

See discussions, stats, and author profiles for this publication at: <https://www.researchgate.net/publication/349193854>

# “Shockwaves of Rape and Shattering of Power in the Contemporary Indian Web-Series: The Case of Delhi Crime, Made in Heaven, and Judgement Day.” In The Politics of Emotional Shockwa...

Chapter · February 2021

DOI: 10.1007/978-3-030-56021-8\_6

---

CITATIONS

0

READS

367

1 author:



[Shuhita Bhattacharjee](#)

Indian Institute of Technology Hyderabad

17 PUBLICATIONS 7 CITATIONS

SEE PROFILE

**Abstract:** I examine how recent historic incidents of sexual violence that registered emotional shockwaves across India have been portrayed in the contemporary format of the Indian web-series—in *Delhi Crime*, *Made in Heaven*, and *Judgement Day*—through a focus on the assault survivor’s excruciating experiences of bodily pain. I suggest that the reverberations set off by these watershed moments of sexual assault and legal controversy, are portrayed in these webshows as being activated not so much by the heinous and disturbing criminal offences as by the tormenting visibility and discourse of the victim’s pain—a strategic portrayal meant to intervene in the socio-political conversations surrounding sexual assault. I study the way sexual torture is shown to inflict pain on the human body across all three webshows, referring to the complex analyses of pain in Wittgenstein, Rachel Ablow, Elaine Scarry, Veena Das, and David Morris—analyses that veer between understanding pain at one extreme as something intensely bodily that obliterates the social, and at another extreme as something that acquires meaning *only* in the social context within which it is inflicted and received.

**Shockwaves of Rape and Shattering of Power in the  
Contemporary Indian Web-Series: The Case of *Delhi Crime*, *Made in Heaven*, and  
*Judgement Day***

**Shuhita Bhattacharjee** (Indian Institute of Technology Hyderabad)

The three Indian webshows that this essay examines were all produced for different paid video portals between 2019 and 2020,<sup>1</sup> and together they draw on the emerging and hugely popular genre of the webseries to crystallize a critical national conversation about sexual assault—a ubiquitous and heinous contemporary reality—and the controversy it generates across the country in watershed moments. I study *Delhi Crime* (2019), a *Netflix* Original on the 2012 Nirbhaya Rape Case in Delhi, *Judgement Day* (2020), a *Zee5* Original that alludes to the 2012 Park Street Rape Case in Kolkata, and *Made in Heaven* (2019), an *Amazon Prime* Original that delineates the horrific systemic injustices and sexual violence to which the Indian queer community was subjected before the 2018 Supreme Court verdict.

*Delhi Crime* (2019, *Netflix*) documents the details of the 2012 Nirbhaya Rape Case in Delhi in which a 23-year old female physiotherapy intern returning home with her male friend in South Delhi was gangraped aboard a moving bus on 16<sup>th</sup> December by six men that included the driver and the conductor before being thrown out of the bus along with the friend. They were left to die, both in fatal conditions, before being rescued and hospitalized by the police. The case fuelled international headlines and throbbing protests by civil society across the nation, and particularly by the student population in Delhi, bringing the country to the brink of a huge social and political crisis. Though the victim eventually died, the case led to the foundation of the

---

<sup>1</sup> *Delhi Crime* and *Made in Heaven* mix Hindi and English, and *Judgment Day* is a Bengali-language show. The English translations used in the essay are my own, and have some overlaps with the production subtitles.

Justice Verma bench that dramatically changed rape laws in the country. *Delhi Crime* closely follows the files on police record to produce the details of the case in documentary style and to present in some ways an account from the perspective of the Delhi Police that was categorically criticized and shamed for failing its duties. The show documents the dedicated efforts of the Delhi Police force, led by Vartika Chaturvedi, Deputy Commissioner of Police (South Delhi), and presents both their hard work in this high-stakes investigation as well as their long-standing grievances about the extreme limitations of manpower, budget, and infrastructure within which they have to function.

*Made in Heaven* (2019, Amazon Prime), to which I refer only briefly, primarily dedicates its sixth episode to telling the story of one of the two central characters of the show, Karan and Tara. Karan, a gay man, is video recorded by his neighbor while in the middle of same-sex intercourse with his partner and is later arrested by the police under Section 377 of the Indian Penal Code which was used to criminally prosecute same-sex relationships before the long and distressing struggle for gay rights in India finally culminated in the overturning of this law on 6<sup>th</sup> September 2018. The show, however, is located in the pre-amendment period and portrays the discrimination and violence historically suffered by the LGBTQ community before the landmark 2018 legal verdict. Episode 6 clearly implies that Karan is subjected to police brutality and rape at the hands of a police officer while in custody. After his release, he refuses to go public on this out of a sense of shame. His lifelong fight with his family, and particularly his mother, now intensifies as the whole country reports on him invasively through all media outlets. In the following episodes, publicly shamed and harassed, Karan decides to fight back and files a Public Interest Litigation against Article 377. He also speaks up through the media about the need to redress legally the severe wrongs directed at the gay community in India. He does not go public

about his rape, despite the urging of his lawyer and his friend, Tara. However, as the webseries ends we see how his protests, accompanied by that of thousands of others throughout the country and across decades, ultimately culminate in legal justice in 2018.

*Judgement Day* (2020, Zee5), produced more in the style of a thriller than a documentary, obliquely but significantly refers to the 2012 Park Street Rape Case. In this incident the victim, Suzette Jordan, who later publicly revealed her identity in order to more effectively work for anti-rape campaigns, was gangraped in February 2012 inside a moving vehicle by five men who offered her a lift when she came out of a Park Street nightclub late in the night. She went public with her identity in 2013, worked actively for women's rights and safety, appeared on a famous national show called *Satyamev Jayate* (translation, 'Truth Always Prevails') to promote the cause, and died of meningoencephalitis three years later in 2015 at the age of forty. Only three of the five rapists have been convicted so far and the two other men who were absconding for several years were finally caught in 2016 and are being prosecuted. The webshow tells the story of Hiya, the lead vocalist in a music band called Parthenium, who is gangraped after a visit to a nightclub by four friends of her boyfriend, Mac. Mac himself orchestrates the entire crime to seek revenge because she dances with some other men at the nightclub in between socializing with Mac's group. Hiya is abandoned half-dead near the banks of the river Ganga from where Hiya struggles to journey back to the main road, get a lift, and reach a hospital. Her entire family chooses to blame her but her sister, Diya, supports her through an excruciatingly difficult court case with the help of the Assistant Commissioner of Police (Kolkata), Javed Khan, and her boyfriend and supervising doctor, Kingshuk. Hiya's case is compromised, however, by her unethical lawyer, Sujay Dutta, and Season One ends with a disappointing failure in judicial justice but with the promise of a more rigorous jurisprudence in the next season that is yet to

premier. While this webshow creates several subplots and even ends inconclusively with the case half-solved, it is significant for certain key aspects of the Park Street Case that it recreates. There are two clear references to a nightclub in Park Street in the first episode of the show where Hiya is reported as missing at the police station, a direct allusion to the iconic setting of the actual crime. Additionally, the series showcases at length the police harassment that Jordan and her family had suffered in 2012 in the form of demeaning remarks about her lifestyle choices and character because she had been raped on her journey back from a nightclub.<sup>2</sup> Echoing this, Diya, Kingshuk, and Diya's flat mate are horrendously insulted by the inspectors at the police station when they try to report Hiya as missing in the first episode. The police officers comment demeaningly on the clothing and lifestyle patterns of the missing girl. Part of the huge controversy in 2012 that had sent shockwaves across the country, and in particular the state of West Bengal, resulted from the fact that the leader of the gang of men who committed the crime, Kader Khan, was understood to be extremely well connected politically. He was in a relationship with Nusrat Jahan, a female actor who currently serves as the Member of Parliament for the party (Trinamool Congress; or TMC) that was also in power in the state of West Bengal at the time. It was widely believed that the leader of TMC, and the Chief Minister of West Bengal, Mamata Banerjee, had offered protection to Nusrat and directly or indirectly to Kader Khan as well. This perception was further heightened by the fact that Mamata Banerjee blatantly dismissed the Park Street Rape Case as a conspiracy by her Opposition, and other members of her party went on record to imply that the survivor was not raped but was a sex worker.<sup>3</sup> Thus, common to the show and the case to which it alludes are the character assassination of the

---

<sup>2</sup> Sharma, "Kolkata Rape Victims Find a Police Officer Who's On Their Side"

<sup>3</sup> Sharma, "Kolkata Rape Victims Find a Police Officer Who's On Their Side"; Jha, "Why an India Rape Victim Disclosed Her Identity"; Gupta, "4 Years After Park Street Rape Case, Main Accused Arrested Near Delhi"; "TMC's Candidate Nusrat Jahan, Mamata Banerjee and their Connection with the Infamous Park Street Rape Case"

survivor in the public realm, and the evident connections of the prime accused. Mac in the show reeks of arrogant belligerence and violent indifference, clearly founded on assurances of complete protection—similar to the contrition-free and self-assured public stance assumed by Kader Khan.<sup>4</sup> The webseries shows Hiya’s case playing out in the Sessions Court, which is also the juridical level at which the Park Street Rape Case continues to be heard.

That the format of the webseries is crucial to the kind of discursive subversion that these shows attempt to stage is obvious. Alternative genres have been known to fail when it comes to performing the kind of creative and social intervention that underlies these productions. The Park Street Rape Case was treated in some detail, though indirectly, also in a 2012 film titled *Teen Kanya* (translation, *Three Girls*), a film that was shockingly banned from a state-run theatre through what were believed to be the obvious political machinations of the ruling party (Bhabani, “Mamata Stops Screening of Bengali Film for Resemblance to Park Street Rape Case”). The webseries, of course, continues to be a format that eludes this level of scrutiny or censorship while still promising a wide, dedicated, and young viewership—a demographic constituency more likely to commit to the cause of social intervention and legal redress around shape-shifting moments of national criminal history. That this critical cluster of productions could effectively perform this critical intervention only through this format of a webshow also becomes evident in Priya Arora’s *New York Times* article. Noting how *Made in Heaven* critically comments on the #MeToo movement and “archaic colonial-era laws” like Section 377, Arora indicates how this commentary is made possible precisely because of its template so that while “Bollywood might gloss over these uncomfortable truths,” a “streaming medium,” with its “freedoms from a censor board and stifling box office numbers, unshackles the creators.” Thus,

---

<sup>4</sup> Khanna, “Kolkata Park Street Rape Case: Kader Khan Shows No Remorse in Court”

these shows across web platforms come together as part of a strand of contemporary cultural production that is able to function subversively in the face of hidden hierarchies and pervasive patriarchy. No wonder then that Arora goes on to refer to the emergence of the global Indian market across both established and new platforms like *Netflix*, *Amazon Prime*, *Zee5*, or *Eros*—a constellation of online video streaming services from which the three shows under discussion are drawn—and observes that *Made in Heaven* is a “part of a small but growing contingent of progressive and daring shows tapping into a corner of the Indian market that has largely been ignored.” Such is the “progressive” contingent of webshows that I examine, focusing on the three that within the last two years not only drew on landmark national incidents of sexual assault and related controversy, but also attempted to critically alter the understanding of and conversation around rape.

### **Pain at the Crossroads: The Conflict of the Personal and the Social**

Crucial studies on pain theory have interestingly charted the whole range of existing scholarly positions on the topic—between regarding pain as an exclusively personal and bodily experience and viewing it as a reality that can come into being only in and through the social. Rachel Ablow delineates this entire gamut of approaches noting, on the one hand, the stance taken up by Elaine Scarry—who describes pain as internal, as marked by certitude for the sufferer, and as inscrutable to outsiders—and, on the other hand, the position of scholars like Wittgenstein, Veena Das, or Stanley Cavell who insist that pain is not personal, that it is not an entity (does not refer to an ‘it’<sup>5</sup>), and that it makes claims on the ‘other’ (Ablow 5-7). Paying

---

<sup>5</sup> Bourke notes that, according to Dr. Peter Mere Latham, “pain is an ‘it’, an identifiable thing or concept,” “an independent entity within . . . [the] body” (Bourke 3; Referring to Latham, “General Remarks on the Practice of Medicine”). Joanna Bourke discusses at length both figures—Latham in the late eighteenth and early nineteenth centuries and Elaine Scarry in the twentieth century—as examples of the camp which held the view that pain is personal and marked by certitude for the one undergoing it (1-5).



careful attention to the content of these three shows that portray in varying detail the physical pain of rape, and the socio-political shockwaves this generates when made public, allows us to detect several of these registers in the understanding and representation of pain. One of the most pervasive approaches in these shows overlaps with Scarry in its insistence on the private experientiality of the sufferer and the inarticulate nature of pain. Scarry explains her position by noting that for the person in pain, “so incontestably and unnegotiably present is it that ‘having pain’ may come to be thought of as the most vibrant example of what it is to ‘have certainty,’” while for a person not in this pain, “it is so elusive that ‘hearing about pain’ may exist as the primary model of what it is ‘to have doubt’” (Scarry 4). This is reflected at several points through these shows, where the narrative screeches to a complete halt when faced with the specter of the sexually violated body in terminal pain. In *Delhi Crime*, one of the most powerful visuals is in Episode 1 when Deepika is brought into the hospital by the police for the first time from the scene of crime. As she describes in precise detail the horrific assault that she had suffered, the camera shifts repeatedly to the police constable who bows his head in tragic shock, silent at the sight of such incomprehensible and extreme pain. The most pronounced examples are to be seen in *Judgement Day* where the first three episodes are framed by three sets of silent sequences depicting the brutalized and bleeding body of the survivor. The first sequence opens the show where the victim, evidently raped and savagely tortured, drags her blood-soaked body from the isolated river bank where she had been dumped to where she could be hospitalized and saved. As this episode begins, chilling in its gory intensity, Hiya is found abandoned on a boat mid-river amidst a torrential downpour, massacred and dead to all appearances. Soon she wakes up trembling and choking, trying to raise her bloody and shattered body, and drops helplessly off the boat into the river instead. In the second sequence that figures in the next episode, Hiya drags

her bleeding and broken frame up the muddy and slippery riverbank in the middle of the frightening downpour, nearly collapsing with unbearable pain, and finally clutches at a dilapidated wall embedded with tree roots to pull herself up to a standing position. Grim and terrifying to the viewer, this scene and the episode itself ends with her reaching the main road and throwing herself at the mercy of an approaching vehicle hoping to be rescued. The third and final sequence in this webbed continuum across the first three episodes shows a couple in a car—evidently the one at which the victim had thrown herself in hope at the end of the last episode—driving the senseless victim to a hospital. The man at the wheel is clearly reluctant and apprehensive and argues vehemently with his female partner in the rear seat who sits cradling Hiya's head in her lap in a frantic effort to support her outstretched body. Hiya croons with intense agony as the speeding vehicle jolts and her body crumbles. These three heavily silent sequences run parallel to the conversations in which the rest of Hiya's family and the police engage while searching for her—further heightening the contrast between the recognizable templates of legal functionality and the unverbalizable suffering of the tortured body in pain.

Pain, however, in the way in which it is portrayed in the shows, is delicately lodged between the private or pre-linguistic on the one hand and the public or linguistic on the other. Scarry herself notes the way pain slides in and out of the socio-linguistic framework that tries to address and contain it, observing that “the moment it [pain] is lifted out of the ironclad privacy of the body into speech, it immediately falls back in” (Scarry 60-1). Pain, that “[f]rom the inarticulate,” “half emerges into speech and then quickly recedes once more,” therefore becomes the topic of sustained scholarly discussion as an experience that is not strictly personal but also *socially inscribed* (Scarry 60-1). This counter-analysis of pain is provided at length by Rachel Ablow and Joanna Bourke who disagree with scholars like Latham and Scarry about the entirely

private and incommunicable nature of pain. Both emphasize the problems with treating pain purely as an internal event, marked by certitude only for the sufferer. Ablow notes that Scarry's analysis creates an epistemological problem surrounding the complete untranslatability and unknowability of pain. Ablow argues instead that pain does *not* refer to an inner truth and is *not* referential. Bourke explains that Latham and Scarry make the error of treating pain as an actual entity—'an identifiable thing or concept,' referring to pain as an 'it' and using metaphors to describe this entity. Bourke contends instead that pain should be understood significantly as an *event*, as something we experience, and that it requires a *being-in-pain* (i.e., it requires a person claiming that kind of consciousness) (15-16). Therefore, pain describes not *what* we experience, but the *way* we experience something. So, according to Bourke, while one way of seeing pain is to objectify it as an entity, the other and more important way of seeing it is as an event that "involve[s] a series of agents, immersed in complex relationships with other bodies, environments, and linguistic processes" (8). This fundamental emphasis on the experiential aspect of pain, despite pain's internality and opaqueness to language, highlights the centrality of the process of feeling pain and the urgency of communicating it to the external onlooker who is excluded from private experiential immersion. This approach is further nuanced by Ablow who notes that pain, in fact, makes claims on the other, asking for acknowledgement. This acknowledgement, explains Ablow, does not imply the acquisition of a knowledge of pain—knowledge being challenging for an experience like pain that defies relatability and linguistic translatability—but suggests the *participation* of the 'other' in the experience of that pain through the acknowledgment of it. This is the acknowledgement that the raped victim seeks, even when in intense pain and when fighting for life such as in *Delhi Crime* or *Judgement Day*. In Episode 5 of *Delhi Crime*, for example, as she lies in the hospital bed in between massive and

distressing surgeries, Deepika chooses to speak with DCP Vartika immediately after regaining consciousness in a poignant moment marked by the shared recognition of her bodily agony. As Vartika enters the hospital room, visibly shaken by the sight of Deepika's pained state, Deepika eagerly reaches out to her enquiring to confirm if she was the DCP. In *Made in Heaven*, Karan similarly steps out of the jail cell in which he had been sexually assaulted, distressed and stained, to meet Tara who had got him released on bail, and as soon as she comes closer to hug him, he says, "Don't, I am filthy" [Episode 6]. In a quiet acknowledgement of the torture and pain he had had to undergo, they hug and Karan looks visibly unburdened to have had his pain recognized by his friend. Later in the same episode, soon after refusing his lawyer's urgings to publicly accuse the police for torturing and raping him, he collapses in Tara's arms, his battered body slumping in her loving embrace, unable to inhabit his tormenting agony alone, and grateful to have his private pain become real and whole through this shared social space marked by empathetic recognition. Sobbing helplessly, he burrows his head in her arms and says: "I can't do this anymore, Tara. I'm so fucking tired. What am I gonna do? I've . . . I feel so alone. What all am I supposed to fight?"

Drawing on the scholarly insight that pain is an event involving not just the sufferer but also the 'other,' the shows stage the way pain comes into existence in the space shared by the sufferer and the onlooker, and the way this process externalizes what was deemed to be intensely personal—and by doing so *intervenes in the socio-political discourse*. Thus, the oft-silent suffering of the assault victim in these shows is not without a deeply disturbing charge and a complex political significance. The political implications of physical pain and its inarticulability are made explicit by Scarry. She explains how the felt-attributes of pain are often discursively lifted into the visible world and are attached to *a referent other than the human body*. That is, the

“felt-characteristics of pain,” most significantly its “compelling vibrancy or its incontestable reality or simply its ‘certainty,’” can be and are often “appropriated away from the body and presented as the attributes of something else”—“something which by itself lacks those attributes, something which does not in itself appear vibrant, real, or certain” (13-14). And Scarry’s analysis suggests how this possibility is instrumentalized as political strategy when “some central idea or ideology or cultural construct has ceased to elicit a population’s belief” and the society undergoes “a crisis of belief”—“either because it [the idea] is manifestly fictitious or because it has for some reason been divested of ordinary forms of substantiation” (14). At such moments, hints Scarry, the powerful in authority may borrow the “sheer material factualness of the human body” to lend “that cultural construct the aura of ‘realness’ and ‘certainty’” (14). According to Scarry, this is how torture and war are often constructed and justified by the political machinery—the former example resonating deeply with the torture of the victims depicted in the shows. Crucially, this analysis allows us to recognize how “the attributes of pain can be severed from the pain itself and conferred on a political construct”—one that is unstable and possesses only bleak support—in order to strengthen its claim to power by creating the appearance of its stability and how this offers us a parallel to understand the depiction of sexual torture in the shows (14). We must therefore understand how the sexual torture that is portrayed in the shows in fact serves to strengthen the appearance of unassailable patriarchy—both as represented by the rapists and by the political-administrative system that attempts to suppress and demean the victims. These assertive patriarchal undertones that covertly bolster our ‘rape’ culture become evident in the sheer power that the shows ascribe to the voice of the rapist and to the administrative system in general. Jai Singh, the first rapist captured by the police in *Delhi Crime*, and by far the most violent of the whole group, describes in unsparing detail and with vengeance

in his eyes the horrific acts that he had committed about which he was entirely unapologetic. He says: “[W]e bashed her . . . Then we dragged her to the back of the bus. We threw her on the floor. She fought back hard. I got really pissed off. So I raped her. From the front and also from behind . . . The others did too. She then bit one of us. So we bit her harder. I got even more pissed off. There was a rod in the bus. I shoved it inside her, in front, and behind. . . . Then I put my hand inside her and pulled her intestines out. I wanted to tear her apart from the inside.”

[Episode 3] A more invisible torture to which the victim is subjected is embodied by the legal system that demeans her voice and agency by repeatedly trying to appropriate it. In Episode 2, Ira, likely the public relations and media manager for the Chief Minister of Delhi, studies the reality of the case at the hospital and the police headquarters and immediately after communicating to the Chief Minister the uncommunicable horror of the incident, proceeds to politicize the suffering by holding a press conference. The Chief Minister initiates the political game by asking Ira to hold this press conference, instructing her to “tell the public as much as possible,” including “what happened, how, and when” [Episode 2]. He also makes the incident an excuse to seize power over the Delhi Police Force which had always been and continues to be under the control of the Indian Central Government instead of the Delhi State Government. In different ways, the deeply hierarchical and oppressive patriarchal agents and structures torture Deepika, and the narrative exposes the way the spectacle of this torture—this infliction of pain, either expressly by the rapist or in more muted ways by the legal system—is meant to reinforce patriarchal hierarchies that attempt to discipline and delimit women. In *Judgement Day*, we observe the same instrumentalization of the victim’s pain through the enactment of torture, both by the rapist and by the administrative machinery, for the sake of bolstering the existing patriarchal regulations imposed upon women. This show portrays even more graphically the

figure of the rapist with his sexist judgement of and violence against women. Mac repeatedly insults Hiya, undermines her right to her voice or her body, and retaliates brutally when she tries to assert herself. The systemic forces similarly torture Hiya in their response to her rape, first at the police station where they insinuate that her lifestyle choices are the reasons why she has gone missing, and later through news channels that seemingly continue to sensationalize her experience. However, what is crucial to note, as I will show, is that this cluster of shows dismantles this political instrumentalization of pain through the figure of the victim who seeks to articulate her/his intense personal pain and inscribes through it, not the invincibility of the patriarchal social, legal, and political structure, but the very instability of this structure in the face of the victim's irrefutable pain and the nation's uncontainable public protest. Thus, the shows intervene in the conversation surrounding sexual assault by mainstreaming the uncontainable and frightening excess that is the bodily pain of the survivor, and by using the viscosity of this pain to challenge and overthrow the patriarchal administrative structures and social assumptions that make 'rape culture' a reality.

A key feature of *Delhi Crime*, for example, is the attempt to inscribe on public memory the intense reality of personal physical pain that defies linguistic or administrative articulation in order to destabilize the logic of patriarchal power. The legal patriarchy is fractured by being forced to acknowledge, the '*being-in-pain*' of the one being oppressed, or in this case assaulted (Bourke 15-16). Thus, a consistent feature of the shows is the attempt at articulating the inexpressible bodily pain through and within the politico-legal register, alongside a repeated reminder of the chasm separating the two realms. In the very first encounter with the raw and visceral reality of Deepika's shattered body, DCP Vartika looks at the mutilated spectacle dumbfounded and hears the doctor describe the condition of this body in language that seems

woefully inadequate to describe the full extent of the pain inscribed on it. The doctor says in grim tones, providing the very first public translation of Deepika's private bodily pain: "She is in critical condition. We are moving her to the emergency surgery to repair the torn areas, as well as her mesentery. Put simply—her intestines appear to be hanging out of her vagina and rectum. . . yes, [it was a gang rape]. And they [the rapists] also inserted a rod. [Episode 1]"<sup>6</sup> In *Judgement Day*, Dr. Kingshuk examines Hiya, the rape survivor, and similarly attempts to describe the brutally tortured body. When Diya, distraught in the hospital, asks him to tell her honestly what had happened to Hiya, he blurts out to her: "She was gangraped." Diya looks at him shattered and paralyzed. He continues: "They gave her a date rape drug till she was knocked out and then they raped her, not only once but several times in an hour. On top of that, she was physically tortured. After that they tried to kill her by drowning her in water. Or maybe she herself fell into the water." The medical account hardly matches up to the ghastly reality of torture that we witness in later episodes where the gangrape is depicted. Nor does it even begin to express Hiya's spasmodic pain and bodily seizures that we see before or right after. A little later, the doctor approaches the lawyer (Sujay Dutta) and the police officer (Javed Khan) to provide a more clinical account of Hiya's injuries—one that makes even more blatant the gap between tepid and sanitized medico-legal discourses of pain and its horrifying physical reality embodied by Hiya. Kingshuk says: "[E]ven besides anal and vaginal bleeding, there has been a lot of internal bleeding. Along with this, she also has fever. So we have to keep her for seventy two hours of life support." Through questions asked by Sujay Dutta and Javed Khan, legal and administrative discourse is shown to also simultaneously weigh in on the clinical summation

---

<sup>6</sup> The doctor elaborates on the condition later to Vimla Bharadwaj, the Investigating Officer, in the presence of the parents: "We have started the treatment. There is internal injury, several organs have been damaged. The bite marks on her face have caused swelling. And there's internal haemorrhaging." [Episode 1]



with questions and commentaries about the level of Hiya's criticality and the possibility of her recovery. Kingshuk's confident medical pronouncement on the visceral pain of the raped body is followed by a scene in which Diya enters the general ward where Hiya lies unconscious, strapped to several medical devices. Symbolizing the rift that separates the reality of the bodily suffering and its medico-legal articulation, the body of the survivor responds with uncontainable excess as soon as Diya steps into the room. Hiya's body impresses upon the viewer its palpable gore-soaked gashes by convulsing violently and uncontrollably so that Diya has to run outside, wildly screaming for medical assistance. This encounter with acute and tangible pain continues as a recurrent strand through the shows. In *Delhi Crime*, immediately after seeing the victim and meeting the doctor-in-charge for the first time, Vartika addresses her team of officers, instructing them about the plan of action and crucially admitting the limits of public language and social comprehension when it comes to pain of the kind suffered by Deepika through sexual assault. While she instructs her team peremptorily, likely retraining tears of anger, shock, and resolve, her controlled tone exhibits her bafflement and trauma, and her voice chokes almost imperceptibly as she pauses before saying:

This is not a standard gang rape case. What happened to this girl, I've never seen before.

This crime is not just heinous. It's insanity. I don't want any mistakes on this one. Focus everything on finding that bus.

In Episode 2, Vartika further emphasizes the physical pain of the victim that challenges limits of administrative or legal articulation. She commandeers the office of her deputy, Bhupindar, to lead the investigation in person, to which he retorts with the question: "What's so special about this case?" To this, she replies vehemently: "You didn't see that girl's condition." She further goes on to explain that even when measured against other cases of rape, this case was "demonic

beyond all limits,” and implies that they themselves would have exploded with violent and vengeful rage if it had happened to their own daughters. Soon after, in the same episode, we are shown a close shot of Vartika along with her two officers in the back seat of a car, heading over for investigation to the bus depot. While the officers talk, Vartika—visibly disturbed and emotional—wells up with anger and grief, and says while wiping a tear: “They practically finished her off, her condition is worse than death. I have seen many a cases but these rascals have crossed all limits. We have to solve this case, we have to get those bastards.” Throughout the several episodes of the show, Vartika’s quiet, cold, teary-eyed stare, her shocked and shattered demeanour, and her resolute yet baffled acknowledgement of the victim’s pain serve as ample reminders of the basic disjunct between the visceral reality of bodily pain and its conceptualization within the socio-legal imaginary. In *Made in Heaven*, the intuitive understanding of this disjunct is exactly what stops Karan from speaking publicly about the brutal sexual assault to which the police had subjected him in jail, or even from seeking redress in the form of a lawsuit despite the empathetic suggestion of his lawyer. When his lawyer continues to insist, informing him that “police brutality is not an unknown thing in this country” and that there were “ways and means” to prosecute the officer, Karan bursts out angrily, repeating his disinclination to pursue the matter legally, and says, “I said I have nothing to say. Can you just do what I am asking you to?” A similar rift between the reality of physical pain and its medical translation becomes evident when, in *Judgement Day*, the doctor himself appears baffled and helpless in the face of the extreme bodily reaction of the victim. As Dr. Kingshuk and Diya walk into Hiya’s ward, Hiya is seen in an uncontrollable paroxysm, her legs flailing wildly as she tries to name her rapist in a broken voice. Strapped to hospital equipment that tries to rein in her painful seizures, Hiya’s assaulted body embodies the failure of the medical system

to define or contain the pain. Later while still in the hospital, when Hiya is informed by Javed that she was drugged and gangraped, her instant reaction is entirely bodily and socially unanalyzable. She begins to spasm uncontrollably and says disjointedly: "Pain. . . pain." When asked where she feels the pain, Hiya says convulsively, "All through my body." Diya frantically tries to calm her sister and appeals to Dr. Kingshuk for help who himself seems unable to medically comprehend or assist the situation. Then again later, when Hiya is in recovery in her parents' home, this grim rift between personal pain and legal/linguistic comprehensibility becomes clearest. On two separate occasions at this time, Hiya's mother and her sister try to draw Hiya close by warmly pulling her into a hug and lightly grab her right arm in the process. Unwittingly, however, they both end up hurting her physically in one of her torture wounds. Both pause, enquire, and offer to help, but Hiya waves aside their gestures and continues to reserve for herself the privacy of her bodily pain, as if to remind them and us of the fundamental linguistic inaccessibility of this experience. Overall, the hostile reaction of Hiya's immediate family sums up the vast distance that separates the social understanding of rape on the one hand from the hoarse palpability of Hiya's bodily suffering on the other. As Hiya's family blames and disowns her for what has taken place, echoing the societal associations of shame and guilt that accompany rapacious pain, only Diya stands by her sister, attempting to recognize and understand Hiya's bodily agony. However, she gradually learns to grasp fully the privacy and remoteness of Hiya's physical pain and suffering. When she meets Hiya in the hospital for the first time after Hiya's attempted suicide, she runs her finger lightly over the sheet, letting it slide up her injured leg, and delicately touches Hiya's hand with the tip of her own finger. In this quiet moment, Diya seems to realize the vast chasm that separates her own language of crime and justice from the corporeal reality of her sister's pain.

The viscerality of the pain is also made evident through direct and indirect suggestions, or enactments, of the assault itself in the three shows. In *Delhi Crime*, the gruesome and agonizing rape comes horrifyingly alive in front of our eyes when the show offers us a narration of the entire incident by Jai Singh, one of the five rapists, who is caught first and who was responsible for the most heinous acts in the gangrape. Very soon after the leader of Vartika's special investigative team finally discovers the rod with dried blood on it in the bus where Deepika was raped—a moment that grips him with horror as he reports to Vartika (“We found it, madam. There is blood everywhere”; Episode 2)—we hear Jai Singh's confession that once again forecloses language in its starkness and terror. His shockingly unapologetic recounting of the incident which I excerpted earlier—and his remorseless admission that he himself had taken the lead in repeatedly raping her because he wanted to decimate her entity—recreates the extra-linguistic space of tortuous bodily mutilation and pain that exceeds all limits of comprehension or articulation. In *Made in Heaven*, the brutal rape of Karan is indirectly suggested when Tara catches a glimpse of the heavily etched torture marks all over Karan's back while he is being examined by a doctor after being released from jail. But we also directly see the beginning of this gruesome assault when Karan is visited in his cell by a police officer who demeaningly asks Karan to perform oral sex for him and begins to brutally torture him when he refuses—an episode that evidently escalates to rape which we are not shown. Finally, in Episodes 8 and 9 of *Judgement Day*, the brutality of the rape is depicted in stark detail. Orchestrated by Mac, his group of friends rape Hiya repeatedly with excruciating force, and there is frequent focus on Hiya's drugged body writhing with pain. She is gangraped first inside a car and is later thrown on the road outside and raped again until she falls unconscious. Finally, on the way to dumping her into the river, she is gangraped again on an anchored boat. The most crucial aspect of the

picturization is the complete silence on the part of the drugged and unconscious victim. Despite this vacuum of language, the sheer physical rhetoric of pain registers through constant involuntary convulsions and bleeding. One of the men slaps her with brutal force repeatedly and forces her semi-unconscious body into oral sex by thrusting his penis into her mouth with such extreme force that permanent cuts and bruises are ridged around her lips in every following episode till the end of the season. When she is dragged out of the car and thrown on the road, her spasms climax with violent intensity and scary regularity, after which she is slapped shut by one of the men so that she can make no detectable sound. It reaches an extreme when Max tried to throttle her by stamping her neck with his booted foot and she nearly dies gurgling and spouting blood. Following this, he seals the humiliation of the violated and exposed female body by urinating on her face. Across the several sequences depicting the rape, the body responds, despite silences, through its own rhetoric—a rhetoric that remains for the viewer part undecipherable and part intuitive.

Other agents working as part of the politico-legal structure also acknowledge the enormity of the chasm separating bodily pain and socio-legal language. Ira, working for the Delhi Chief Minister, who later helps him politicize the rape at a press conference, first reports to him the grim realities of the assault in a private telephonic conversation, evidently affected by the sheer bodily massacre: “It’s a gang rape on a moving bus. She was also assaulted badly with a rod. It’s ghastly, sir.” [Episode 2] As I noted earlier, acting on the instructions of the chief minister, Ira holds a press conference soonafter to report the details to the journalists. As the inarticulate viscerality of this bodily pain begins to reach the public sphere in this episode for the first time, Vartika watches this press release on television in stony silence and tense apprehension, subsequently walking over to look out of the window in grim anticipation of the

violent rupture that was likely to result from the vast difference in these two registers. As the quiet panic ripples through the scene, Vartika looks less anxious about the difficulty of controlling the emerging civil society rallies and more perplexed about this clash of registers—one that makes the expression of excruciating bodily pain in public discourse nearly impossible while also necessitating the mainstreaming of this reality in order to ensure justice for the victim. Vartika’s dilemma becomes apparent when, very soon after this, she is called upon by the Delhi Commissioner of Police to address the press herself in order to control and contain public curiosity, emotion, and rage. Predictably, after having outlined the facts of the case in a matter-of-fact manner, she stumbles when a journalist asks about the victim’s current condition. We are offered a close shot of her stony and tense face, followed by a brief shift to the audience in waiting, and are then looped back to Vartika who offers a halting and uncertain set of half-sentences: “I cannot uh. . . I’m not allowed to . . .” Realizing the discursive conundrum herself, Vartika tactfully changes registers and returns to the realm of language in which she is best able to function: “[B]ut the investigation is under way, we are making progress, we hope that like every other time we are hoping to solve this case soon. Police is trying its best to apprehend these criminals” [Episode 2].

Despite the excess that bodily pain represents in the shows, and despite the viewer’s intuitive understanding of its foreignness to all known socio-legal language of protocol or justice, the shows constantly return us to the crucial ways in which the victims continue to strive to mainstream their bodily pain. This mainstreaming defeats, as I have noted earlier, political strategies that instrumentalize pain in ways that may bolster unjust and exploitative socio-political hierarchies. Thus, as Scarry notes, “the successful expression of pain”—such as the kind of expression we find through the victims in these shows—“work[s] to expose and make

impossible . . . [the] appropriation and conflation” of this pain with “debased forms of power” (14). The shows portray how tortured victims courageously and determinedly foreground their private pain by projecting it into legal-administrative discourse, thereby preventing administrative, journalistic, political, or social discourses from appropriating their pain, and in this way destabilize the established patriarchal power structures that enable rape in the first place. In *Delhi Crime*, the legal-administrative attempt at appropriating the narrative of pain is seen on various occasions such as when Ira describes the rape at a press conference, or the Chief Minister discusses it in meetings with senior policemen, or the NGOs and the police analyze it in investigatory sessions, or the court explores it and the failures of policing surrounding it. In *Judgement Day*, as I briefly suggested earlier, there are multiple instances where the lawyers and policemen (Sujay Dutta & Javed Khan) end up monopolizing the accounts of the painful rape in their investigations or speculations, especially because the victim has very little and largely troubled recollection of the rape because of the date-rape drug used on her. However, despite these attempts, the overwhelmingly powerful voice is that of the victim who inscribes her visceral agency through the repeated articulation of the bodily pain imprinted upon her. The vital importance of this legal mainstreaming of an otherwise private discourse is emphasized in subtle and indirect ways in the shows by the portrayal of the general lack of personal and administrative awareness. *Judgement Day*, for example, emphasizes in Episode 9 the need for this mainstreaming by foregrounding the overall lack of understanding surrounding issues of sexual consent at the personal level, and the complete absence of legal recognition in the case of certain sexual crimes (such as marital rape) at the systemic level. In this episode, Mac says in the middle of the gangrape, “Rape and Sex, it is the same thing. When a fucked woman heads to the kitchen in the morning it is sex, when a woman heads to the police station it is rape.” Once again in

*Delhi Crime*, Vartika and her team highlight similar slippages within the legal procedural implementation that disrupt the possibility of justice in complex sexual crimes. Vartika, right from her very early briefings, is particularly alert about ensuring that legal procedure functions flawlessly so that it can attempt to offer redress for the brutal pain inflicted upon the victim. In her very first briefing in Episode 1, she asks her colleagues to collect evidence carefully in order for the police to be able to establish an unbroken chain of custody, attacking the police for which would be a prime strategy for defense counsel. Very soon after this the Investigating Officer, Sub-Inspector Vimla Bharadwaj, who was responsible for ensuring the proper procedural collection of critical evidence from the rape victim at the hospital, is shocked when the constables bag evidence without getting proper seals from the hospital authorities—crucial for establishing an unbroken chain of custody. Vartika also advises her team not to involve junior constables in such a sensitive and crucial case because they were most likely to mishandle the case and leak critical information to the media that would damage the legal possibility of prosecuting the arrested criminals. In line with this attempt to claim the realm of the legal for prosecuting sexual crimes that otherwise exceed the limits of legal rhetoric, the rape survivors in all three shows strongly attempt to inscribe the reality of their bodily pain, with all its undecipherability or uncontainability, into the mainstream legal discourse.

In *Delhi Crime*, very early into the show, the survivor herself is shown to be acutely aware of the need to locate her staggering pain within the uncomprehending administrative mechanism. In Episode 1, the very first time Deepika's blood-soaked and battered body is brought into the hospital on a stretcher and the doctor enquires about what has happened to her, she whimpers her distinct replies in the middle of her unbearable pain: "Rape. And they beat me with an iron rod. Then they pushed the rod into my vagina. . . . I think they might have pulled out



flesh from inside me.” As I noted briefly earlier, in Episode 2, barely conscious and in excruciating bodily pain, Deepika takes Vartika completely by surprise by recognizing and reaching out to her. As Vartika offers her legal reassurances (“I’m handling this case myself. And I promise, all of them will be punished”), Deepika says to her in a resolute tone: “I know who you are. I’m very happy that you are working on my case” [Episode 2]. Then again in the final episode, we witness one of the most poignant and heart-wrenching sequences of the show where the court magistrate arrives in the hospital to record the testimony of the terminally-ill rape victim not likely to survive much longer. While recording this statement, the Magistrate is shown to be deeply affected by the consuming pain of the patient lying incapacitated on the hospital bed in front of her. Deepika provides, as the relieved Magistrate tells a tense Vartika at the end of her private meeting with the ailing patient, a “signed four-page statement which is very detailed and very lucid”—a legally viable translation of Deepika’s bodily pain, as closely as it can be approximated in legal language. (Episode 9). In fact, at the start of this scene, as the Magistrate enters the room, the camera follows her from behind, revealing the spectacle of Deepika’s pain to the viewer in the same moment as it is revealed to the Magistrate, through the crisp parting of the curtain around Deepika’s bed. It is in this moment that we become acutely aware of the distance separating our legal and social narratives of pain, epitomized by the figure of the Magistrate, from the bodily experience of the victim. Deepika speaks in calm and intricate detail about the chilling and gruesome torture to which she had been subjected, causing the Magistrate to look up shocked when Deepika recounts how she had been brutalized with an iron rod: “[T]hey inserted a Rod inside me, from front and from behind, then they put their hand inside me and I don’t know what all they pulled out of me.” The Magistrate pauses from writing, looks up traumatized not knowing how to process into language the pain that she was witnessing.

Affected by the sight of Deepika, she addresses her twice as ‘*beti*’ (a term of affectionate endearment meaning ‘daughter’), and requests her signature on the recorded statement to ensure that the unutterable physical pain she was witnessing finds an approximate translation, however inadequate, into legal language. When she emerges from the hospital room and reassures the perplexed Vartika about the unquestionable legal viability of the recorded statement, the immense relief in the tone of both these women who had been spectators to the victim’s bodily agony is inescapable. Vartika says, with rejuvenated determination about completing the circle of administrative requirements and seeking legal redress for what she knows to be the victim’s unquantifiable pain: “We shall get the official medical reports to you from the hospitals as well.”

In *Judgement Day*, Hiya seems similarly determined to speak her pain in legal language. In her first moment of conscious awareness after she discovers the fact that it was her boyfriend and his group of friends who had gangraped her, she declares singlemindedly in the hospital while recovering from her attempted suicide that she “wants to change her statement,” implying that she now wants to name her rapists who had inflicted the cruel pain on her body. Additionally, despite the apprehensions of Hiya’s regressive family, the media coverage of her case does kick off with *Khabar Bangla*, a regional news channel, that calls the family repeatedly to disseminate the details of Hiya’s case—a hopeful beginning of constructive public discourse on private pain.

And in *Made in Heaven*, Karan decides to also mainstream his own experience of bodily pain indirectly when he goes on live television with his experience of police harassment and his views about the need to change the legally sanctioned discrimination against the LGBTQ community. After the portrayal of Karan’s assault, his harassment by the media, and his family tensions in Episode 6, it is the following episode that shows his growing resolve to register his pain and his revolt in legal terms. After a grueling recollection of his high-school past where he had exposed

and humiliated his partner, Nawab, Karan rushes in the last scene of Episode 7 towards his lawyer's home late in the night and desperately knocks to tell her: "I want to register a PIL against Article 377 . . . Can I do it tomorrow?" That Karan feels the sheer urgency of this act of mainstreaming becomes obvious to the lawyer when she expresses her surprise about why Karan could not wait to tell her this in the morning and Karan responds to this by frankly confessing his desperation and conviction: "You weren't picking up your phone, and I had to know right now." The following episodes show news channels incessantly flashing updated headlines on the issue as well as Karan's interview about his grilling experience of the systemic legal injustices meted out to a gay man.

The shows end with a compelling portrayal of the victim's bodily wreckage that reverberates as emotional and political tremors in the national imaginary. The translation of pain into politico-legal language and action emerges as the radical and triumphant climax of each of the shows—one shows the eruption of anti-Article 377 protests (*Made in Heaven*), one of volatile demonstrations near India Gate (*Delhi Crime*), and one of a potentially socially responsible cycle of media reportage on the Park Street victim. What remains in the mind of the viewer is the viewer's recent memory of the national controversy and rage surrounding these watershed crimes, overwritten by the poignant demand that legal process acknowledge socially normalized pain and politics overthrow the patriarchal oversight of agony.

\*\*\*\*\*

### **Works Cited**

Ablow, Rachel. *Victorian Pain*. Princeton and Oxford: Princeton University Press, 2017.

Arora, Priya. "An Indian TV Show Points the Way for a New Generation." *The New York Times*.

April 9, 2019.

Bending, Lucy. *The Representation of Bodily Pain in Late Nineteenth- Century English Culture*.

Oxford: Clarendon Press, 2000.

Bhabani, Soudhriti. "Mamata Stops Screening of Bengali Film for Resemblance to Park Street

Rape Case." *India Today*. 3 November 2012.

<https://www.indiatoday.in/india/east/story/mamata-banerjee-stops-screening-of-film-for-resemblance-to-park-street-rape-case-120462-2012-11-03>

Bourke, Joanna. *The Story of Pain: From Prayer to Painkillers*. Oxford and New York: Oxford

University Press, 2014.

Cavell, Stanley. *The Claim of Reason: Wittgenstein, Skepticism, Morality, and Tragedy*. 1979.

New York: Oxford University Press, 1999.

---. *Must We Mean What We Say? A Book of Essays*. New York: Charles Scribner's and

Sons, 1969.

Das, Veena. *Life and Words: Violence and the Descent into the Ordinary*. Berkeley: University

of California Press, 2007.

*Delhi Crime*. Directed by Richie Mehta, performance by Shefali Shah, Rasika Dugal, and Adil

Hussain. 2019. *Netflix*.

Gupta, Saurabh. "4 Years After Park Street Rape Case, Main Accused Arrested Near Delhi" 30

September, 2016. *NDTV*. <https://www.ndtv.com/kolkata-news/four-years-after-park-street-rape-case-main-accused-arrested-near-delhi-1468432>

Jha, Rupa. "Why an India Rape Victim Disclosed Her Identity." *BBC News*. 22 June, 2013.

<https://www.bbc.com/news/world-asia-india-22999478>

*Judgement Day*. Directed by Ayan Chakraborti, performance by Sohini Sarkar, Madhumita

Sarcar, and Abhishek Singh. 2020. *Zee5*.

Khanna, Rohit. "Kolkata Park Street Rape Case: Kader Khan Shows No Remorse in Court." 1

October, 2016. *The Times of India*.

<https://timesofindia.indiatimes.com/city/kolkata/Kolkata-Park-street-rape-case-Kader-Khan-shows-no-remorse-in-court/articleshow/54617862.cms>

Latham, Peter Mere. "General Remarks on the Practice of Medicine." *British Medical Journal*.

28 June 1862. Quoted in Joanna Bourke, 1-5.

*Made in Heaven*. Directed by Prashant Nair, written by Alankrita Shrivastava, Zoya Akhtar, and

Reema Kagti, performance by Arjun Mathur, Sobhita Dhulipala, and Vinay Pathak. 2019.

*Amazon Prime*.

Morris, David B. *The Culture of Pain*. Berkeley: University of California Press, 1991.

Scarry, Elaine. *The Body in Pain: The Making and Unmaking of the World*. New York: Oxford

University Press, 1988.

Sharma, Anuradha. "Kolkata Rape Victims Find a Police Officer Who's On Their Side." *The*

*New York Times*. 28 February, 2014. <https://india.blogs.nytimes.com/2014/02/28/kolkata-rape-victims-find-a-police-officer-whos-on-their-side/>

*Teen Kanya*. Directed by Agnidev Chatterjee, performances by Rituparna Sengupta, Ananya Chatterjee, and Unnati Davara, Rose Valley Films, 2012.

“TMC’s Candidate Nusrat Jahan, Mamata Banerjee and their Connection with the Infamous Park Street Rape Case.” *OpIndia*. 13 March, 2019. <https://www.opindia.com/2019/03/tmcs-candidate-nusrat-jahan-mamata-banerjee-and-their-connection-with-the-infamous-park-street-rape-case/>

Wittgenstein, Ludwig. *The Blue and Brown Books: Preliminary Studies for the “Philosophical Investigations.”* 1933–35. New York: Harper Perennial, 1960.

---. *Philosophical Investigations*. 1953. Oxford: Blackwell, 2001.