

On September 22, 1992, Bhanwari Devi, a *sathin* worker in the Women's Development Programme (WDP), promoted by the Rajasthan government, was gangraped by two men from the Gujjar community while three others brutally assaulted her husband, Mohan, in Bhateri village. The rape and assault were an act of reprisal against the *sathin* for trying to work towards ending child marriages in the area. Although the rapists and their companions are well known, there have been no arrests in the case which has been ineptly handled from its inception.

Bhanwari, a 40-year-old woman of the *Kumhar* community, has been working for WDP for eight years. During the course of her work she has taken up issues related to land, water, the public distribution system, literacy, health, and payment of minimum wages at famine relief works and received support from the men and women of her village on all these issues. In 1987 she also took up a major issue of attempted rape of a woman from a neighbouring village for which she received substantial support from her village.

However, when she was taking up the issue of child marriage before Akha Teej this year, she began to experience alienation from her village. The state government had decided to observe an anti child marriage fortnight just two weeks before the Akha Teej. The district collector directed *sathins* to prepare lists of all those who were going to perform child \* marriages on the Akha Teej. The lists were prepared and included the name of Ram Karan Gujar of Bhateri, and some of the *Kumhar* families of the neighbouring village. As the WDP was against legal action which only

## Nyay Karo Ya Jail Bharo! Sathins of Rajasthan Demand Justice

provoked and alienated the community, Bhanwari tried to dissuade members in the community including Ram Karan Gujar from conducting these marriages. Nevertheless, he and others remained insistent on performing the marriages.

On the day the marriages were to be conducted, the police came to Bhateri and stopped the marriage of the one-year-old girl of Ram Karan Gujar's family. As was the case with all the other marriages in the area, the state machinery only succeeded in preventing the marriage from taking place on Akha Teej itself. The marriage of Ram Karan Gujar's daughter took place at 2 a.m. the next morning and no police action was taken against the family.

The community was convinced, although erroneously, that Bhanwari was responsible for the police action

and the Gujjars swore to take revenge. On September 22, Ram Karan Gujar, Ram Sukh Gujar, Badri Gujar, Gyarsa Gujar and Shravan Sharma attacked Bhanwari and her husband while they were working on their field. Bhanwari was gangraped by Badri and Gyarsa while Ram Sukh Gujar held her down. She was threatened with dire consequences if she dared to speak about the incident.

As a result of her WDP training, Bhanwari refrained from washing or changing her clothes. She and her husband were only able to catch a bus the next morning to Patan village where they related their story to Krishna, a *sathin* worker in that area. Krishna, together with Rasila Sharma, the *pracheta* in the area, accompanied Bhanwari and Mohan to Bassi police station to register a complaint. They had to argue with the Deputy



Bhanwari Devi speaking at a rally in her support

Superintendent of Police Rajendra Joshi for the next one hour before he would lodge the FIR. He suggested that they were making false allegations because of some personal animosity and even asked them if they knew what rape was. Ultimately an FIR was lodged and an assistant sub inspector was deputed to accompany Bhanwari to the primary health care in Bassi for a medical examination.

The male doctor at the primary health centre refused to perform the examination and neither of the two women doctors posted there were available. She was referred to a hospital in Jaipur, but extraordinarily enough, the chit made out by the primary health centre doctor requested that an examination be made out for confirming the age of the victim rather than rape. When they arrived at the Jaipur hospital, the medical jurist refused to conduct an examination without orders from the magistrate. When the magistrate was contacted, he refused to issue orders as it was after 5 p. m. and told them to return the next morning and meet him in his court. During the night, Bhanwari was forced to spend the night at the Mahila Thana, thus adding to her humiliation.

On September 25, the magistrate issued orders for a 'general' medical examination and struck out the word 'rape' from the proforma. A further order had to be sought for the rape examination. Ultimately, the doctor who conducted the examination for the rape reported that Bhanwari was clearly not a virgin. The report is not only deplorable in so far as Bhanwari is a mother of four children, it further suggests that a woman who is not a virgin cannot be raped. After the examination, Bhanwari and her husband were sent back to Bassi Thana where she was asked to deposit her *lehanga* as evidence. In the absence of any other clothing, she

removed her *lehanga* and wrapped herself in the blood stained clothes of her husband. Thereafter the two walked to the nearest *sathin*'s village which was three kilometres away. As a result of the injuries they had suffered it took them nearly two and a half hours to reach Kailaishi's home.

Since the gang rape occurred, Bhanwari and her husband have been continuously subjected to police interrogation and further violation of their rights. Members of the National Commission for Women who visited the area on October 10 and 11 have condemned the police behaviour and have concluded that there has been a major attempt to tamper with evidence and protect the rapists. No arrests have been made in the case till date and a CBI inquiry has recently been ordered to investigate the matter. In the mean time, Bhanwari has been isolated by her community, both economically and socially and expelled by the *Kumhar jati* panchayat, who are angry over her effort to campaign against child marriages.

The *sathins* of WDP gradually became angry about the way the case was being handled, particularly by the fact that after working for the government for so many years, it was doing so little in responding to the violations of the rights of one of its workers. They collectively decided to hold a rally on October 22, exactly one month after the rape, to publicly demonstrate their support for Bhanwari and display their anger against the state's refusal to be accountable to the *sathins*.

*"Laparwah kyon haiadikari — Kya yahi kayde hai sarkari!"* (The authorities are inept — Why do the laws permit it!) Armed with banners, wearing black arm bands and shouting such slogans, 2,000 women from different parts of the country, marched defiantly through Jaipur to protest the rape of Bhanwari.

Throughout the rally, women raised slogans, some coined spontaneously, and sang feminist songs. The songs challenged existing sources of authority, often presenting an alternative feminist vision of the world.

*"Izzat gayi kiski ? Badri aur Gyarsa ki!"* (Whose honour is lost? Badri and Gyarsa's of course!) Existing patriarchial notions of honour were inverted. The burden of shame was shifted from the raped woman to the rapists.

Further driving the point home was *"Nak kati kiski? Rajasthan sarkar Id!"* (Who was dishonoured? The government of Rajasthan!) Here the women focused on the fact that the entire state mechanism had been defiled and dishonoured, not Bhanwari.

Braving the hot sun, the women reached the Secretariat, where an *aam sabha* (public meeting) was held. Several women recounted their experiences of sexual violence at work, re-enforcing the fact that Bhanwari's story was not an isolated case. Manju spoke of being raped and how other *sathins* helped her to secure justice through a panchayat. Another *sathin*, Gendi, narrated her experience of sexual harassment. One day, while working in the fields, a man confronted her and pulled his pants down. She fended him off temporarily, but he soon returned. In anger, she caught his penis and dragged him to her husband inspite of his loud protests. Such public sharing of experiences which most women undergo, but seldom speak aloud, revealed women's strengths as well as the spirit of anger that pervaded the rally.

Empowered by the large number of women present, Bhanwari challenged the state. She asked defiantly, "I was working for the government against child marriage. What reward did I get? I was raped!" Responding to the police barricading the entrance to the Secretariat road,

she said, 'Today, the police are guarding these gates. Where were they when I was raped!'

Picking up these threads of anger, Kesaribai, another *sathin*, encouraged the women to seek justice without depending on men. "We cannot wait for justice! We must seek it ourselves! We must break this cordon without the help of men!" With this call, the women marched

peacefully and with defiance through the cordon. In their effort, they battled the lathis of the police. At least two women were seriously injured, but the rest forged on, only to face another cordon a hundred yards down the road. The women sat there, prepared to wait indefinitely and demanded the presence of the home minister. When he turned down their request, a delegation finally met with him. He reluctantly agreed to order a CBI inquiry into the case, but he refused to order the immediate arrest of the rapists.

The rally was significant for the women's movement because it questioned the seriousness of the government's intention to achieve gender equality in the state. Women workers within development programmes are often victims of the same forms of oppression they are trying to fight. Simultaneously, the case points to the pervasiveness of sexual exploitation in the workplace and on the streets. The women's movement through this case, has once again recognised the need to collectively fight against sexual violence.

After the rally, some of us reluctantly left Jaipur, and many



Police lathi charge on women's Protest March

agitating women continued their vigil outside the Secretariat.

The case raises some significant questions on the issue of sexual harassment of female workers. For women, working outside the home often means risking their self-respect and dignity. Women factory workers have spoken about losing their *izzat* the day they entered the factory to work. Women from disadvantaged caste groups have to make themselves sexu-ally available to their landlords to ensure their daily wages. Office workers have frequently spoken about sexual harassment as a constant experience in their working life.

Women who experience sexual abuse and violence in the workplace are frequently forced to remain silent about it or else risk losing their jobs. In the workplace, power is derived not only from gender, but also from economic superiority. Economic need is the most obvious pressure acting on the women to remain silent. And in times of rising unemployment and job scarcity, the abuser's position is strengthened even further.

A woman who steps out of her home is constructed publicly as being available for sex. Thus, for women

who are mobile, such as auxiliary nurse midwives, *anganwadi* workers or primary school teachers, the sites of sexual abuse increase. If her work involves challenging the status quo, the violence against her escalates, as happened in the case of Bhanwari.

Till date there is no comprehensive law that recognises women's experience of sexual harassment, and men continue to have the prerogative to impose

sexual pressure on women in the workplace. The dilemma of silence may not necessarily be overcome simply by the enactment of a law. In fact, like rape victims, women who are sexually harassed will not be able to easily speak about their experiences even if the injury is recognised by the law. They are likely to face further sexual harassment at the hands of the law enforcement machinery as well as in court, through the recounting of their experiences.

Against the powerful alliance of Gujars, politicians, the state agencies, Bhanwari's speaking out has been an act of courage that will help millions of other women to break their silence, and shift the guilt of such crimes on to the abusers.

**Abha, Geetanjali, Radha, Ratna.**

**Post Script:** The case has now been handed over to the Central Bureau of Investigations. The National Commission for Women has also intervened in the case and demanded the following : speedy completion of the CBI enquiry, immediate arrest of the accused, interim help of Rs 50,000 to Bhanwari Devi and granting the status of 'officer on special duty' to the Rajasthan *sathins*.