



The Sexual Exploitation (Harassment) of an Innocent Wife in Amitav Ghosh's Sea of Poppies - A Contemporary Study

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1. INTRODUCTION

The contemporary discourse credits the modern world exclusively with improving the status of women. But thousands of years ago, Indian women had enjoyed high status. Gargi, Maitreyi and other women of vediclore illustrate the high status Indian women enjoyed in ancient times. The gargi tradition in Vedic times was no exception as avvaiyar of the Tamil Sangam period would testify. Several vedic rishis were women. The tradition of "Brahmavadinis", women celibates pursuing intellectual studies for life, existed in ancient India. Though less universal, the women intellectual stream did not dry up with Gargi and Avvaiyar but continued with the Karaikkal Ammaiyaars, Andals, Akka Mahadevis, Meeras. Indian women, who have played a big role in moulding our culture, civilization, arts, religion, have also handled state craft from the time of Draupadi to Chola Royal women, from Rani Padmini, Rani Jhansi and many others, to Indira Ghandi-something which no other society in the world can possibly boast. That is why I could proudly present my seminar paper regarding the "sexual harassment of an innocent women (wife or Draupadi) which is based on the sexual assault of Draupadi among all the kowravaas and Pandavaas as it is the contemporary evil issue, from Gargi to Meera, just which held once at the World Spiritual Women's Conference organized by the United Nations in Geneva in 2002.

Feminist scholars abroad, not Indians, have recently begun studying how traditions have enabled women in India to participate in the public domain, contrary to the traditions in the west. Jane Freedman hypothesized that the Western political culture, drawn from its traditions, which does not offer women any positive model of female power, excluded women from the political field. Taking the hypothesis further, in her essay "The Hindu Goddess and women's political representation in South Asia: symbolic Resource or feminine Mystique?", Stephanie Tawa Lama studied the impact of the Hindu Goddess- a uniquely popular, positive figure of feminine power -on the political role of women in India.

Observing that the Indian freedom movement was driven by the symbol of Mother India and devotion to her in the song 'Vande Maataram', which singularly inspired the freedom fighters to undertake high sacrifices, she underscored the subterranean influence of feminine power in Indian political life. She connected it to how Indira Gandhi, who became the prime Minister of India in 1966, was compared to Goddess Durga when she won the 1971war and how Tamil nadu chief minister Jayalalithaa was portrayed as 'Mahisasuramardini' (slayer of the demon mahisha) Ms. Tawa Lama says that in the West, tradition, which had classified women as the weaker sex, influenced the modern western politics with their prejudice. But India's was a contrast. In 1959, the swiss had denied voting rights to their women in the national referendum. But in 1963 Uttar Pradesh, India's largest state which had less than a third of its women literate at the time, had no difficulty in electing Sucheta kripalani as its chief Minister.

Finally, the Swiss women got voting rights in 1972after Indira Gandhi had already ruled India for a full six year as its most powerful prime Minister! American women got franchise rights only in 1924 and the British women two years later, centuries after the exclusively masculine British democracy came into being. Thus, gender conflicts in shared in the western traditions. But such gender hostility has no philosophic source or traditional roots in India.

In India from ancient times, female divinity has equated women with power. And, God as confluence of man and woman (Ardhanareeswara) symbolized gender harmony. The ultimate Reality [Brahman]

which transcended all form man, woman and all species is gender neutral. But unfortunately, contemporary Indian women intellectualism does not internalize these profound ideas. It tends to copy the Western thoughts that have no philosophic or social comparability of compatibility with the Indian.

Indian traditions have struggled to foster a higher sense of respect for women. Therefore, the grammar of gender relations in India is universal respect for women. This automatically implied unasserted but well recognized rights. Therefore, despite all the intellectual confusion and conflict, Indian Womanhood practices of Indian women and respect for them. The paradigm of respect for women in India transcended and avoided the conflict prone gender rights paradigm. But the Western women, denied respect by tradition, repeatedly rebelled and fought for rights. This has resulted in the modern paradigm of rights without a sense of filial duties in the West and caused social disorientation. Here is its fallout: over 41% of the babies in the United States, 47 % in the United Kingdom and almost 60% in Scandinavia are born to un-owned mothers almost half of them teenagers more than half the marriages end in divorce in 10 years, as two thirds of the second and three fourths of the third marriages most families are run by a single parent.

The 'rights sans traditional duties' paradigm scuttled the family system. But has freeing women from families made women happy? A 2009 study concluded that after three decades of feminism and development, women of Europe and the U.S. are less happy now than before and men, incidentally, are happier than they were.

According to economist and columnist S. Gurumurthy, the present social security cost of care of elders, infirm and unemployed is estimated at over six times the GDP of the U.S. a totally unsustainable situation. He says that this has led to the corporatization of the family kitchen and government takeover of parental obligations as the U.S. national Bureau of Economic Research warned in 1980. India's cultural and spiritual values stabilize the national economy and the Indian value system. Which constitutes the country's culturally –devised social security system is the result of the carefully nurtured continuum of Indian womanhood. This is the biggest Indian intellectual and cultural idea for export to the West. Time has come for India to introspect on what it needs to import from the west and what it need not Here comes the relevance of swami Vivekananda, the young Hindu monk who told the world parliament of Religions what the world did not know namely, that there exists in Indian the spiritual common denominator of mutual respect for all religions.

He therefore asserted that there need be no hostility among religions and appealed for harmony among faiths. In the same vein he appealed for harmony among faiths. In the same vein he appealed equally for gender harmony founded on the Indian idea of respect for women. When the west was learning the basic lessons of equality of humans, including women, swami Vivekananda proclaimed that "the barometer to the progress of a nation is its treatment of its women" As the nation gets set to celebrate the 150th anniversary of the monk's birth and even as India is set to emerge, according to the U.S. national intelligence council, as one of the three world powers, it is necessary that Indian women redefine their agenda not only for themselves but also the world at large. An effort has been undertaken under the aegis of the Swami Vivekananda 150 women's Initiative to hold a women's convention in Chennai on the occasion on the theme, "Indian Women as the guide for the world at a crossroads". It is a bold initiative. Hopefully such initiatives will set off the introspection and dialogue which is overdue in India.

"Atrocities against women, present challenges and future trends, on the college premises" against women such as eve teasing and gang –rape incidents reflect the ugly dimension of the society. I here pointed out that political parties should take up the matter seriously and fight against it. As per the history of Indian women is concerned that there was a lot of reverence and respect towards Indian women that woman is the embodiment of goddess and everything for instance that women had been homeowner in the days of Harappa and Sindhu civilization and also in Cholas dynasty in the history of India. But due to globalization and ugly cine culture were swaying the world to its tune and it is having an adverse effect on the ancient culture and traditions influencing the young minds.

Very recently, the brutal sexual attack on a young woman in Delhi, in 2012, and a savage attack on a girl student of Jawaharlal Nehru University (JNTU) on its campus last year one just two examples of extreme violence that have shocked the entire nation. Instances of these occurrences specially based on

sexual harassment which reflected the ways in which our Indian society works traditional values contradictory to democratic norms and practices continue to shape the behavior of our children and adults in their formative stages through socialization in the family and society. Public policy can do little to influence this informal learning of ethics which is at variance with the principles of equality and respect for women.

Indian Culture is very profound and has many meanings and definitions. The specific meaning for the culture is "the totality of socially transmitted behavior patterns, manners, customs, beliefs and all other products of human work through the characteristic of a community or population(1).

There has always been a dominant concern with social issues. Indeed most of the incidents in history make it clear. Therefore some reputed and notable novels from the ancient Mahabharata onwards drew richly upon the social realities. Whenever the novelists got a chance, they readily went to these cultured resources and enriched their vision by focusing on certain social incidents and experiences. So that's why I want to present an incident of sexual assault or harassment of an innocent wife through the recently published book called "**Sea of Poppies**".

Amitav Ghosh who wrote *Sea of Poppies* 2008 from which I have taken an incident regarding the sexual assault (harassment), rape and the exploitation of an innocent house wife which is the example of current evil society. However, Ghosh is the only writer who reflects the truth of Indian reality in the contemporary Indian literary scenario. He bears numerous responsibilities in the world of literature. He executes with admirable aplomb as an anthropologist, sociologist, novelist, essayist, travel writer, teacher and who slips into global responsibility for establishing peace as an ambassador. He has become the colossal central socio-literary figure with a substantial body of work through *Sea of Poppies* which has drawn the global attention. He has become the only negotiator to mediate the core social and cultural problems of Indian society and other colonized nations. All his major works including *Sea of Poppies* have enjoyed immense academic attention across the globe and it has invited and produced a great amount of literary criticism.

Amitav Ghosh's *Sea of Poppies* (2008) which is a unique fictional creation on the sea routes of Indian subcontinent. The novel succeeded in presenting different aspects of the experiences of life visualized by an innocent Bhojpuri woman Deeti who unknowingly and unwillingly exploited by force. It can be seen as one of the most powerful novels on a definite social problem, and a contemporary issue, and that of the oppression and injustice of an innocent house wife by exploiting her in a cruel manner. Moreover, touching upon related and contemporary social problems like this. This novel mediates a structure of feeling generated from the culture of a particular contemporary Bihar society. It includes the cultural background of the important characters like Deeti who is the central protagonist of the novel around whom the entire novel revolves. However, the novel which shows the ugly and cruel attitude of men towards women in the contemporary Indian Bihar society. The tension and interaction in the process of the mingling of the characters belonging to different cultures, and impacts giving rise to new problems in the novel as a whole.

For my seminar presentation, I have chosen the title called "**The sexual exploitation (harassment) of an innocent wife in Amitav Ghosh's Sea of Poppies- A Contemporary study**" which makes an exploration into the world of Amitav Ghosh and examines the contemporary influence of harassed attitude of men towards women. However, I tried to interpret the nature of the seminar title by observing it from the various literary aspects. I also tried to analyze the narration of the title and I examined an evil from the contemporary critical point of view by observing that how an innocent house wife being cheated cunningly and exploited sexually by the cunning mother-in-law and a brother-in-law, when her own husband seems an impotent and addicted for the opium.

As per as the novel *Sea of Poppies*' theme is concerned that the central character Deeti was brought up by her own brother Kesri Singh due to lack of her parents. One day Kesri Singh her brother proposed a match for Deeti whose name was Hukam Singh. Because Kesri Singh and Hukam Singh both had served together as sepoy in the East India Company Army. Hukam Singh was much older man who seemed like an elderly widower. Moreover, he was also a disabled person and a slow manner of speech. He was a kind of man who would go for his work without causing trouble, but not the least desirable qualities in a husband. (30)

As soon as marriage took place for Deeti and Hukam Singh, She examined the visitors carefully including with her mother-in-law and brother-in-law. Everything went on well in a good manner for that day. The night after she stepped into the new home, she had been pushed onto the marital bed for first night. But her husband puzzled her, instead of parting her veil; he said opium is my first wife. It was when he said these words her heart sank in distress and she understood herself that she might be marrying an *afeemkhor*-an addict and how the future would be. She also said herself that it was useless to be seized by regret now, on the very first night when her fate had been wedded to him. She reached under her veil to wipe her eyes with distress. She lent back against her pillow and slept. (32-34)

When she opened her eyes next morning there was a dull ache in her lower abdomen and a painful soreness between her legs. Her clothes were in disarray and she reached down to discover that her thighs were crusted with blood. But her husband was lying beside her peacefully with the brass box in his arms, his clothes undisturbed. She shook him awake to ask: what happened? Was everything all right last night? Then he nodded and gave her a drowsy smile. Yes, everything was as it should be. He also said that you gave proof of your purity to my family. He finally said that your lap will soon be filled with heaven's blessing. She would have liked to believe him, but looking at his enervated and listless limbs she found it hard to imagine that he had been capable of any great exertion the night before. She lay on her pillow trying to remember what had happened, but was unable to retrieve any memory of the latter part of the night.

Shortly afterwards, her mother-in-law appeared by her beside; wreathed in smiles, she also sprinkled blessings from a container of holy water, and murmured, in a tone of tender solicitude: Everything went exactly as it should, beti. She also told that what an auspicious start to your new life! And also her husband's uncle, Subedar Bhyro Singh, echoed these blessings and slipped a gold coin into her palm: Beti, your lap will soon be filled-you will have a thousand sons. Despite all these reassurances, Deeti could not shake off the conviction that something must have wronged like untoward had happened on her first wedding night. (35)

Her suspicions deepened in the following weeks, when Hukam Singh showed no further interest in her, being usually in a state of torpid, opium-induced somnolence by the time he fell on his bed. At last, Deeti was forced to conclude that he could never be a husband to her, in the full sense, either because his injury had rendered him incapable, or opium had removed the inclination. But meanwhile, her belly began to swell with the weight of a child and her suspicions acquired an added edge: who could have impregnated her if not her husband? What exactly had happened that night? She asked herself. But when she tried to question her husband he spoke with pride about the consummation of their wedding-but the look in his eyes told her that he had no actual recollection of the event; that his memory of that night was probably an opium-induced dream, implanted by someone else. She asked herself that was it possible that her own stupor had also been arranged by someone who knew of her husband's condition and had made a plan to conceal his impotence, in order to preserve the family's honour? However Deeti could even imagine that the old woman who was behind had actually been present in the room, by helping to roll back her sari and holding down her legs while the deed was done.(36)

It was this throwaway remark that revealed to Deeti that her mother-in-law had every intention of ensuring that whatever had happened on her wedding night would be repeated; that she would be drugged and held down, to be "*raped*" again by the unknown accomplice. Even though Deeti knew what was she to do? It was no use to weep and bemoan. In order to take revenge over her mother-in-law, Deeti used to mix a little trace of opium and drug into everything she served her mother-in-law's sweetened milk and food so that the old woman spent more and more time lying in bed, by sending her into a trance from which she never recovered. In her last days, when her mind was wandering she often referred to Deeti as "*Draupadi*"; by murmuring drowsily: Because the meaning or the background of the name was that the earth has never seen a more virtuous woman than *Draupadi*, of the Mahabharata, who was a wife for five brothers. It's also a meaning that a fortunate woman, a *Saubhagyawati*, who bears the children of brothers for each other.

It was with this allusion no doubt that confirmed Deeti's belief that the child in her belly must had been fathered not by her husband, but by Chandan Singh, her leering, slack-jawed brother-in-law. That's how, Deeti an innocent house wife had been *sexually harassed, cheated, exploited, and raped* by her own family members. (39)

By vivid description from the above particular scenes and objects serve two purposes in this novel. They contribute significantly to the building up of the “*exploitation of the rape*” of an innocent house wife with certain emotive connotations; by cheating cunningly to the individual state of mind and the life of a woman. In fact, according to my opinion with the above information that my author Amitav Ghosh would like to show that there are really cunning and cheating impotent husbands even now-a-days in the society like Hukam Singh. As per as the real history was concerned that there was an impotent king called *Ramaguptudu* in the dynasty of “*Guptas*” who cunningly exploited his own wife for the lust of his kingdom. Even now-a-days so many young girls are being cheated and exploited by the cunning and addicted impotent husbands like Hukam Singh. Indeed, the girls’ parents who are illiterate and innocent are also responsible for all these exploitations in the society, by looking and considering outward appearance and property. That’s how they are destroying their own daughters’ lives. So ultimately the result is that the very young, intelligent and beautiful girls are getting suicides due to lack of good married life. Here I have my own views on marriage system that there should be equal resembles, nearly equal age, equal status and same culture between them. Then only there may be no chance for arising disputes between wife and husband.

However, here in this context I had one question that why did Hukam Singh marry to a young girl like Deeti? And what may be reason? Even by knowing that he was an impotent, or an *afeemkhor*, an addictor and also too old who can not please a young wife in all aspects. And why did the author Amitav Ghosh allow this kind of character for very young girl? I think that means because, in olden days as well as now-a-days also incidents like this being happened only for property or status of too old bridegrooms who had rich properties, fame and name in the society.

In this connection, the girl parents are not considering whatever flaws or inabilities for bridegroom’s side. In fact, girls are becoming real victims for all these exploitations by the innocence of their parents. I also personally felt that what the girl parents think that their daughters merely would get food, cloth, and shelter by keeping aside mentally peaceful life.

Indeed, what happened for Deeti on her first wedding night? And what exactly doesn’t mean? That her mother-in-law appeared and murmured that everything went exactly as it should, beti. What an auspicious start to your new life! So the interpretation for all these above questions is that we can guess what really happened on the day of her first wedding night, which is absolutely injustice and exploitation of an innocent house wife. Moreover, what is the inner meaning of her mother-in-law for comparing her with Draupadi? Which means Draupadi was the wife of *Pandavas* according to *Mahabharata*. But at the time of this incident took place, everything had happened without any deceit, cheat and exploitation between Draupadi and her mother-in-law. Moreover, Draupadi well pleased all her husband’s without any in security or flaw. Because it well pleased her to be a wife for all her brothers-in-law including Arjuna who really obtained her as a wife at that juncture. But here in this point of view, whatever happened in the life of Deeti is an absolutely deceit and exploitation being an innocent house wife. As per as the mock epic poem *The Rape of the Lock* is concerned that the entire audience’s hearts melt in tears while an evil person cut the hair lock of their Queen, then how about Mrs. Deeti an innocent village house wife who really exploited treacherously by her own family members? Yes we too are supposed to have pity on an innocent woman’s side. And moreover, what is the wrong in it a woman like Deeti who is a high caste Raj put believed and eloped with a down trodden caste Dalit? When she lost her confidence and belief towards her own family members.

So that’s why, I also would like to comment this title as “***The sexual exploitation(harassment) of Draupadi in Amitav Ghosh’s Sea of Poppies***” for my seminar paper, because Deeti the protagonist of this novel also more virtuous woman who brought up in the very civilized culture as a countryside girl in northern Bihar, like Draupadi. Attempting by assaulting the sari of Draupadi by her brother-in-law Dussasana among all the relatives of the congregation in a mocking way is nothing but raped her.

As per as my opinion is concerned in this point of view, rape means that not only insulting by sexually but also mocking mentally and physically is also equal to rape.

According to *Alexander Pope* who was called as a mock epic poet who wrote a mock epic poem called “*The Rape of the Lock*”. The essence of the poem is that attempting the cutting of Egyptian Queen named Mrs. Arabella Fermor’s lock for only making the fun. But Belinda’s tears melt her listener’s hearts to tease. But the tears of Mrs. Deeti could not melt the hearts of her family members and society.

Belinda raises a rhetorical question as to why beauty is frail; the locks would turn gray, painted faces would fade and haughty women would continue to remain virgins. That means a virtue which is alone eternal. But Deeti didn't ask any question or raise her voice because of her exploitation or rape. Certainly Deeti is a virtuous woman even more than Draupadi.

In fact, Amitav Ghosh could have showed that the exploitation and deceit nature of her own family members like her husband, mother-in-law, and brother-in-law who really cause for the plights of an innocent house wife Deeti. So according to my opinion here that Chandan Singh who raped his own sister-in-law is absolutely like a Dussasana who also raped by insulting Draupadi in the *Mahabharata* among all. Hence I consider that it is an apt title which I entitled for my seminar paper presentation today.

Now I want to show some incidents which really happened by the cruel and cunning beasts of human beings who are well noted celebrities like judges who are supposed to save the women from the clutches of evil persons in the contemporary society. But they themselves becoming as rude people which witnesses through the daily today media. These are real instances for us to feel shame of them. For example, Tarun Tejpal, the chief editor of Tehalka and as well as so called judges like justice Ganguly and so on. **PROTECTING WOMEN AT WORKPLACES such as Sexual harassment cases usually have a marked** in recent times. The issue of sexual harassment of women at the work place has assumed prominence with serious allegations being made against a former Supreme Court judge, whose court pronounced verdict on huge scams and the editor of a magazine with truth and exposure as its mast head. In the case of the former, a court-appointed committee found that the complainant's statement prima facie disclosed an act of unwelcome behavior of sexual nature, but matters went no further as the judge was found to have demitted office prior to the commission of the alleged offence. The second case has followed the traditional process of criminal law, beginning with investigation and arrest.

A Central Act brought into force on December 9, 2013, provides an alternative method of handling complaints of sexual harassment made by working women. The purpose of this article is to highlight some key problems with this well-meaning but inadequately-formulated piece of legislation.

The Sexual harassment of women at workplace (Prevention, Prohibition and Redressal) Act, 2013, was a response to the public outrage over what has come to be known as the "Nirbhaya case." The redress forum under the Act is an Internal Complaints Committee appointed by the employer to be comprised of a woman senior employee, two other employees and social worker, it is mandated that at least half the committee must be constituted of women. Where such a committee is not set up by the employer, or where the complaint is against the employer himself, a provision is made for the setting up, by the District Magistrate, of a panel drawn from social workers and NGOs.

Based upon the complaint of the victim, the Committee is to conduct an inquiry and submit its recommendations to the employer (or District Magistrate), who is required to take action on the same. Where an offence is made out, the punishment form misconduct is as per the service rules of the employer where no such rules exist, then as per the rules under the Act. Under the Act, redress ranges from apology and censure to withholding promotion and increments, and stretches to termination. The Act however is silent on the situation where the employer's service rules contain less stringent provisions.

2. CONCILIATION PROCESS

Section 10 provides the possibility for conciliation between the parties to be undertaken by the committee prior to inquiry, this can be done only at the request of the victim. Conciliation is the process where a neutral engages with the parties to try and arrive at a settlement of their differences and disputes. The process has been in vogue in our industrial dispute enactments and in matrimonial litigation proceedings.

Under the synonymous term of mediation, it is increasingly a feature of the country's many of which have set up their own mediation centers, of firing the service free of charge in thousands of cases where lawyers trained in the process mediate a range of commercial, for the property, and divorce disputes. The advantages are several it enables better communication and understanding, is conducted in a confidential setting and seeks a solution acceptable to both sides. At first sight, therefore, it seems quite reasonable to contemplate conciliation being used in sexual harassment case.

However, this is an area where we have to tread warily, and certainly not rush in. Sexual harassment cases usually have a marked power imbalance between the victim and the accused; this is implicit in the nature of the offence. This may well affect the negotiation scenario, with the victim being unable to hold her own, and end with a result advantageous to the other side. Some acts labeled as harassment are grave violations of a woman's body and dignity these ought not to be the subject matter of a compromise. There is need to draw clear markers between negotiation and punitive action and to realize that some offences have the starkness of black and white, without intervening shades of grey. In these cases, there is also the need for co-workers to know the identity and culpability of the transgressor so as to safeguard themselves, such information will remain cloaked in the confidentiality of conciliation agreements. In a wider context, public naming can be a societal need. All this is not to take away the choice of the victim, who is the central figure of our concern, but to emphasize that there are factors balancing the attractiveness of a quick settlement. The Act gets some basics wrong.

Firstly, it is a central tenet of the conciliation process that the neutral, being privy to confidential information usually obtained in private discussions with each party, cannot if the conciliation fails, become the adjudicator to determine wrongdoing. The enactment gives both roles to the Committee.

Secondly, good conciliators come from training and experience, and must possess the sensitivity to deal with emotionally distraught parties, apart from deftly maintaining negotiating balance. It is not likely that the panel members taken from the organization's employees will possess such skills, besides the fact that they may well think twice before indicting a superior.

Third, compensation is a key punitive and deterrent measure, as cases show. This Act enables the committee to recommend compensation and preserves the right of the court to do so as well but forbids the awards of monetary compensation in conciliation proceedings. The logic is unfathomable, unless the lawmakers thought that there would be a flood of women blackmailing hapless men with deep pockets. Fourth, there is little justification for the Act to mandate secrecy when the Committee reaches a determination of guilt and recommends punishment. The person who has poisoned the workplace may well do so again if not identified.

3. A MINDSET OF EMPATHY

Given that many victims will shy away from the publicity, the alternative structure and process is welcome, but needs much alteration. Helping victims to make informed choices about the different resolution avenues, providing trained conciliators, a monetary compensation settlement option, an inquisitorial approach by the committee when indicated, naming and shaming in grave cases and in-camera trials are some areas of improvement.

We need something else which legislation cannot provide the mindset to understand the fears, compulsions, and pressures on women victims. The legal concept and test of the "reasonable man" should give right of gender way to that of the "reasonable woman" (The writer is a Senior Advocate and Mediator. His email is srirampanchu@gmail.com).

3.1. A Punitive Sexual Security Apparatus

A year after the gruesome gang rape and murder of the young women on the streets of Delhi comes a moment to pause and reflect on the gains and losses that triggered the response to these event and several others involving issues of sex, sexism and sexuality.

India demonstrated its anger as young men and women poured into the streets over the issue of violence against women and their unrelenting daily experiences of being groped and harassed in the public sphere.

The protests found a voice in the bold and progressive report of the Verma committee. The reports sought to and dress the issue of violence against women and sexism through a framework of rights, most notably through the rights to bodily integrity and sexual autonomy. The report marked a significant attempt to shift away from addressing gender violence primarily within the framework of criminal law and circularity, which has done little to prevent such violence, has reinforced protectionism and infantilism.

Unfortunately, the minuscule minds in parliament largely ignored the rights dimensions of the verma committee report. Instead, they enacted a more stringent punitive regime to deal with the crime of rape,

including the imposition of the death sentence in some instances while the definition of rape was expanded when combined with a strengthened punitive apparatus, it has taken us dangerously in the direction of a sexual security regime rather than toward more rights.

4. DOMAIN OF CRIMINAL LAW

The year has seen a spectacular increase in the reportage of rapes and sexual assaults, including of the appalling gang rape in Bombay to the recent alleged sexual assault by Tehelka founder Tarun Tejpal, who has been caught under the provisions of the new sexual harassment of women at workplace (prevention, Prohibition and Redress) Act, 2013. If the accused in these specific cases are convicted, they face a mandatory minimum sentence of ten years.

More troubling is how the court used the right to equality to justify difference in treatment, based on the rationale that only those who are alike are entitled to sameness in treatment. Justice Singhvi upheld the distinction between those subjected to section 377, which criminalizes a sexual minority, and those who are not, namely individuals who engage in heterosexual procreative sex. He held that persons "who indulge in carnal intercourse in the ordinary course and who indulge in carnal intercourse against the order of nature constitute different classes, and the people falling in the latter category cannot claim that section 377 suffers from the vice of arbitrariness and irrational classification. "Thus, in this decision equality is used to legitimize bigotry and homophobia in the criminal law.

5. STRONG PROVISIONS, WEAK IMPLEMENTATION

Although the state is required to give wide publicity to the protection of children from sexual offences Act, the law is relatively unknown even to those who need to apply it

Amid the public outcry raging on the streets over instances of rape of children across the nation, the victimized and abused child suffers in silence. Traumatized, dejected and horrified family members of the unfortunate victims find themselves helpless, confused and unable to cope in the aftermath of the heinous crime.

Even though on May 22, 2012, parliament passed the protection of children from sexual offences Act, 2012 (POCSO) which came into force on November 14, 2012, this special law to protect children from offences of sexual assault, sexual harassment and pornography, remains an unimplemented law, unknown to most and beyond the reach of those who need to apply it. Sadly, the result is that POCSO a necessity in India where 40 per cent of the population is below the age of 18 and where over 53 per cent of children reportedly surveyed in 2007 stated that they had experienced one or more forms of sexual abuse is not complied with despite being in the stiff penalties, expeditious new laws and fast-track courts although POCSO as a wholesome law, already says it all.

Until recently, various provisions of the Indian penal code (IPC) were used to deal with sexual offences against children as the law did not make a distance between an adult and a child. POCSO deals with sexual offences against persons below 18, who are deemed as children. POCSO provides definitions of "penetrative sexual assault" sexual assault" and "sexual harassment: the offence is considered graver if it is committed by a police officer, public servant, any member of the staff at a remand home, protection or observation home, jail, hospital or educational institution, or by a member of the armed or security forces.

POCSO provides for relief and rehabilitation as soon as the complaint is made to the special juvenile police unit or the local police, who are required to make immediate arrangements for care and protection. The intent to commit an offence, as defined under POCSO is also punishable, besides abetment of sexual abuse against a child.

6. SPEEDY DISPOSAL

Special emphasis has been placed on ensuring the speedy disposal of trials in special children's courts as well as following of special procedures to keep the accused away from the child at the time of testifying.

Despite POCSO enjoining the central and state governments to take measures for giving wide publicity through the media television, radio and print and imparting periodic training to all stakeholders on the matters relating to implementation of POCSO's provisions, the Act is relatively unknown. Shockingly

in the most recent rape case, the Delhi police included the Act's provisions in the FIR reportedly after two days of its filing on April 15, 2013. In the infamous Apna Ghar Rohtak shelter home case of May 2012, where over 100 inmates were allegedly subjected to sexual abuse, the POCSO provisions have reportedly still not been invoked against the accused.

The Justice Verma committee report, in one of its conclusions on child sexual abuse, holds that "there is an urgent need to audit the performance of all institutions of governance and law and order". We need to consolidate our efforts and focus our energies on existing laws rather than looking to amend more laws and making still further newer laws. Alien to our culture, society, habits, lifestyles and harsh realities of the common man. Insofar as child sexual abuse is concerned, POCSO is a wholesome law. The government must create the machinery to implement it and educate its officers besides all stakeholders on what it contains. The state must not waste time exploring alternatives when the answers exist in a law made by parliament for these special offences against children, the most vulnerable section of society.

7. NATION REMEMBERS DELHI BRAVEHEART

7.1. Society Still has not Changed the Need of the Hour is to Boost Morale of Police, Says her Father

New Delhi: Politicians cutting across party lines and people from all walks of life on Monday paid an emotional tribute to the physiotherapy student who was brutally gang raped here a year ago. They were unanimous in their demand that an amendment in the law was needed to punish juveniles who commit such criminal acts.

Speaking at the constitution club here, the victim's father said. "December 16 must be remembered by everyone so that such an incident never occurs again. We are speaking about bringing change in law but society still has not changed. The need of the hour is to boost the morale of the police force. I thank all those who braved lathes during their candle light protests yet remain steadfast in supporting us"

Looking frail and subdued, the victim's mother said women's security was paramount and her daughter's sacrifice should not go in vain.

Addressing the victim's parents, former Delhi chief minister Sheila Dikshit said. "We have all assembled here to give our condolence and tell you the sorrow and pain is also being felt by us. She was like a daughter and will always remain one. I hope the Delhi government's agencies will fulfill whatever you decide here. Let us pledge that such an incident never occurs again"

Later leader to the opposition in the Lok Sabha Sushma Swaraj said though the nightmarish incident occurred a year ago she shudders while thinking about the pain and suffering the victim suffered.

"It was an incident which surpassed all barbaric incidents but the girl's extraordinary courage was an unmatched one. No other girl would have survived after going through such an ordeal. The whole country was agitated and candle light vigils were organized to demand death sentence for the perpetrators."

Expressing concern over the juvenile being sent to an observation home, Ms. Swaraj said she had prepared a private bill but could not present it in parliament so that a crime committed by a 16-year old is severely punished".

Unless those occupying top positions such as politicians, media persons, judges and god men involved in such incidents were not punished, how could one expect justice for the others, Ms. Swaraj asked.

And another example is the former Supreme Court judge A.K. Ganguly's intern was less than her granddaughter's age. He should have resigned as chairman of the West Bengal Human Rights Commission. Similarly, Tarun Tejpal indulged in a shameful act with a junior who was the daughter of his journalist friend."

Speaking to the Hindu, paediatrician Kiran Aggarwal said she was with the rape crisis intervention centre in south Delhi when the police referred the physiotherapy student's case to it. "RCICs are operating in each district and are run by a non-government organization. I was attending a national conference when the incident was reported. On reaching home I learnt about it. Perpetrators tried to throw the physiotherapy students out of the bus but since the backdoor was jammed, they dragged her from her hair and threw her out from the front gate," she recounted.

New Delhi: Exactly a year after a 23-year old girl's brutal gang-rape and murders shocked the country, the centre on Monday approved several proposals for enhancing women's safety under the much-publicized Nirbhaya Fund.

With the public mounting pressure and political parties criticizing the government for failing to utilize the Rs. 1,000-crore fund – named after Nirbhaya, the name given to hide the victim's identity finance minister P. Chidambaram announced that mobile handset makers will have to introduce an sos alert button to ensure that women in distress can be reached by the police in the minimum possible time.

7.2. Unfinished Reform

That's how a year after the brutal Delhi gang rape, institutional responses to sexual violence against women have failed to keep pace with robust efforts by civil society to sensitize the public. In its immediate aftermath, popular, city – based move mints rallied around the episode to help victims shed the stigma associated with such crimes. This heightened level of awareness and community support, aided by a vigilant media, contributed to an increase in reporting on sex crimes. The 'Nirbhaya' movement also brought to bear on the government enormous pressure to respond strongly against sexual offenders through tougher legislation. Although the united progressive alliance did well to incorporate the justice verma committee's recommendation to amend the Indian penal code and the code of criminal procedure, it has come up woefully short in implementing the new laws. The sexual Harassment of women at workplace (Prevention, Prohibition and Redressal) Act, 2013, passed by Parliament in February this 1st year was notified and given effect to only a week ago. The ministry of women and child development is yet to formulate a concrete plan to utilize the Rs.1000-crore Nirbhaya fund that was integrated into the Union budget this year.

On the other hand, state government is yet to pull up their socks on police reform, especially on the issue of including more women in the force. Without improved policing, it is difficult to see how states can rein in gender-based violence.

The UPA is also yet to act on the verma committee's recommendation to penalize marital rape under criminal law. Further, there has been no debate on the committee's recommendation to strip armed forces personnel of the immunity granted under the armed forces special powers Act, 1958 while investigating sexual offences. The union government has not been the line culprit. Despite formulating the vishaka guidelines on sexual harassment at the workplace 16 years ago, the Supreme Court and numerous high courts did not set up their own internal complaints committees until recently. The apex court recently confirmed that its former judge, Ashok Kumar Ganguly, had harassed an episode has cast the male- dominated higher judiciary in poor light. The media too have been engulfed by the scandal surrounding Tarun tejal, who while serving as editor-in chief of Tehelka is alleged to have raped a journalist working for the magazine. That the guardians of democracy have come up short in their efforts to tackle sexual harassment internally is a grim reminder that the roots of this maladies run deep. The government must sustain the momentum against gender based violence that the 2012 gang rape provoked to offer better policing and legal protection for women.

7.3. Now Elders also want Ganguly sacked

New Delhi: Demands became shriller on Tuesday for removal of Justice A.K. Ganguly as chairperson of the west Bengal Human Rights Commission. The former Supreme Court judge is facing allegations by a law intern of sexual harassment.

Soon after the three –judge panel gave a prima facie finding against justice Ganguly that he had made "unwelcome sexual advances" to the intern; M.S Bnerjee sent a letter to the president seeking his intervention for removal of justice Ganguly. The Chief Minister last week wrote her second letter to the President seeking "urgent appropriate action" against Justice Ganguly.

7.4. Supreme Court to hear case against ex-judge

7.4.1. Another intern seeks redress mechanism

New Delhi: A former law intern who has made sexual harassment allegations against Justice Swatanter Kumar moved the Supreme Court on Monday seeking inquiry against the retired judge.

A Bench headed by Chief justice P. Santhasivam, before whom the matter was mentioned for urgent hearing agreed to take up the case on January 15.

The intern has challenged the apex court's December 5, 2013 full court resolution that related that it would not entertain complaints against its retired judges.

The petitioner also submitted that a proper forum be constituted to conduct inquiry in such cases and that her complaint be also looked into by the apex court like it was done in the case of sexual harassment allegations against justice (retired) A.K. Ganguly.

7.5. Leading advocates Support intern

The intern's demand for a Supreme Court probe into her allegations has been supported by additional solicitor general Indira Jaising, and leading lawyer's Kamini Jaiswal, Harish Salve and Brinda Grover. They have said the case concerning Justice Kumar was different from that of Justice Ganguly, who resigned as Chairman of West Bengal Human Rights Commission after sexual harassment allegations were leveled against him, also by an intern. Ms. Jaiswal said the court must set up a committee and conduct a thorough probe into the allegation as Justice Kumar was a sitting judge when the alleged incident took place in May 2011. Justice Ganguly's alleged act of harassment took place after he had demitted office as a judge.

In the case of Justice Ganguly, the Supreme Court set up an internal committee of three judges which reported that the statement of the intern prima facie disclosed an unwelcome behavior, verbal and non-verbal conduct of sexual nature by him. The court had also made it clear that it would not further entertain representations against former judges.

In her earlier complaint, the intern alleged that on one occasion Justice Kumar placed his hand on her lower back when she was stepping out of his office room. "I felt quite uncomfortable and disturbed but I brushed it aside."

Subsequently, on another occasion, when she went to the judge's room to apologize for a mistake she had committed he told her not to worry and asked her to come over to his side of the desk.

"When I did, he put his right arm around me and kissed me on my left shoulder. I was quite taken aback and shocked, and I excused myself and hurriedly left his room."

8. NCW TO PROBE GANGE RAPE IN WEST BENGAL

And also a very recently another shameful incident took place in West Bengal for which the National Commission for Women (NCW), taking suo motu cognizance of the horrific gang rape of a young tribal woman in Birbhum district of West Bengal on the 'orders' of a khap panchayat on 20th, Monday 2014 has decided to send a team to conduct an inquiry. The 20-year-old was gang raped by 13 persons all of whom have since been arrested following a dictat by a kangaroo court after her family expressed their inability to pay the "fine" imposed on her for an alleged affair with a boy of high caste. For which "A three-member team will travel to West Bengal next week and enquire into the above case of sexual violence NCW Chairperson Mamata Sharma told the Hindu on 23rd, January 2014.

So describing this above incident as highly condemnable, Brinda Karat, former M.P. and Communist Party of India (Marxist) Polit Bureau member, said it was shocking particularly since adivasi communities had a culture of gender equality. "They too succumbed to retrograde practices of so-called honour killings". Ms. Karat also said it showed how bad the law and order situation was in the state. The All India Democratic Women's Association (AIDWA) has demanded that full security for the survivor and her family and also demanded that all the perpetrators and instigators must be arrested and a proper investigation conducted.

So that's why, "the alleged crime against the woman is horrific and we will ensure that the perpetrators are given strict punishment which they deserve. But in a more holistic manner what is required communities that women cannot be treated in such a manner," Sunanda Mukherjee, Chairperson of the Commission, told in the media.

"One thing that I would like to do is to ensure that every girl and woman in India feels empowered enough to come out and protest against any wrong doing. We hope to use "Nirbhaya Fund" to send the message to girls and women that they should never be afraid to report and raise their voice against violence to keep quiet and suffer is a bigger crime. So as per as Nirbhaya's father's agony is concerned that today society has found the courage to stand up for its daughters its time then that you too stand

up for your rights and demand what is rights fully yours,” he says JNU and Delhi University have been pushed to strengthening the mechanism to deal with gender violence and sexism. While these one good steps the direction needs to be well thought of. The measures have their limitations in reforming undemocratic behavior. Laws discourage wrongdoing but do not necessarily correct sources of undemocratic behavior.

However, as per as my own experience is concerned that we must and should have the fear of God almighty in our hearts and mind wherever we go. For example that's what proved from the life of Joseph the then governor of Egypt by the then Pharaoh according to Genesis 41: 40-41. Moreover, I want show an incident which really happened that one day Potiphar's wife soon noticed him lonely. She asked and forced him for commit adultery, but he refused and said, “I won't sin against God by doing such a terrible sin as this.” But she kept begging Joseph day after day, but he refused to do what she wanted or even to go near her. One day, when Joseph went to Potiphar's house to do his work, and none of the other servants were there. Then Potiphar's wife grabbed hold of coat and said, “Come let us have sex! Then Joseph ran out of the house, leaving his shirt there and flees away. (Genesis 39:7-12.) By this incident, what made Joseph ran from that place? And now a day's people are seeking for the opportunities to do commit adultery or sexually harassing the women. But here even though Joseph got a very good opportunity for enjoying with evil, he just abandoned the place and ran away. How could it possible for Joseph? Its only because of Gods fear and faith that prevent him for doing such evil thing of the society. Can we understand that Joseph was an impotent? No! not at all, because he was very young and handsome and unmarried (7). So Jesus Christ also bluntly condemned the sin of the commit adultery. However, this kind of attitude for everyone is very good for the sake of not happening sexual harassments in the contemporary Indian society. This is my own opinion. Thank you one andall for your patient hearing. And once again thanks a lot for giving me this wonderful and fabulous opportunity.

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