

The Dark Side of Hollywood, sex, drug and violence: The Case of Ms X a single mother, abused, isolated, discriminated, mocked on the internet and victimized. I believed in you Ms X but my heartfelt apologies to you and your baby, I could not help you, my beloved. An overview of Sexual and Domestic violence laws in Mauritius

¹Yudhistir S.M.F. Jugessur, Researcher

ABSTRACT: *Hollywood has its blockbuster side, making the world thrill in entertainment and contributing to the economy of countries but also has its dark side as well as its dark side, the side of sexual harassments, violence, drug and the victims like Ms X. a single mother, abused, isolated, discriminated, mocked on the internet and victimized. I took a stand and I said, I believed in you Ms X. but my heartfelt apologies to you and your baby, I could not help you, my beloved. Ms X. reminds me of my own mother who passed away in 2023, isolated and helpless. I refuse to be on the sides of oppressors. I refuse to be the mockers, abusers and the evil making fun of Ms X. There are still some predators lurking who once have tasted blood and are not yet satisfied. So due to legal , confidentiality and personal life privacy, the paper does not go into details about the case of Ms X, nor any identifiable names, but explores the Sexual and Domestic violence laws in Mauritius whereby there are many victims like her who have suffered in silence without any hand tendered to them. Some help via social medias, I preferred to denounce this witch hunt worldwide on paper. This paper also denounces the online internet harassment and mockery made upon victims of violence such as it is being done to Ms X. They add insult to injury, they upload videos of her court sessions where she is in difficulties and make fun. I still do not find it funny to victimize Ms X. A real disgrace to all those who have their hands in those denigrating, humiliating and inhuman acts. It was never a fair battle. They have the blood of innocents on their hands. They caused prejudice to her Career and reputation. My objective with this paper is to open the eyes of the world and make them realise that, enough is enough, you cannot continue to persecute Ms X , you cannot harm her and her baby. She has to be given a chance back to work and earn a living to raise her child. I want her back to Hollywood.*

KEYWORDS: *Hollywood, Sexual violence, Domestic violence, online harassment, Mauritius*

Date of Submission: 06-02-2024

Date of acceptance: 19-02-2024

I. INTRODUCTION

Legal ,Confidentiality statement , bias and aim of the paper. I do not become the evil I fight.

The identity of Ms X is not elaborated throughout the paper. Her permission was obtained to write her story provided I use 'Ms X'. Many women can identify themselves into Ms X. Due to legal, confidentiality and personal life privacy, the paper does not go into details about the case of Ms X, nor any identifiable names, but explores the Sexual and Domestic violence laws in Mauritius whereby there are many victims like her who have suffered in silence without any hand tendered to raise them up. My objective and aim with this paper is not just to create an awareness about the victimized women, like Ms X, but to open the eyes of the world, that enough is enough, you cannot continue this hate , persecution and vendetta against a single mother. She has to be given a chance back to work to raise her child. I want her back to Hollywood. This is my message to all the producers, directors of Hollywood. Ms X still have roles to play in Hollywood. She still has a career. I am well aware that any reader will question my motive. The topic is a very sensible one, about relationship between men, women, husband wife. On a personal level, as a researcher, author of the paper, I am not biased by any form of relationship with Ms X even though if it depended on me, I would ask Ms X to come to me and have a future here in Mauritius with me, a future for her and a father for her baby. But things are never that simple. I cannot become the monsters I fight, and I do not become the evil I denounce. I cannot force anyone to come to me , to love me, be my wife . So selflessly I support Ms X and in my personal life I am still single , still virgin, and still searching for a woman to love me, care for me, support me, be the mother of my future children. Ms X is well

aware of my honesty and motives. This is why I apologize; I cannot do more than that for her and her baby. I remember my mother Kritya, Lady Diana and I will remember Ms X as a part of my story that has forged me. Tomorrow I get married also, my door will always be opened for her and her baby. God forbids if anything happens to her, I would happily be the guardian of her child. There is nothing new what I say for Ms X. She knows the man who is putting these words to paper.

II. LITERATURE REVIEW

I support this paper with existing literature on the issue. Ganley (2008) said that domestic violence is a pattern of assaultive and coercive behaviors, including physical, sexual, and psychological attacks, as well as economic coercion, that adults or adolescents use against their intimate partners. Key elements of domestic violence are namely 1. Conduct perpetrated by adults or adolescents against their intimate partners in current or former dating, married or cohabiting relationships of heterosexuals, gay men, and lesbians. 2. A pattern of assaultive and coercive behaviors, including physical, sexual, and psychological attacks as well as economic coercion. 3. A pattern of behaviors including a variety of tactics — some physically injurious and some not, some criminal and some not — carried out in multiple, sometimes daily episodes. 4. A combination of physical attacks, terrorist acts, and controlling tactics used by perpetrators that result in fear as well as physical and psychological harm to victims and their children. 5. A pattern of purposeful behavior, directed at achieving compliance from or control over the victim. Further more, Domestic violence has many names such as wife abuse, marital assault, woman battery, spouse abuse, wife beating, conjugal violence, intimate violence, battering, partner abuse, for example. Sometimes

these terms are used interchangeably to refer to the problem, while at other times a particular term is used to reflect a specific meaning. In domestic violence, perpetrators have on-going access to their victims, know their daily routines and vulnerabilities, and can continue after violent episodes to exercise considerable physical and emotional control over their daily lives. In addition, these perpetrators have knowledge of their victims (e.g., prior medical conditions, allegiance to their children) which they use to target their assaults (e.g., withholding medications, grabbing victims from behind, threatening to harm the children), increasing the victims' trauma and fear. Victims of domestic violence not only deal with the particularities of a specific trauma (e.g., head injury) and the fear of future assaults by a known assailant, but must also deal with the complexities of an intimate relationship with that assailant. Many perpetrators believe that they are entitled to use tactics of control with their

partners and too often find social supports for those beliefs. It is the “family” nature of these relationships that sometimes gives the perpetrator social, if not legal, permission to use abuse. Unlike victims of stranger violence, victims of domestic violence face social barriers to a separation from their perpetrators as well as barriers to other strategies for self protection (Hart, 1993).

III. DISCUSSION

Mocking a single mother, abused, isolated, discriminated, made a fun on the internet and victimized

As explained earlier what brings my nightmare was that mockery made to that woman Ms X, again and again on social medias, videos, press. Getting kicked and abused was not enough, and people ass insult to injury to her worries. She became a single mother who they blacklisted from her work and for what reasons, this injustice was done to her? she talked of the harmed she has suffered. I refuse to be on the side of the oppressors, I refuse to be on the side of evil. Its like the story of the Jews. History will remember who was on the side of the Jews and I want history to remember I was on the side of the woman they had blacklisted for speaking of the harm done to her. I know what pain, being victim of harassment, violence, and hate is about. Till date, you google the name of Ms X, you type her name on youtube, you see the deflagration of hate directed towards her. Enough is enough, you cannot continue to victimize her. Hate has a limit. What I fear, what makes me worry is that I also fear for her safety. One evil has tasted blood, they wont be satisfied and they might want to harm her and her baby. I will not remain silent against any hate and violence. With this paper I wish to denounce the discrimination that Ms X is victim and that she deserves to be given back a chance to work. I want her back to Hollywood and in movies. I am not saying give her the Oscar, I say she needs to work to feed and raise her child. A fatherless innocent baby who I hope one day is told there was a man who stood for her mother when the world expected the inverse.

IV. FINDINGS

Mauritius laws on violence and sexual assault

228 Assault with aggravating circumstance (1) Any person who wilfully inflicts any wound or blow, or is the author of any other violence or assault shall if such act of violence has caused any sickness or incapacity for personal labour for more than 20 days, be punished by imprisonment and a fine not exceeding 100,000 rupees. (2) Where as a result of any act of violence specified in subsection (1) the person injured or assaulted

has had an arm, a leg or a thigh broken, or has lost the use of both eyes or of one eye only, the offender shall be punished by penal servitude not exceeding 20 years and to a fine not exceeding 100,000 rupees. (3) Where the wound or blow inflicted wilfully, but without intention to kill, shall nevertheless cause death, the offender shall be punished by penal servitude for term not exceeding 20 years. (4) Where the crime specified in subsection (3) has preceded, accompanied or followed another crime, the offender shall be punished by penal servitude. 228A. Assault with corrosive substance (1) (1) Any person who, by means of an acid or other corrosive substance, willfully inflicts any wound or blow on any other person, shall be punished by imprisonment. (2) Where as a result of an act of violence specified in subsection (1), the person injured - (a) suffers sickness or incapacity for personal labour for more than 20 days; or (b) loses the use of one eye or both eyes, the offender shall be punished by penal servitude. (3) Part X of the Criminal Procedure Act and the Probation of Offenders Act shall not apply to a person liable to be sentenced under this section. Added by [Act No. 25 of 2001] 229. Assault with premeditation Where there has been premeditation or lying in wait, the punishment, if death has ensued, shall be penal servitude, and if death has not ensued, shall be penal servitude for a term not exceeding 20 years. 230. Assault (1) Where such wound, blow or other violence or assault has not caused any sickness or incapacity from personal labour of the description mentioned in section 228 then offender shall be punished by imprisonment for a term not exceeding 2 years, and by a fine not exceeding 50,000 rupees. (2) Where there has been premeditation or lying in wait, the offender shall be punished by imprisonment and by a fine not exceeding 100,000 rupees. Amended by [Act No. 36 of 2008] 37 Accomplices 38. Giving instructions and aiding and abetting (1) Any person who, by gift, promise, abuse of authority or power, machination or culpable artifice instigates, or gives any instruction for, the commission of a crime or misdemeanour shall be punished as an accomplice in the crime or misdemeanour. (2) Any person who procures arms, instruments, or any other means used in the commission of a crime or misdemeanour, knowing that they were to be so used, shall be deemed an accomplice. (3) Any person who knowingly aids and abets the author of any crime or misdemeanour in the means of preparing, facilitating or perpetrating the crime or misdemeanour, shall be deemed an accomplice, without prejudice to the punishments specially provided by law against the authors of plots or of instigations to offences affecting the internal or external safety of the State, even in cases where the crime which was the object of the conspirators or instigators has not been committed

39A. Culpable Omission (1) Any person who is able to take prompt action, without risk to himself or to a third party, so as to prevent the commission of a crime, or a misdemeanour which is an offence against persons, and who willfully fails to do so, shall be punished by a fine not exceeding 10,000 rupees and by imprisonment for a term not exceeding 2 years. (2) Any person who willfully omits to provide to a person in danger such assistance as he could, without any risk to himself or to a third party, provide to that person by his own intervention or by calling for help, 188 Association of malefactors. 189 Interpretation of 'association of malefactors'. Sexual harassment (1) Any person who, by abuse of the authority conferred upon him by his functions, harasses another person by means of orders, threats or constraints in order to obtain favours of a sexual nature, shall commit an offence and shall, on conviction, be liable to imprisonment for a term not exceeding 10 years and to a fine not exceeding 200,000 rupees.

More serious violence that women are victim of are namely section 249 Rape and 2509 Sodomy. 249. Rape, attempt upon chastity and illegal sexual intercourse (1) (1) Any person who is guilty of the crime of rape, shall be liable to penal servitude for a term which shall not be less than 10 years. Amended by [Act No. 36 of 2008] (1A) Notwithstanding any other enactment, where a person is convicted of an offence under subsection (1), the Intermediate Court shall have - jurisdiction to inflict penal servitude for a term not exceeding 40 years; power to order sentences of penal servitude to be served consecutively, provided that the terms of such sentences shall not in the aggregate exceed 20 years. (1B) Notwithstanding any other enactment, prosecution for the offence of rape

may, at the sole discretion of the Director of Public Prosecutions, take place before a Judge without a jury where it is averred that the offence of rape was committed by 2 or more individuals. (1C) Sections 151 and 197 of the Criminal Procedure Act, and the Probation of Offenders Act, shall not apply to a conviction for the offence of rape. Amended by [Act No. 30 of 2003]; [Act No. 36 of 2008] (2) Any person who commits an indecent act 'attentat à la pudeur' by force or without consent upon a person of either sex, shall be liable to penal servitude for a term not exceeding 10 years. (3) Any person who commits an indecent act 'attentat à la pudeur', even without violence and with consent, upon a child of either sex under the age of 12 shall be liable to penal servitude for a term not exceeding 10 years. (4) Any person who has sexual intercourse with a minor under the age of 16 or a mentally handicapped person, even with his consent, shall be liable to penal servitude for a term not exceeding 20 years. (5) (a) Any person who has sexual intercourse with a specified person, even with consent, shall commit an offence and shall on conviction, be liable to penal servitude. (b) Any person who commits an indecent act 'attentat à la pudeur', even without violence and with consent, upon a specified person shall commit an offence and shall, on conviction, be liable to penal servitude for a term not exceeding sixteen years. (c) In this subsection, 'specified person' - (i) means any person who, in relation to the person charged,

comes within the prohibited degrees set out in articles 151, 152 and 153 of the Code Napoléon; (ii) includes - (A) a stepchild or an adopted child, of whatever age, of the person charged; (B) a child of whatever age whose custody or guardianship has been entrusted to the person charged by virtue of any other enactment or of an order of a Court; (C) a child of whatever age or a mentally handicapped person, other than the spouse of, but living under the same roof as, the person charged or who is the child of the partner of the person charged. (6) No prosecution shall be instituted under this section except on an information filed with the consent of the Director of Public Prosecutions. (7) It shall be a sufficient defence to any prosecution under subsection (3) or (4) that the person charged had reasonable cause to believe that the child was above the age of 12 or 16, as the case may be. 250. Sodomy and bestiality (1) Any person who is guilty of the crime of sodomy or bestiality shall be liable to penal servitude for a term not exceeding 5 years.

V. CONCLUSION

Domestic violence is also known as woman battery. Unfortunately for some men like in the case of Ms X, when some men have virility problem, when the battery is low, they become violent and beat women. And this is the type of men, the public has been supporting. Those impotent men who take women for punching bags and tarnish their names at courts, on social medias and by mockery on the internet. I have myself been to courts many times and I know how it works. They cut pieces of court sessions where she is in difficulty and make fun, fool and the clown with her. I pray to God that one day when her child is able to read, that she reads what I had written about her mother and knows that I was not among the evil. I was not among the crooked who took women for punching bags .It is a very personal paper on the case of Ms X , my view, my feelings and how people can be bad. When people hear her name they either laugh or talk evil about her. To be fair, I am well informed there was court and law in her case. I understand the other sides had their versions of the stories. I understand powerful men and women had their hands in the decision against her. I am not here to play games of courts and lawyers. I am here to inform the world that the harassment, victim blaming, the hate, the discrimination directed towards Ms X has to stop and I have always believed in her and she will always be someone special for me. My door will always be opened for her and her baby even if tomorrow I am married. Lastly if a victim does not have traces of wounds beating on her, it does not mean she was not hurt. Domestic violence can be physical assaults ranging from spitting, scratching, biting, grabbing, shaking, shoving, pushing, restraining, throwing, twisting, slapping punching, choking, burning, and/or use of weapons (e.g., household objects, knives, guns) against the victim. The physical assaults may or may not cause injuries (Ganley, 2008). Sexual assaults also count as domestic violence. Some perpetrators sexually batter their victims. Sexual battering consists of a wide range of conduct that may include pressured sex when the victim does not want sex, coerced sex by manipulation or threat, physically forced sex, or sexual assault accompanied by violence. Victims may be coerced or forced to perform a kind of sex they do not want (e.g., sex with third parties, physically painful sex, sexual activity they find offensive, verbal degradation during sex, viewing sexually violent material) or at a time they do not want it (e.g., when exhausted, when ill, in front of children, after a physical assault, when asleep) and there is psychological assaults on the victims.

REFERENCES

- [1]. Ganley A. 2008 Understanding Domestic Violence.
- [2]. Hart, B. (1993). Battered women and the criminal justice system. *American Behavioral Scientist*, 36(5), 624-638.