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EXAMINING RAPE FROM THE LENS OF UNCONVENTIONAL COGNITIVE FACTORS

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Abstract

Rape is considered to be a heinous and monstrous crime in our society. It is a matter of disgrace to delay the trial of rape, but it is absolutely fine to blindly surrender against the triggering points of the crime. Is justice delivered if a rapist is trialled for the crime? Isn't it our social duty to plough out the rooted strands leading to rape? If justice means a mere execution of a convict, then why are we still struggling with rape! This paper revolves around the factors leading to rape and tries to derive an interconnection between ignored yet crucial elements behind such a dreadful act. It will examine rape via the lens of cognition and further distinctive parameters to unlock the shackles of your mind cultivating a new perspective towards rape.

KEY WORDS:

Toxic Masculinity, Hostility towards women, Dehumanization, Sexual Objectification, Body Autonomy, Cognitive Distortions, Intimacy and Attachment, Motivational Interviewing

Introduction:

In an economy which dwells in the universe of “how” and “what”, we consistently undermine the importance of “why”. In the verge of fitting in a generalized box, we lose the original ingredient necessary to derive justice.

Usually, rape is misunderstood and inappropriately envisioned which leads to the ever-increasing cases of rape. In the race of satisfying our own justification, we fail to intricately analyse the strands contributing to weave a cloth to suffocate innocent lives.

If giving a death sentence to a rapist is the end to the crime then why are the girls still living with the nightmare of being raped even in their houses? It is the need of the hour to uncarve the hidden

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contributions leading to fostering of rape in the society. We need to change our perspectives and come out of our repressed conditionings to take the charge as a frontrunner creating a more holistic and escalating economy.

Creating an empowered shield to protect us rather than escaping from the outcome of our actions will help in alienating crime from the society. A self-aware approach including cross examination of various social stigmas is a mental revolution each one needs to go through. The moment we stop feeding the wrong conditions and take an assertive step towards forming our own definitions, we will set free our lives from the clutches of the society.

An Encounter To Unlash Rape

A rapist is not the result of a mere lust or a violence cultivated out of a single emotion of hatred, rather it is a resultant of various complicated emotions entangled. Rape is an amalgamation of **domination, control, power and misogyny**. A question mark on nature vs nature arises and Psychologist Del Paulhus categorizes evil behaviour under four heads i.e., Machiavellianism, Psychopathy, Narcissism and Everyday Sadism.²The attitude the rapists carried left an unforgettable patch on the minds irrespective of the brutality of the act.

Lack of **empathy, narcissism, hostility** are few common characteristics which gets fuelled by rigid attributes to commit rape. The dehumanization generated in rape acts as a psychological lubricant diluting one's inflaming destructive passions. It enables a person to climb the pinnacle of uncertainties in order to perform acts unthinkable. The design of the justice system compels to compensate the violation by catching and sentencing the convict. But there is no effective system to analyse the core elements which influenced the offender to commit the crime. We need to profile each rape case in order to derive a link or cause which is essential to study the cause behind such unpredictable crimes.

Varied experiments done by psychologists suggest the importance of the study of psychology of the rapist to understand the real objectives behind rape. A study by a US psychologist interviewed 50 men having quite contrasting backgrounds with unimaginably different personalities belonging to different domains of the world. The only common factor being their unconcerned and callous attitude towards the criminal offense.³

² Rema Rajeshwari, "The psychology of rape through the lens of Nirbhaya", *Times of India*, May 11, 2017.

³ The psychology of a rapist, available at: <https://www.dw.com/en/the-psychology-of-a-rapist/> (last visited on August 26, 2022).

Sex and violence are biologically linked because of the common **trigger hormone called testosterone**. It was considered to be an asset in earlier days to showcase aggression accessing women. Psychology professor Norm Shpancer, studied that people hate to go against the societal norms, as a result when a woman says “No” it triggers his ego.⁴ He found men internalizing and generalising that flirting and foreplay will eventually lead to intercourse and it is the stepping stone for the pleasure they seek at the end.

Usage of coercive behaviour was a common trait found in the rapists who were sure to get away with rape without punishment. Peterson, assistant professor of psychology at University of Missouri claimed **antisocialism as one trait** which depicted care less attitude towards society and its rules.⁵

Although it is a matter of impossibility to try fit the rapists under a single umbrella, we can categorise them based on few highlighted traits that are dominant in them:

1. Opportunistic Rapist: An unplanned and impulsive sexual gratification in exchange with forceful practices to gain the opportunity of the circumstance without any predestined plan is called an opportunistic rapist. Due to uncontrollable assistance of one's own impulses they look for instances such as lonely women in an isolated road.

2. Anger Rapist: Fuelled with severe violence, aggression and previous antisocial offending, he tries to objectify the victim by using her as like a punching bag to burst his anger.

3. Sexual Rapist: A person preoccupied with sexual fantasies and urges ready to exploit someone sexually.

4. Sexually non sadistic rapist: Sexual arousal is fetish in nature and he is ingrained by the offence supportive beliefs in order to satisfy his insecurities regarding sex and masculinity.

5. Sexually sadistic Rapist: The power and control over the victim is the trigger point and he is not motivated by sexual feelings rather aroused by humiliation and degradation to the victim.

6. Vindictive Rapist: Anger and aggression focused on women specifically intending to humiliate and degrade victims.

⁴ CreelaBelle Howard, “Researchers say the psychology behind Rape is complex”, *The Daily Universe*, March 7, 2017

⁵ CreelaBelle Howard, “Researchers say the psychology behind Rape is complex”, *The Daily Universe*, March 7, 2017

Analysis Of Criminal Mindsets

Society has surrounded us with certain jurisdictions with a vision to cultivate a harmonious environment for everyone to live in. Even though genetic endowment tells what one can do, society curbs it to what should not be done. A nurture of a criminal mind is a resultant of a habitual thinking errors leading to a cracked behaviour.

It is an integral part to get a deep insight into the way criminals think and what pattern enrolls their names on the front pages of our newspaper. Criminologists and mental health experts focus in studying the psychological traits which leads to heinous crimes.⁶

Rape occurs when vaginal or anal penetration occurs without lawful consent. When the consent of the victim is obtained by **putting her or any near to person in fear of death or hurt**, fooling via date rape or when the victim is a minor.

Myths formulated by the way our society looks at rape:

- i. A women's dress up and behaviour indicates if she asks for sex or not.
- ii. A woman enjoys being raped.
- iii. Women are raped only by strangers.
- iv. Women can avoid being raped if they really wanted to.
- v. Women pretend to cry for revenge over powerful men.

Lack of meaningful research in India highlights a great lacuna of skills required to analyse mental health factors that underlie criminal activities.

Does Cultural And Societal Norms Foster Rape?

TOXIC MASCULINITY

In a patriarchal society which is highly dominated and conditioned to fulfil own requirements by crushing the rest, sexual assault is not about sexual gratification but more about dominating people, Sherry Hamby, a research professor of psychology at University of South in the US state of Tennessee exclaimed.⁷

⁶ Stanton E. Samenow, "The Criminal as Victim: The Tide Flows Backward", *Psychology Today*, August 2, 2022

⁷ The psychology of a rapist, available at: <https://www.dw.com/en/the-psychology-of-a-rapist/> (last visited on August 26, 2022).

Toxic masculinity promotes rape culture because it showcases a means of social status among male peers to be highly sexually experienced. Not being sexually active is seen as a drawback and stigmatized. Peer pressure of such kind entangles young men to commit such crimes and they do rapes in order to highlight the pride they carry.

A fake masculinity is reflected when the environment around including media asserts dominance over women and denounces less sexual encounters.

HOSTILITY TOWARDS WOMEN

Constrained by the several rape myths, rapists hold fallacious beliefs regarding rape. They visualise women as sex objects and derive their sexual need exploiting their dignity. They assume a NO to be a YES, misconcepting that the women are challenging the man's potential.

Rapists usually carry this illusional concept that women sexually arouse them and it's their duty to repay them back. Women being seen as inferior beings over men is the core cause behind this dehumanization. A deep-rooted cultural training ingrains a loss of emotions which blindfolds them to deal with their own feelings and value others too.⁸

IS THE RIGHT TO BODY AUTONOMY IMPLEMENTED?

According to the research of UN, most of the women in the developing countries are constrained from the decisions affecting their bodies. May it be a sexual intercourse or using contraception for sex, consent of the women is barely taken into accordance. The repercussions of this are broadly forecasted by the ruthless rapes, forced sterilization and genital mutilation.

Due to the entrenched patriarchy, a woman is deprived of her right to body autonomy which breaches her right to personal liberty and right to equality under Article 19 and Article 21 respectively. In the case Puttaswamy V. Union of India And Ors, it was held that right to privacy was a constitutionally protected right and it satisfies under Article 21.⁹

Natalia Kanem, the executive of UNFPA says that inequalities ignite the violence which arises from the stigmatized issue of gender discrimination. A woman's bodily autonomy is labeled when we encounter honour killings, forced marriages, virginity tests and female genital mutilation. The freedom to make decisions relating to pregnancy or abortions should be awarded to her

⁸ The psychology of a rapist, available at: <https://www.dw.com/en/the-psychology-of-a-rapist/> (last visited on August 26,2022).

⁹ Union of India ((2017) 10 SCC 1), (Puttaswamy I).

irrespective of ruling over her.¹⁰

A FLASHBACK INTO NIRBHAYA CASE

A tragedy that left everyone spellbound and questioned about the **legitimacy of humanity** left in this wrathful world. Jyoti, a 22 year sacrificed her life in the tug of war battle saving her dignity, integrity and self-respect till her last breath. She was raped in a bus ferociously by four men, Ram, Mukesh, Thakur and Afroz. The whole scenario was pre-planned and it was a bait put by these inhuman rapists who wanted to satisfy their hunger by vanishing her spirit.

Jyoti wrestled against the convicts by biting three of the attackers, but in vain. Their insanity and immoral gesture forced them to beat her with a rod as a **result leaving serious injuries in her abdomen, intestines and genitals**. Doctors disclosed the fact that a blunt object i.e., the rod was used for penetration. Amidst her endless rape, her friend was pinned and his helpless eyes couldn't even attempt to save Jyoti.¹¹

After committing the whole offence, the assailments tried very hard and removed every evidence claiming them to be the suspects. With harsh and monstrous will they threw both the victims from the moving bus. Jyoti's body had innumerable bite marks showcasing the way they engulfed her body like a piece of meat. At last Jyoti's soul departed this barbarous world and her demise fuelled to the new raging revolution which arose. Now the fight was against every woman, who was toiling hard to live in the hostile clutches of prevailing inhumanity. The whole world enraged and fought for the justice ordering the hanging of the convicts.

The most appalling statement made by Mukesh, one of the convicts stated that a girl is responsible for the rape, boy and girl are not equal. Roaming in nights doing wrong things wearing wrong clothes is reason for this. Moreover, he added that when being raped, she should have stayed silent and not fight against in order to submit in front of them. This crazed statement showcases the prisoner inside Mukesh who is ailing in the framework of prejudiced beliefs.¹²

¹⁰ UN: Only half of women in developing world have body autonomy, available at: <https://www.dw.com/en/un-only-half-of-women-in-developing-world-have-body-autonomy/> (last visited on August 26,2022).

¹¹ Jason Burke, "Delhi rape: how India's other half lives", *The Guardian*, 10 sept 2013.

¹² 2012 Delhi gang rape and murder, available at: [2012 Delhi gang rape and murder - Wikipedia](#) (last visited on August 27 2022)

What Can Be The Cause Behind Such Atrocious Gestures?

In a multifarious society which is full of unpredictable instances, there is never a single or generalized cause behind a certain act. Every case annexes the elements further highlighting the broader picture to us. Whereas there are few core boulders which undoubtedly become the path breaker for the rising change, here are few enlisted factors:

1.DEHUMANIZATION:

A highly dominance hierarchy over rules the society and suppresses the heads of passive citizens by intimidating. Violations of respect relating to the body autonomy are dehumanizing. The invisible imprint it leaves behind when a person persuades an unwanted touch communicates a message that their body is someone else's property. The agenda behind the rape is to create restrain of bodily rights.

The huge misconception that we dwell with to mask the original reason is lust. People claiming attraction being the cause behind such inhumanity is objectionable. Sexual assault and rape are about exerting dominance. Abusers force innocents to relinquish control of their bodies to serve themselves a platter to feel empowered.¹³

Ill conditioning of women stating that their body is a public property decreases their self-esteem and moral to defend them against these crimes. This as a result creates a negative body persona leading the women to devalue themselves and judge their worth by estimating their body according to the stagnant standards of the society.

2.SEXUAL OBJECTIFICATION OF WOMEN:

Objectification refers to treating a person as a commodity without regard to their personality or dignity. It is a type of dehumanization which portrays women as objects of male sexual desire rather than individual beings. In the ongoing era of commercialising, women are depicted as prostitutes, porn stars, etc. which devalues their sexuality giving a negative indication of inferiority towards their body. The objectification theory entails that female bodies are scrutinized and assessed to a greater degree than male bodies. The objectifying gaze and media representatives are broad examples of that.

¹³ Sexual Assault and Rape Are About Dehumanization, available at: <https://medium.com/inside-of-elle-beau/sexual-assault-and-rape-are-about-dehumanization> (last visited on August 27 2022)

The margin of acceptability is judged based on the provocative clothing deviating the normal modesty norms. Sexually charged content showcases via the dress up of provocative clothes highlights objectification questioning the level at which our vision lies. A focus on appearance rather than personality demonstrates an objectifying gaze by accelerating the eye movements towards women's chests and waists compared to that of boys. This shallow attitude of sexually objectifying humans lacks emotions, warmth, individuality and originality.¹⁴

3. COGNITIVE DISTORTIONS ABOUT WOMEN:

Predominantly men have a misbelief that both the genders are not equal. This misogynistic outlook vigours them to overpower by demonstrating their manliness via rape. Rapists assume a woman's desire to have sex or not based on the attire she dressed in. This delusion far from reality creates a platform where women can be marked as a sex object. She is deduced based on her body language and appearance contrary to her personality.¹⁵

It is asserted to be an acceptance when her mouths seal, unfortunately rarely someone cares about the enraging roar she depicts by her reserved silence. The male entitlement always governs a woman like a nightmare to throttle her freedom. But the biased approach towards valuing a male's stand point over a woman is alarming in a society of egalitarianism.

4. ATTACHMENT AND INTIMACY PROBLEMS:

Building a relationship takes into accordance several factors which truly influence the way you deal with people around. A lot of studies examined the early lives of rapists which undoubtedly came up to be a mixture of sexual abuse, repression, dysfunctional family relations which as a result create an aetiological imprint in them. Stuck in the pattern of past traumas and feeding it with via escapism creates an antisocial person who is aloof in the world. The battle to accept the reality and adopt a teleological approach is missing. Lost without confronting to their repressed emotions, an unempathetic and callous attitude acts as the stepping stone for a horrific event.¹⁶

¹⁴ Awasthi, Bhuvanesh. "From Attire to Assault: Clothing, Objectification, and De-humanization - A Possible Prelude to Sexual Violence?" *Frontiers in psychology* vol. 8 338. 10 Mar. 2017, doi:10.3389/fpsyg.2017.00338.

¹⁵ D'Urso, G., Petruccelli, I., Grilli, S. *et al.* Risk Factors Related to Cognitive Distortions Toward Women and Moral Disengagement: A Study on Sex Offenders. *Sexuality & Culture* **23**, 544–557 (2019). <https://doi.org/10.1007/s12119-018-9572-9>

¹⁶ Stephen W. Small bone, Mark R. Dadds, "Childhood Attachment and Adult Attachment in Incarcerated Adult Male Sex Offenders", Volume:13, SAGE journals 3(1998).

5.LACK OF MOTIVATIONAL INTERVIEWING:

An outcome is a result of many phases in one's life. To create a non-judgementalism methodology in order to cultivate a need for reduction of defensiveness, hostility and anxiety in a self-protective interviewee is the need of the hour. The inclusion of stages of precontemplation, contemplation, determination and finally actions to tackle it is the series of process we need to go through.¹⁷To understand the actual reason behind the whole choreography of the scenario, we need to create a zone of acceptance. Pinning the culprit's responses is a crucial part to get to the root cause behind the scene.

Conclusion

A culture where everyone can live without fear and uncertainty is a basic responsibility that each one of us owes towards the society. Valuing the differences and uniqueness of opinions in order to create an enthusiastic and progressive environment is a need. To aim towards a better world which breathes oxygen by exhaling all the carbon dioxide in the form of negativity and insecurities, we need to create a platform to speak about the root causes. Nay preoccupied definitions need to be redefined to restore the liveliness.¹⁸A new vision to take charge of the things without blaming the circumstance will help create an equal level between women and men. Understanding the true causes instead of escaping from the deadly encounters needs to be implemented. Educating the whole society regarding their emotional, psychological, social, physical health will be a game changer to turn the battle upside down. Creating a more aware and responsible human capital where living is a matter of enthusiasm and joy is our destiny.

¹⁷ Sarkar, Jaydip. "Mental health assessment of rape offenders." *Indian journal of psychiatry* vol. 55,3 (2013): 235-43. doi:10.4103/0019-5545.117137

¹⁸ 16 ways you can stand against rape culture, available at:

<https://www.unwomen.org/en/news/stories/2019/11/compilation-ways-you-can-stand-against-rape-culture>

(last visited on August 27 2022)