

# Representation Of Rape Cases In Indian Dailies With Special Reference To ‘Nirbhaya’ Gangrape

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## ABSTRACT

*Press is considered the fourth pillar of any democratic setup. India is a democratic country; therefore, newspapers play an agenda-setting role in the country. The cases of rape are ubiquitous phenomenon and reported every day in newspapers. A 23-year-old female was brutally raped and murdered by six adult men and one 17 years old juvenile in the year 2012. This brutal gang rape attracted media headlines not only in India but across the world due to its horrific nature in which the crime was committed. The present research paper attempts to understand the representation of rape in newspapers with special reference to Delhi gang rape case. The researcher has also conducted comparative analysis of representation of high-profile rape cases and normal rape cases. To analyze the reports the data were collected from three Hindi and three English newspapers namely Dainik Jagran, Hindustan, Dainik Bhaskar, The Times of India, The Tribune and The Hindu published from Dehradun. The researchers used electronic version of editions for the study. All the news items were read and re-read carefully and analyzed thematically. The study shows that newspapers highlight those stories and give extensive coverage to those rape incidents which have elements of sympathy, public apathy and exposure of such incidents by means of protests.*

**Keywords:** Newspaper Coverage, Thematic Study, Survey, Rape Victim, Justice

## 1. INTRODUCTION:

### *Background of the Study*

The whole world is suffering from the problem of rape. Every second more than one female is victimized to sexual assault. There are many international bodies like World Health Organization, Amnesty International and CEDAW etc. (Links to international organizations, 2019) are working hard to remove this crime from the society. Indian government is also working to eradicate sexual assault and rape has been defined as a crime in section 375 of Indian Penal Code. According to this section rape is a sexual intercourse with a woman without her permission. Women victimized of rapes or other types of crimes by men because of their dominating behavior (Kalra and Bhugra, 2013, Raj 2014). Male always holds primary power in the society and tried to overpower females. Therefore, several thinkers felt that rape is a result of patriarchal ideologies and masochistic desires of males (Tripathi, 2014, Roychowdhury, 2013). In most of the rape cases the perpetrators are known to victims or they get assaulted by their own family members. Rape was not contemplated as a crime in earlier days of India. It began to be considered as punishable crime in India in 1860 when Macaulay introduced punishment for rape for the first time (Dhagamwar, 1992, Lodhia, 2015). Gradually over the time IPC provision related to rape has gone under several amendments and the punishment to the rape accused has made harsher (Sakhrani, 2016). The major landmark amendments have been done after the Phulmonee rape case (1891), the age of girl in consent sex has been increased from ten to twelve years (Moschetti, 2007). The punishment for Custodial rape was introduced after Mathura rape

case, 1972 (Sakrani, 2016). The Nirbhaya rape case (2013) forced the Indian legislature to bring about major changes in rape law. Criminal Law 2013 was introduced to save Indian females. Prevention, Prohibition and Redressal Act, 2013 was also incorporated in Indian law to protect women from sexual harassment at working place (Tripathi, 2014, McDougal, 2018). The Kathua rape case eventually led to amendments in the POSCO act. Death penalty was introduced as a maximum punishment for a gang rape of girls of age below 12 years. (*Centre approves death penalty for rape of children below 12 years under POCSO Act. All about the amendment, 2018*). Despite rape is the most horrible and atrocious crime against females and there are many laws to control it, it's increasing day by day in India (Biswas, 2018, Durham, 2015). According to the National Crime Record Bureau 2017 annual report 32,559 rape cases were reported across India in 2017 (NCRB, 2017). The Indian society witnessed many rape cases and helpless victims. The victims belong to any age; any cast or religion, only one thing is common in all victims that is they all are females. Some victims got justice, received compensation and rehabilitation. Some got justice after their demises but some victims are still fighting for justice. Rape is an omnipresent phenomenon (Wasco, 2003), therefore, the stories of rape crimes are published in newspapers daily as they are a part of common place occurrence now (Khullar, 2017). Rape coverage in the newspapers (dailies) influences the society in many ways. Delhi gang-rape received global attention and it happened due to the wide and extensive coverage of case in print media (Kaur, 2013). Most of the reports are only focusing on the social status and caste of victims and accuser. They sensualized the story and put dramatic elements to make the story more interesting. Yet the coverage of reports has played a major role in the case of Delhi rape case (2012) but still stereotypes reports on the unnoticeable rape cases are published in the newspapers (dailies). According to Smriti Singh (Times of Indiareporter) the newspapers do an extensive coverage on those stories which have some elements which attract the people belongs to India's upper or middle classes and who are familiar with the language of newspaper. She also quoted an incident in which an 80 years homeless old lady got raped by a rickshaw-puller and received brutal injuries like Nirbhaya but the story got published on page 6 or 7 and in single column Public attention plays a crucial role in setting any agenda. In the case of Delhi rape case the coverage of incident by global newspapers like The New York Times, Le Monde and The Guardian have also intensified the judgment process and made the security of Indian women as international agenda (Jolly and Khan, 2016).

## 2. RESEARCH METHODOLOGY

In order to analyze the reporting pattern of rape cases in Indian Newspapers, three Hindi newspapers (Dainik Jagaran, Hindustan, Dainik Bhaskar) and three English newspapers (The Times of India, The Hindu, Hindustan Times) were studied over a period of three months (1 January 2019 to 31 March 2019). The report of Audit Bureau of Circulations (2018) says that Dainik Jagaran, Hindustan, Dainik Bhaskar in Hindi and The Times of India, The Hindu, Hindustan Times in English are the highest circulated newspapers in India. For the understanding of portrayal of Delhi rape case four English newspapers (The Times of India, The Tribune, HindustanTimes, The Hindu) were studied from 17 December 2012 to 31 March 2013) and (1 January 2019 to 31 January 2020).

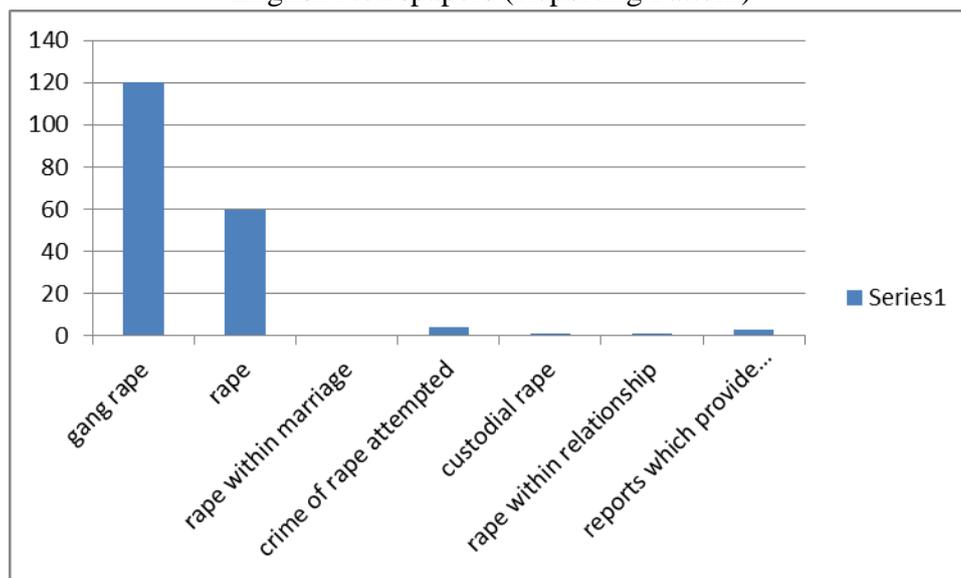
All the news items were read and re-read several times. The researchers conducted thematic Study of the data collected under the study period. The coding of the topics and watchwords has been done physically. The two types of coding reliability intra-coder reliability and inter-coder reliability are used in this paper. To manage intra-coder reliability, the data was observed several times over a period of time to increase a more profound knowledge, and to land at the normal topics. The inter-coder reliability was managed by taking help of researchers involved in similar kind of research.

### 3. RESULTS

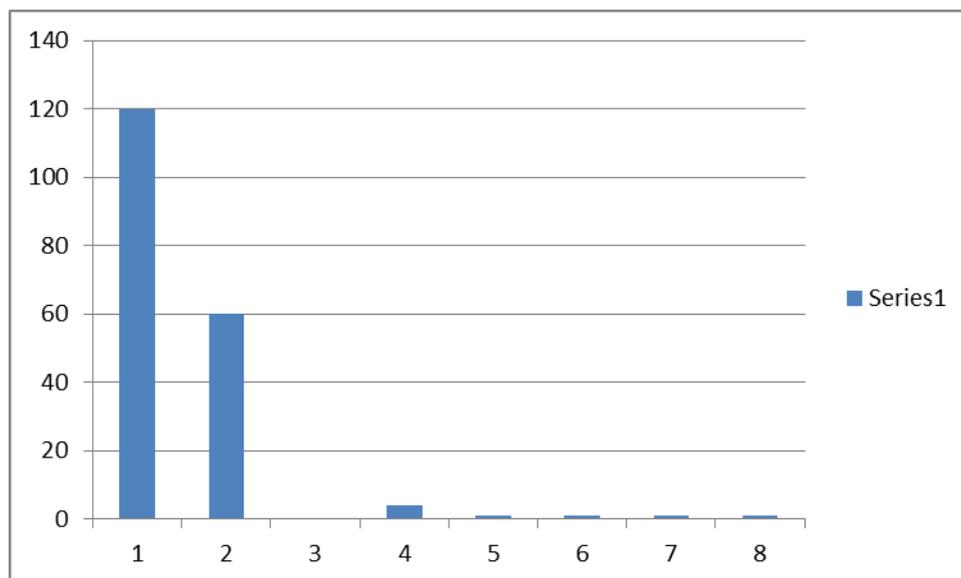
#### 3.1 Reporting of Rape Cases in Indian Newspapers

Rape news is very common element of Indian newspapers. Each edition of newspaper has at least one report on rape crime. The number of words used in the reports varies from 200 to 500 words and it never gets published on front page during the period under study. The reporting pattern is incident-based reporting. During covering rape-cases generally the reporters adhered to section 228A of the Indian Penal Code under which they cannot disclose the name of rape-victims, but in two most sensitive cases Delhi rape case and Kathua rape case some newspapers have broken the IPC act and published the victim's identity. The newspaper generally does extensive coverage of high-profile rape cases or the cases which increase their circulation. The reports highlight the caste of victims if she belongs to lower cast (dalit). The reports are mostly focused on the crime itself without giving substantial coverage to the role of police after lodging F.I.R. and reactions of family or others. The reports on rape crime has divided into different types like gang rape, rape, rape within marriage, crime of rape attempted, custodial rape, rape within relationship, reports which provide information about legal provisions associated to sexual violence against women and other report which discussed about female safety. The total reports published were approximately 193 in English newspapers and 188 in Hindi newspapers. In which 60% of stories are focused on incident-based reporting in English newspapers and 83% of stories are focused on the information of how crime happened in Hindi newspapers.

English Newspapers (Reporting Pattern)



Hindi newspaper (Reporting Pattern)



In dailies newspapers sexual assault or rape is placed in crime and court reports and generally got placed at the bottom of the inside page. Maximum number of reports highlights it as a crime story not as a social issue. The stories rarely got place on the social or political pages.

### 3.2 Covering of High-Profile Cases: 'Nirbhaya' Case Covered by Newspapers

The newspapers have done extensive coverage of Nirbhaya case. In the starting it was only limited to incident-based reporting. Later on, the coverage included follow up stories, editorials and letter to editors. Approximately fifteen thousand stories were published in a month on Delhi gang rape case. The stories were covered with different point of views and aspects of life. Some stories were focusing on the description of rape and crimes existing in National capital. Some stories were telling the pain of a rape victim. Many articles and editorials dedicated to discuss the after effect and verdict of the case. (Nawindmonte and Roja, 2018). The Times of India dedicated its front page on the suggestive prevention framework for rape cases with the headline 'Enough Talk, Let's make women safe' on December 19, 2012. The article was suggested the '6-Point Action Plan' to reduce rape cases in India. The six actions were Harder Punishment, Sensitize Police, Fast Track Courts, Better Patrolling, Use Technology and Database of Public Transport Personnel. On 28, 2012 The Hindu has also organized a public forum bolstering the fight against sexual violence. The Hindu was the first newspaper to publish the news about the incident of Delhi gang rape. Professional media including newspapers spread the news globally within two days (Jolly and Khan, 2016). By December 18, 2012 the news of Delhi rape case was distributed globally. A large number of reports published regarding the occurrence of the event, protests over the incident and the deterioration of the victim's physical well-being and eventual death on December 29th, 2012. The reports published in newspapers successfully created a social movement and tried to change the attitude of common public towards the incidents related to rape (Phillips et.al, 2015). In the process of monitoring and covering Delhi rape case newspapers published stories on different topics like personal life of victim, public protest, female's safety, police handling and legislative. These reports increased the understanding level of readers towards sexual violence. The reporting patten helped the common public to perceive the power of media. The main purpose of language used in reports was to glorify the details. Some journalists wrote imaginative stories by using leaked police reports. The reporters used the words like 'lust' to portray the crime. Delhi rape case came out from the

boundaries of the crime and court reports and exceeded from the words limit of 200 to 500. Some motivated words such as “juvenile,” “gang-rape,” and “brutality” were used to attract the reader’s attention. The reports also followed the chronological order of incidents happened on Delhi gang rape case. The pictorial representation such as a semi naked girl’s image that was covered her body by her hands or a shadow of man was used to illustrate the Delhi rape case. Various reports published on the statements of different politicians and close relatives of the victim. One report published on *The Hindu* (28 December, 2012) described the remark of Abhijit Mukherjee, son of President of India. He remarked the protest of women against the Delhi rape case as “dented and painted”. The report discussed the detail statement of Mr. Mukharjee on the protest. Later part of the report mentioned the apology of Abhijit Mukherjee. Many reports covered the comments of big personalities on Delhi Gang rape. Some famous personalities were Mohan Bhagwat, RSS Chief, Harsimrat Kaur Badal (Member of Parliament, Bathinda, Punjab and Asa Ram Bapu. The *tribune* published a number of reports discussing the Indian legislature and strengthening of rape laws in India. The paper published a series of reports with the titles like ‘there is a need for serious intent’ to address the issue of rape (27 December, 2012, *The Tribune*) and called for ‘harshest punishment’ (29 December, 2012, *The Tribune*). The death sentences were also published in all the newspapers. In the series of follow-up stories, the *Hindu* published a news report providing the information of death of Ram Singh. The report says that Ram Singh found hanging in his prison (March 12, 2013, *The Hindu*).

The newspapers are still doing follow up stories on Nirbhaya gang rape case after eight years of incident happened. On seventh January, 2020 a report on the verdict of Delhi High court on Delhi gang rape was published (2020, *The Time of India*). This report talked about the death warrants against all the convicts of Nirbhaya case. The report was also telling the time of execution of all accused. The report also covered the people present in the court at the time of judgment. The reactions of victim’s family were also covered in the news report. They covered the whole incident of filing mercy plea by the accused and rejection of it by High Court and Supreme Court. *Hindustan Times* published a report on a request of lawyer Indira Jai Singh to forgive convicts. The *Times of India* highlights the reaction of Nirbhaya’s mother on the comment of advocate Indira Jaising (18 January, 2020). *Hindustan Times* published a news on the plea of Nirbhaya rape accused plea with the headlines of ‘Nothing more urgent than this’: CJI on Delhi gang-rape convict’s plea’. The report put lights on the mercy plea of rape accused. (January 27, 2020). A report published in *The Hindu* titled ‘Supreme Court to hear Nirbhaya convict’s plea today’ highlighted that a three-judge Bench would hear the petition filed by Mukesh Singh one of accused. The report also mentioned the name of all three judges. The *tribune* has done the detailed coverage of Pawan Gupta’s plea (one of accused of Delhi rape case), in which he claimed that he was juvenile at the time of crime. The report provided the information that the Supreme Court rejected the claim of Pawan Gupta. The issue of black warrant was also mentioned in the report (January 31, 2020). The newspapers are still following the case of Delhi rape. They are publishing multiple reports on the case. Some reports are discussing the reaction of family members of the victim, some are focusing on the judiciary system of India, and some are portraying the reactions of other people on this case of extreme prominence.

Comparative Analysis of Reports Published in Newspapers Under Study

News Items	Newspapers' Report on Unnoticeable Rape Cases in India	Newspapers' Report on Delhi Rape Case
Headlines	Women gang raped, girl gang raped, three booked for raping minor, man held for minor rape	Nirbhaya' (fearless), 'Amanat' (treasure), 'Damini' (lightening) and 'Jagriti'
Follow up stories	More than 85 per cent of the rape and sexual assault cases have no follow-up stories	More than 15 thousand stories published on Delhi rape case
Frequency of reports	Reported only once	Several times in a day
Got space in newspaper	Single-column stories, 4–6 sentences	More than two columns
Pictorial representation	No pictorial representation	With pictorial representation
Page where the report published	Published on page number 6 or 7	Front page coverage

#### 4. DISCUSSION

Media coverage of rape cases has numerous impacts in the public arena. It often shapes public opinion by which readers consider sexual assault as a ghastly crime and develop sympathetic outlook for sexual violence survivors. The Delhi rape case was covered in newspapers extensively and presented rape-victim as a blameless victim. The figurative expression like 'fight', 'struggle' and 'battle' are used to show the survival journey of the victim. The names like 'Nirbhaya' (fearless), 'Amanat' (treasure), 'Damini' (lightening) and 'Jagriti' (awareness) are used to create positive image of Delhi gang rape victim. The story covered in all aspects and also provided the follow up stories of the incident. The newspapers portrayed the Delhi rape case in such a way that it transformed into a social movement. It also changed the point of view of common public about rape. Thus, it is pertinent to mention that newspapers played as a catalyst to generate public opinion in Delhi rape case. But it is not true for all the stories of rape cases. The newspapers choose the stories to highlight or do extensive coverage which has some dramatic elements in portraying crime stories. The newspapers used dramatic elements to attract the attention of readers. The reporting pattern also shows that rape is a vastly under-reported crime. The newspapers do only incident based reporting for unnoticeable rape cases without understanding that incident-based reporting is superficial in that it insufficiently examines the causes and prevention of rape from a gender justice perspective. The Indian press needs to take a hard look at its coverage pattern of sexual violence to maintain the higher standard of journalism. They also need to think that noticeability of rape case is dependent on the constant coverage of rape cases in newspapers. The extensive coverage on news can change the attitude and opinion of public towards the case.

#### 5. IMPLICATION

The rape is the most horrible and atrocious crime against females and in India it's increasing day by day. The Indian females of any age group are facing sexual assault. Even a two months old female child is not safe. It is very painful and shameful situation that most of the

time the accused are from within the family. This research study will help the NGO and other organization to understand the importance of media (Newspaper) in creating awareness and social attitude towards crime of rape. This study is an attempt to understand the role of newspapers in creating awareness and generate a public opinion, thus this study can be used to prepare guidelines for newspapers how they need to report rape cases. The limitation of our study may affect the applicability of the findings in other situations in that the study was undertaken on a convenient sample; hence, there may be bias due to non-randomization.

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