore by saying it was a rural phenomenon and it was this realisation that motivated people to take action.

Active participants in a movement are usually networks of groups and organisations who mobilise and protest to promote or resist social change, which is the ultimate goal of a social movement. When looking at new social movements, an extensive participation by the middle class can be observed. This middle class 'participation revolution' was rooted in deep post-materialist values, emphasising direct participation and a moral concern toward the plight of others. It is often said that new social movements are the movements of the educated middle class or the 'new middle class' or of the more educated and privileged sections of generally less privileged groups (Karatzogianni, 2006). Apart from organisations, the protests after the Delhi rape case saw a large number of individuals belonging to the urban middle class participating in protest activities and contributing resources without actually being attached to movement groups or organisations. To describe the mobilising structure of the protest Barn commented that, 'What has been striking about the Indian protests is that while they were led by both young men and women, who were educated, urban and middle class, they reached out and connected with others from a diverse range of backgrounds throughout Indian society' (Barn, 9<sup>th</sup> January 2013). Another factor that resulted in the Nirbhaya case becoming one of the biggest gender movements in India was the result of the media attention the case received. According to Patil & Purkayastha (2015) there are some myths especially when it comes to the coverage of rape by the mainstream media. In mainstream media there are a core set of assumptions that distinguish 'real rape' or 'ideal rape' from 'not real' rape. In an 'ideal' or 'real' situation 'rape occurs in a non-domestic setting typically at night, in which the rapist is a monstrous (male) stranger who attacks a (female) victim with a weapon, where the victim's appearance, dress, behaviour are unimpeachable, and where the victim physically resists and sustains visible injuries' (Patil & Purkayastha 2015: 600). In case of the Nirbhaya, she was not only the ideal victim but it was also the 'ideal rape' and therefore it was picked up by the media immediately, given publicity and sparked a mass public outcry.

Many scholars have suggested that the reason for devaluation of minority women is linked to questions about how they are represented in popular culture. According to Yuval-Davis (2006) social divisions are not only expressed in the way that minority people experience discrimination in their daily lives but also in the way that they are represented through images, texts, symbols, ideologies and even legislation. However, the much debated issues of representation in few cases take into account the question of intersectionality. In talking about representational intersectionality Crenshaw says that it is 'the ways in which these images are produced through a confluence of prevalent narratives of race and gender, as well as recognition of how contemporary critiques of racist and sexist representation marginalised women of colour' (Crenshaw, 1991: 1283).

Bilge in her essay says that 'intersectionality reflects a transdisciplinary theory aimed at apprehending the complexity of social identities and inequalities through an integrated approach. The intersectional approach goes beyond simple recognition of the multiplicity of the systems of oppression functioning out of these categories and postulates their interplay in the production and reproduction of social inequalities' (Bilge, 2010:58). According to Crenshaw, with reference to the rape of minority women, their interests often fall in the void between concerns about women's issues and concerns about racism. However, 'when one discourse fails to acknowledge the significance of the other, the power relations that each attempts to challenge are strengthened' (Crenshaw, 1991: 1282). Intersectionality helps establish the fact that sexism and racism are mutually reinforcing. Minority women are not marginalised by the politics of race alone or gender alone and a political response to each form of subordination must also include a political response to both.

## **Conclusion**

India is extremely diverse and over the past decade it has undergone various changes socially, politically and economically. Over the years, it has been proven by various research that people who exist at the intersection of both gender and caste in India suffer the most discrimination (Anne et al., 2013). Mrudula et al. (2013) in their research maintain that most of the research conducted in terms of intersectionality is based on the western context of gender, race and class. In India the case is much more complex where various levels of discrimination act upon a framework for intersectionality that requires more attention. Crenshaw (1989) says that the way in which experience of domestic violence, rape and remedial reform of women located at the intersection of race and gender differs extensively from that of white women. In the case of India women not only have to deal with the abuse but they also have to deal with many other obstacles including routinised forms of domination, poverty, childcare and lack of job skills. In many cases these women are completely dependent on their husbands and their lack of access to resources makes them less likely to have knowledge about available alternatives. Women who

are from rural areas of India are more susceptible to violence than women of educated urban areas and those women belonging to lower castes have to contend with more abuse compared to women of higher castes. Therefore it is important to contextualise the type and nature of violence faced by women might differ according to class, caste and geography.

The sexual violence faced by the young middle class woman in Delhi (December 2012) gave rise to one the biggest gender related movements of recent times. It also gave rise to various conversations about gender and sexuality in the public discourse. However, the case also displays a complex nature of class, caste and gender intersectionality that has not been much discussed. The social status of the victim and the geography of the incident played a vital role in the case garnering both national and international attention. Hence, in order to understand the nature of gender violence in India and in order to find possible solutions it is important to take into consideration all other intersecting social and political discrimination. Even though caste and class are recognised forms of discrimination in an Indian society, often people fail to recognise the importance of these factors while addressing issues related to gender violence. In this chapter, class is not proposed as the only factors that led to the success of the Nirbhaya movement. However, the class aspect of the case necessitates further discussion in order to point out the hierarchies and contradictions that exist within the society especially when looking at cases of gender violence. The intersection of factors including class, caste, geography and religion cannot be ignored because gender violence in India is often not separate but intrinsically linked with one or more of these factors. Such discussions are important not only in the level of activism but should also reach the level of policy making. According to Mrudula et al. (2013), 'A strategical framework which is sound in its basic building blocks is needed to address the burning issue of gender and caste discrimination especially as this practice has been rooted historically into the Indian society'. Therefore it is of the utmost importance to educate and empower those women who fall within the intersections so as to actualise and resolve problems related to their extreme oppression and subjection to violence

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