

August 2020

Shifting Feminist Activisms: Indian Feminism and Critical Events of Rape

Geetanjali Gangoli
University of Bristol

Aisha K. Gill
University of Roehampton

Martin Rew
University of Birmingham

Follow this and additional works at: <https://vc.bridgew.edu/jiws>



Part of the [Women's Studies Commons](#)

Recommended Citation

Gangoli, Geetanjali; Gill, Aisha K.; and Rew, Martin (2020). Shifting Feminist Activisms: Indian Feminism and Critical Events of Rape. *Journal of International Women's Studies*, 21(6), 35-49.
Available at: <https://vc.bridgew.edu/jiws/vol21/iss6/3>

This item is available as part of Virtual Commons, the open-access institutional repository of Bridgewater State University, Bridgewater, Massachusetts.

Shifting Feminist Activisms: Indian Feminism and Critical Events of Rape

By Geetanjali Gangoli,¹ Aisha K. Gill² and Martin Rew³

Abstract

Since the gang rape and murder of Jyoti Singh Pandey in 2012 India has generated an enormous amount of national and international media attention and a reputation for sexual violence, pointing to the country's "endemic problem" (Washington Post, 2012). The rape led to widespread protests, by students and wider society, particularly in Delhi. Notwithstanding these recent events, rape has long been, in fact, a catalyst for feminist and social movement responses in India. This paper will focus on three cases of 'stranger rape' that have been valorized as pivotal moments for feminist activism on sexual violence within the country. Reformulating the concept of the critical event as sites of potential ambivalence for Indian feminists the paper explores the manner in which feminist activism on rape in India has shifted since the 1970s. Through the eyes of various feminist actors, from various age groups, the paper examines whether the ideological, social and policy consequences of these events can be perceived as empowering for feminist activism in India. Ultimately, these transformations highlight some of the strengths, problems and dilemmas of Indian feminist political action in the 21st century, particularly faced with the gender challenges of a rapidly globalising neo-liberal Indian political economy.

Keywords: Rape, India, feminist activism, critical events, interviews.

Introduction

This paper attempts to break new ground by drawing attention to the ways in which Indian feminists have responded to three 'critical events' of rape in India. The concept of the critical event in the context of rape is explored in Roy's (2014) excellent analysis of the Delhi rape case. She argues that the "Delhi gang rape was not only a 'critical event'", but simultaneously a part of

¹ Dr. Geetanjali Gangoli, PhD is Senior Lecturer, Centre for Gender and Violence Research, University of Bristol. She has researched and published widely on issues relating to a wide range of gender-based violence, including domestic and sexual abuse, forced marriage, crimes in the name of honour and Female Genital Mutilation; and social movement responses, particularly feminist responses in the UK, India and China. She has edited the journal *Policy & Politics* and is currently co-editor of the *Journal of Gender Based Violence*. Corresponding author. Email: g.gangoli@bristol.ac.uk.

² Professor Aisha K. Gill, Ph.D., FRSA, CBE is Professor of Criminology, University of Roehampton, UK. Her main areas of research are health and criminal justice responses to violence against black, minority ethnic and refugee women in the UK, Iraqi Kurdistan, India, and Pakistan. She has been involved in addressing problems of violence against women and girls/, 'honour' crimes, forced marriage, sexual violence and female genital mutilation. She is Co-Chair of End Violence Against Women Coalition, Fellow of the Royal Society of Arts and editorial member of the *Feminist Review Collective*. Email: a.gill@roehampton.ac.uk.

³ Dr. Martin Rew, PhD used to work at the University of Birmingham till 2018, in the International Development Department, University of Birmingham. His research interests were development anthropology and gender and violence, religion and development, particularly in India. He is currently retired from academic life. Email: m.j.rew@btinternet.com.

“successive and incremental memories of gendered violence” (Roy, 2014, pp. 238). On that basis, she examines how sexual violence in the 1971 war was remembered in the early twenty first century. The current paper builds on that approach to investigate how other critical events of sexual abuse and violence are remembered by Indian feminists and to explore the longitudinal feminist understandings of, and responses to rape in India.

Sexual violence has long been a catalyst for feminist and social movement responses in India (Kumar, 1998; Author removed) and, indeed, these interventions have led to significant national legal amendments on rape that have been discussed elsewhere⁴ [author removed]. Scholarly feminist literature on rape internationally addresses it as a form of male power over women (Brownmiller, 1975) or examines legal responses to cases of sexual violence (Smart, 1995); in India too, valuable work has been conducted on feminist and legal responses to the issue of sexual violence (Kumar, 1998; Baxi, 2014). This paper discusses three rape cases that produced varying levels of public attention which also caught, and continue to foster, the Indian feminist imagination. These key events were the custodial rape case in 1972 of Mathura, a tribal girl; the gang rape in 1997 of Bhanwari Devi, a social worker supporting victims of child marriage; and, the aforementioned brutal gang rape and murder of Jyoti Singh Pandey. This paper frames the three cases as critical events as a response to the manner in which the Pandey case became central to recent public discourse on sexual violence in India and explores differences and continuities between this and the other two cases⁵.

Broadly, the aims of the paper are twofold. First, it intends to explore how, based on an analysis of three emblematic cases, social movement activists working on sexual violence in India understand the history of ideologically driven shifts and continuities in feminist and quasi-feminist activism on sexual violence and harassment. Second, it intends to begin to ascertain the extent to which Indian activists perceive these changes as empowering for future feminist engagement on sexual violence.

With this purpose in mind, critical events are viewed (Mayer and Whittier, 1994; Das, 1997) as seminal historical moments that valorise points of symbolic and ideological Indian feminist identification and memory. All three of the cases discussed are examples of rare ‘stranger rapes’, and each embodies different historical shifts in feminist apperception. These range from concerns over state failure and legislative activism—as manifested in struggles over custodial police rape—to concerns over exactly how to encourage greater societal engagement with problems of sexual harassment more generally, and, particularly, sexual harassment in the workplace and in public spaces. Ultimately, these shifting concerns highlight the nature of Indian feminist political actions.

Critical events and ambivalence

The concept of the critical event has been used in various forms in both social and natural sciences. In the field of medicine, for example, Wadhera *et al* (2010) employed it to ascertain

⁴Current law on rape and sexual violence (2013) conceptualises rape as a gender-neutral offence (for both perpetrators and victims) in ‘everyday contexts’ and aggravated rape cases (e.g., gang rape and custodial rape cases). It also enables the setting up of speedy trials in some rape cases. Marital rape continues to be non-criminalised under this law, which may, to some extent, reflect the internal dialogue within feminist movements.

⁵ Since 2012 and the time of writing, other important incidents of sexual violence have taken place and sparked responses such as the #metoo movement (Bhattacharya, 2018). However, as these events occurred after the field work upon which this paper is based was conducted, we will not be able to reflect on them.

communication breakdown among surgical staff during cardiovascular surgery, while Cooper (1996) examined quality assurance critical event reporting on anaesthesia efficacy in the operating room. In social psychology, the critical event approach has been central to understanding the impact of poverty on critical life-cycle events, namely “home-leaving, marriage and early parenthood” in the US (Cosner Berzin and De Marco, 2010). Others such as Meyer and Staggenborg (1996) have explored the manner in which certain incidents focus public attention on issues arising from specific and often unforeseen events. Certain incidents can be a key stimulus for social movement organisation; consequently, critical events can be understood in terms of the manner in which they may or may not alter “political opportunities” by augmenting or constricting “the tactical options of movements or counter-movements even in the absence of a change in government policy” (Meyer and Staggenborg, 1996, 1638).

While scholars have focused predominantly on the structural role of key institutions in terms of their effect on political realignments at critical moments—for example, the state, the police, and the courts and their responses to direct action by anti-abortionists in the US (Staggenborg, 1993; Mayer and Staggenborg, 1996), Das (1997), notably, explores the concept of the critical event in relation to Indian social responses to violence against women. Her focus is primarily on how a “sense of contemporaneity” is established “between non-contemporary events on the one hand and the transformation of individual biography into social text on the other” (Das, 1997, p. 10). Her work, which drew on psychiatry and psychology (Kleinman *et al*, 1997), attempted to understand both how narratives of individual suffering became modes of collective action and to warn against the possible implications if these narratives and representations simply consolidated the trope of women as ‘victim’.

Concentrating on examples of women and children who were abducted as a result of the Hindu, Muslim and Sikh communal violence that ensued upon Partition ⁶ in 1947, and the *cause célèbre* surrounding the case of Roop Kanwar (a Rajput woman forced to commit *sati* in 1987), Das considers the political and social furore that resulted. For Das, the abduction of women and girls during the Partition riots resulted in their becoming symbols of national honour, where women’s individual agency was ignored. Meanwhile, the Kanwar case pitted Hindu ‘fundamentalist’ demands for an honourable death for the widow, against the State’s claimant as the absolute arbiter of death. Das points to how different conceptions of the community have emerged in Indian political culture “as political actor[s] which seek to reshape not so much the face-to-face intimate relations of the public sphere, but control over law and history in the predominantly public sphere of life” (Das, 1997, 17).

This paper takes a similar approach to Das (1997) and Roy (2014) in addressing the manner in which individual biography and the three traumatic moments investigated - which all occurred at different historical points - have been remembered and recast into social texts. Given that it is over 20 years since Das (1997) explored two specific violent episodes targeting women, this paper discussion aims to explore what the three critical instances of rape discussed here represent to a number of different feminist and quasi-feminist activists from different age groups, and concentrates on the forms of ambivalence felt by feminist activists towards these cases in terms of responses and discursive representations that have not been semantically and ideologically purged by institutional power.

⁶ The Partition of India was the division of British India in 1947 into India and Pakistan. The partition involved the division of three provinces, Assam, Bengal, and Punjab. The partition led to the displacement of over 14 million people along religious lines and to large-scale violence, including sexual and gender-based violence (Das, 1997).

Obviously, the three cases feature moments of extreme male-perpetrated violence that were clearly deeply traumatic for the victims and those closest with them, but can also have emotional impacts on feminists and other social actors involved in these events (c.f. Abha et al. 1993). With this in mind, we explore feminist ambivalence towards these three critical events, emphasising subjective ambivalence as “the simultaneous existence of positive and negative evaluations of an attitude object” (Conner *et al.* 2002, 39). While there has been much debate about how to measure attitudinal ambivalence (Reich and Wheeler, 2016; Figlio, 2014; Conner *et al.*, 2002), the tension between emotional affect versus cognitive thought is central to our understanding of these three cases. For instance, many of the feminists to whom we spoke oscillated between strong emotional identification (e.g. feelings of horror, despair, sadness and resentment) with aspects of each case and ambivalent cognitive ideation (understandings of state responsibility, the role of gender and class inequalities, and economic and political rights) in terms of their political and policy consequences.

Methodology

A focus on critical events is an exercise in both theory and methodology. The three rape cases examined in this paper raise not only concerns about the nature of Indian feminist historiography on sexual violence, but also questions about how to explore the importance and perception of them. Our choice of events rested upon the rationale first, that these three key moments that ignited Indian feminist thought spanned a period of nearly 50 years right up to the present and second, that we could chart the types of activism they produced through oral histories and in-depth interviews.

The women’s movement in India is highly multi-faceted and comprises many strands and alliances. The movement consists of three predominant groupings: left-wing women’s organisations with links to socialist/Marxist political parties which were dominant in the 1970s; feminist groups autonomous of left-wing parties and the state which are primarily foreign-donor funded non-government organisations (NGOs) and, more recently, feminists not linked to any particular group, but who work online and/or in universities and identify with the movement. In addition, mainly as a result of the *Nirbhaya* case, there are those working on sexual violence who follow a more loosely gender-based activist ideology, but do not identify as feminists. Given this diversity, interviews were conducted with 15 women who came from all these categories; these women ranged in age from those in their early seventies to those in their early twenties. All the women were purposively selected. Many were known to the authors through previous work in this area, and the rest were selected through snowballing; this method was employed especially for those activists currently working in this area. As this is a sensitive area of research, authors were aware of the ethical concerns around triggering, anonymity, and confidentiality. However, we were also aware that all the respondents were very experienced in the field and, most critically, worked in a highly supportive and feminist environment. Interviews lasted for between 45 minutes and two hours and presented us with rich data that were “good to think with” (Lévi-Strauss, 1963, 89) and fruitful when trying to understand the evolution of Indian feminist action and thinking on sexual violence over a period of five decades.

Critical Event 1: The Mathura Rape Case Judgment

The Mathura rape case has been regarded as a seminal moment in the history of Indian feminist responses to sexual violence. Of the 15 women interviewed for this paper, 11 were intensely aware of the lasting historical significance of the Mathura case. These 11 women ranged from socialist feminists in their sixties and seventies who had been active in the 1970s to women, now in their forties and fifties, who worked in autonomous and feminist NGOs in the 1980s. We were keen to explore their perceptions of the relationship between their socialist affiliations and the activism that occurred as a consequence of the case, given that (author removed) has argued that the women's movement in India, specifically in the 1970s and early 1980s, must be considered in the context of post-Emergency disillusionment with the Indian state.

Mathura was a tribal agricultural labourer from Maharashtra. At the time of her rape she was between 14 and 16 years of age. She developed a relationship with Ashok, the cousin of her employer, Nushi. Ashok and Mathura decided to get married. On 26 March 1972, her brother, Gama, complained to the local police that Mathura had been kidnapped by Nushi and Ashok. After they were located by the police, Nushi, Ashok, Mathura, and Gama were brought to the police station for questioning and to record their statements. At 10:30 pm, when they were leaving the police station, the head constable Tukaram and constable Ganpat held Mathura back. She was then raped by Ganpat and Tukaram attempted to rape her. Eventually, Mathura came out of the police station and announced to the crowd outside that she had been raped. The crowd exerted enough pressure to ensure that a case of rape was, in fact, registered.

While the Sessions Court acquitted the accused, the Bombay High Court reversed the judgment and convicted and sentenced Tukaram and Ganpat for rape. The court held that since the police were strangers to Mathura, it was unlikely that "she would make any overtures or invite the accused to satisfy her sexual desires". However, Justice Koshal of the Supreme Court then reversed the High Court judgment. According to the judge, as there were no injuries noted in the medical report, the story of "stiff resistance having been put up by the girl is all false" and the alleged intercourse was a "peaceful affair" (Tukaram v. State of Maharashtra, (1979) 2 SCC, 143). Justice Koshal dismissed Mathura's testimony that she had raised an alarm and further held that, under Section 375 of the Indian Penal Code, only the "fear of death or hurt" could vitiate consent for sexual intercourse. In his view, there was no such finding (cited in Dhagamwar, 1992, 253).

For feminists at the time, the case both symbolised and illustrated concerns with state disillusionment and marked the first time that rape was openly campaigned against in India. Consequently, many of the women's groups that emerged during this time focused largely on problems of police and state brutality towards working-class, minority, and Dalit women. Much of the feminist campaigning that arose at this point also concentrated on the nature of oppressive Third World states (Prasad, 2008), which feminists felt the Emergency years had exposed as being closed to public scrutiny and in which the police and police station represented the visible powers of the state. All these tensions coalesced in the Mathura campaign, which extended to include other cases of custodial rape, including the Rameezabee (1979) and Maya Tyagi (1980) cases (Farooqi, 1984, Kabeer, 2012; see also author removed). The Mathura case was thus a catalyst for subsequent anti-

⁷ The Emergency in India refers to the period from 1975 to 1977 when President Fakhruddin Ali Ahmed, under Article 352(1) of the Indian Constitution, declared the state of emergency because of the prevailing internal disturbance. The order allowed Prime Minister Indira Gandhi the authority to rule by decree and, during this period, there were curbs on civil liberties, including the suspension of a free press, forced sterilisation of men, and arrests of opposition leaders and activists (Prasad, 2008)

rape campaigns which took off in different Indian cities over the next decade, with many activists citing the Mathura case as a key source of inspiration.

This was reinforced in some of our interviews. Meena Dixit, a socialist feminist in her late seventies who has been politically active since the Mathura case, viewed many of the women's organisations that emerged at the time as drawing on their own diverse experiences in left-wing politics, such as the Communist Party of India (CPI), the Communist Party of India Marxist (CPI-M), and the Communist Party of India Marxist Leninist (CPI-ML). Dixit believed that in spite of some feminist perceptions to the contrary, some women in left-wing political parties "did see violence against women as both a part of patriarchy, as well as being linked to the class struggle" (Meena Dixit, Socialist feminist, interviewed on 22 September, 2016).

In Dixit's opinion, custodial rape was a matter of both gender-based violence and class-based inequality. This perception was not only strongly held by the other activists we interviewed, but also further epitomised in the street plays during the 1980s in which activists participated and which acted as a key forum for mobilisation against the treatment of women such as Mathura. For example, Amita Shreya saw one such play, 'Mulghi Zale Re' ('A Girl Is Born'), as instrumental in this mobilisation. The play traces the life journey of a girl also born in rural India. The play depicts the public sexual violence, domestic violence, and class-based inequalities she suffers. Amita, now in her late forties, had joined the socialist feminist movement as a theatre activist in the 1980s. For her, the play was also a key part of her political education: "it was my luck that I was born in a family who could educate me, and I got admission in an engineering college ... when I saw the play, I thought, I should do this work" (Amita Shreya, theatre activist, interviewed on 22 September, 2016).

The Mathura case continues to hold symbolically importance to the older feminists in our sample. However, it is important to emphasise three further aspects of the protests that emerged from the interviews. First, the campaigns in the early 1980s collectively framed rape as a women's issue specifically linked to patriarchy. Secondly, the 1980s anti-rape campaign wove in the connections and the continuum (Kelly, 1997) between domestic and sexual violence. However, marital rape was not the major focus of attention for the purposes of policy change, even though the connections between sexual violence in public and private spaces was recognised. In this sense, the Mathura case represents a critical event in Indian feminist campaigning on sexual violence, in that it was primarily geared towards addressing rape and sexual abuse in non-familial contexts, namely public judicial spaces.

Critical Moment 2: Bhanwari Devi

The Bhanwari Devi rape case (1992) represents another crucial moment for feminists and was pivotal to legal reforms on sexual harassment in the workplace, implemented by institutions and actors beyond those self-identifying as feminists. In this regard, the specific critical event of Bhanwari Devi represents a transformational moment for feminist campaigning on sexual violence, since societal institutions had to begin internalising legal and policy norms around sexual harassment in the workplace.

On 22 September 1992, Bhanwari Devi, a *saathin* (which literally means 'friend' and is also the title of a community worker employed via the government-funded Women's Development Programme) was raped by two men in a village in Rajasthan, while others held her husband down and forced him to witness the rape. Bhanwari was a 40-year-old woman from the 'lower' Kumhar (potter) caste and her rapists and their accessories were all from the same family, and from the

‘upper’ Gujjar caste. The rape was an act of revenge for her reporting of child marriage cases among the higher castes to the police and was also intended to dishonour and humiliate her and her husband.

It has been explored (Abha et al. 1992) explores how the caste status of the perpetrators enabled them to influence the local police, who proceeded with the case on the assumption that Bhanwari was lying. They, therefore, failed in their duty to collect valuable forensic evidence after the rape. Subsequently, on 5 November 1995, the Sessions Court in Jaipur acquitted the five men implicated in the case. Sessions Court judge Justice Jaspal Singh stated that it was impossible in India for members of the same caste to commit rape together. It was also argued that the five accused were of different castes (four were Gujjars, and one a Brahmin) and that it was equally impossible that they would have worked together, as, according to the judge, rural gangs are not multi-caste. He stated that Indian rural society members would not degenerate to the extent that they would lose “all sense of caste and class, and pounce upon a woman like a wolf”. He further asserted that it was also impossible that any Indian man would stand and watch his wife being raped when “only two men twice his age are holding him” (cited in Jungthapa, 1995, 22).

Bhanwari Devi’s rape is a classic example of caste-based power rape sanctioned by the state. However, feminist responses in 1992 differed from those to the Mathura case in two fundamental ways. First, unlike the Mathura rape case, Bhanwari Devi considered herself a part of the feminist movement, with her identity taking on an iconic status within the movement. This identification was partly due to her stature within the movement, and her public refusal to allow the judgment to silence her.

Four respondents in our sample reflected upon the manner in which feminists had protested against the judgment at the time, with all pointing to the inaction of the Indian state and how it upheld essentially patriarchal ideas of shame and honour, and in so doing associated sexual violence with the loss of women’s honour. Three of these respondents joined the feminist movements in the 1990s as a direct consequence of this case. One, now in her late forties and working as a consultant in the private sector, reminisced:

I am not active any more in the women’s movement, but I still follow it keenly. (At the time of the Bhanwari Devi case) ... I was working for a women’s group in Delhi working with working-class women in resettlement colonies. One of them said to me after the incident: this could have been me. Why are women made to feel ashamed when they are attacked? Surely it should be the perpetrator? (Rukmini Natarajan interviewed 14 September 2016).

The discourse of honour and shame was inverted by feminists protesting at the time, as reflected in the slogans raised in the rallies following the rape case. A piece written in a feminist magazine by four women active in the women’s movement (Abha et al. 1992) describes a rally held in Jaipur, the capital of Rajasthan. This rally was led by the *saathins* in the WDP in the state and 2000 women from all over the country marched wearing black armbands. Throughout the rally, women raised banners presenting an alternative feminist vision of the world, such as ‘*Izzat gayi kiski? Badri aur Gyarsa ki*’ (Whose honour was lost? Badri and Gyarsa’s - the perpetrators - of course!) (Abha et al. 1992, 20). In this way, feminist mobilisation shifted the burden of shame from the raped woman onto the rapist.

Second, as more women entered public employment in India, the failure of the State to protect one of its employees became another key source of identification. One activist, who is

currently in her early fifties and now heading a feminist collective on women's safety and who had been involved in the feminist movement in the early 1990s, reflected:

the big one was the '93 Bhanwari rape case ... her case became linked to work on sexual harassment, taking it to different places apart from the home, but also to women's workplaces. (Smita Iyer, women's movement activist interviewed on 17 September 2016).

Consequently, a group of Indian feminists used the Bhanwari Devi case as a basis for a Public Interest Litigation (PIL) to address the paucity of women's rights in cases of sexual harassment and assault occurring in the workplace. The scope of the PIL included staff and students in higher education (*Vishaka and Others. V. Union of India 1997, 3011*). Responding to the PIL, the Supreme Court judgment addressed the issue of sexual harassment in the workplace in terms of a violation of the Right to Equality (under Article 14) - a fundamental right in the Indian Constitution—and international conventions on gender equality to which India was a signatory. This judgment, therefore, suggests that the absence of adequate civil and penal laws made it necessary for the court to create guidelines ensuring the prevention of sexual harassment of women (*Vishakha and Others. V. Union of India 1997, 3011*). The guidelines placed the responsibility for preventing and addressing cases of sexual harassment in the workplace onto employers, a responsibility which included setting up complaint mechanisms and complaint committees (*Vishakha and Anrs. V. Union of India 1997, 3011*). Some 21 years after Bhanwari was raped, this culminated in a law on sexual harassment being passed in 2013 (*Sexual Harassment of Women in Workplace (Prevention) Bill, 2013*).

Although other cases of sexual harassment in the workplace, such as several incidents in Delhi University that occurred in the 1990s, attracted some media attention and a much more localised degree of feminist intervention and responses, for example, setting up university-level student/staff groups against sexual violence (Kishwar, nd), the response to the Bhanwari Devi case was unprecedented. As one of our interviewees, a university lecturer and activist in her fifties and part of feminist movements since the 1980s, recalled:

in the early 1990s, there were more and more women who were entering the workforce in India, and there were growing concerns about their safety. Some of these were based on patriarchal concerns: how do we keep women safe in public, and at work, how do we protect them? As feminists, we wanted to ensure that women had redress, not just favours and the Bhanwari Devi case brought this forward in many ways. (Alka Mehta, interviewed on 22 September 2016)

Ultimately, the success of the Bhanwari rape case was that it led to employers become legally liable for protecting women employees and were obliged to institute committees against sexual harassment. However, these committees were not free from pitfalls. Our interviews revealed substantial unease about them, ranging from increased pressure on feminists to join (the committees are mandated to include voluntary sector representatives) to the lack of employee understanding of their norms. As Smita Iyer, who heads a feminist NGO on women's safety, explained:

in India, it's gone beyond activism and it's embedded itself. So now what private companies are doing is, there is training on sexual harassment. How to set up a committee, how to deal with the problem. Women's movements haven't been able to deal with the demand. I can't say if this is a good thing or a bad thing, but it is inevitable. Women's groups are small and stretched. We haven't been able to institutionalise in a way that we could really grow. Individually, we are all on committees. Personally, I can't take more than one at one time. So the demand is high. (Smita Iyer, interviewed on 17 September 2016).

Activists also reflected on popular confusions in sexual harassment committees regarding understandings of consensual as opposed to non-consensual relationships, which may have detrimental and unforeseen impacts. This confusion particularly comes to the fore in universities, which bring together young people from diverse backgrounds (e.g. urban, rural, working class, middle class, and international students), and provide a context for possible misunderstandings about what constitutes acceptable gendered behaviour, and this could be manifested in a sense of moral panic:

some cases we have are of young people coming to universities and being exposed to newer influences. So a young man and woman get into a relationship. They have sex, and the man doesn't want to marry the woman. I have to ask myself, if a man changes his mind, or doesn't want to get married after having sex with a woman, is that rape? ... men can change their mind, and marriage isn't the be all and end all. Also, men from rural backgrounds can also get wrong ideas and mixed messages about urban women—they see them as easy, and then force themselves on women because they think women who smile at them are interested in having sex. This isn't a new issue. The sexual harassment committees are a good thing, but sometimes the cases aren't about sexual harassment, they are about relationships going sour—this could be a consequence of unequal gender roles, but not about sexual harassment/violence. (Alka Mehta, women's movement activist and university lecturer, interviewed on 22 September 2016)

These are legitimate concerns that build on important critiques regarding the institutionalisation of social movements (Roy, 2004). The Bhanwari Devi case raises questions of how feminist successes can sometimes lead to problematic and unforeseen consequences for women. It also shows how the social movements around sexual violence in India transformed from being closely allied to socialist feminism fighting against rape myths in the judiciary to prioritising the work-based legal aspects of sexual violence, with legal norms concerning sexual violence being interpreted by organisations (including universities and the private sector) that are not normally associated with the feminist movement. In essence, our discussions revealed a high degree of ambivalence felt by feminists about how these legal norms concerning sexual violence were being formalised, particularly in universities, where a younger generation was being affected, despite their not necessarily being aware of the Bhanwari Devi case as a critical event that still carries representational force. Again, it should be noted that the policy focus has remained on the threat of sexual violence within public spaces rather than such violence in the familial and domestic context.

Critical Event 3: Jyoti Singh Pandey

The gradual loosening of socialist feminist ties towards sexual violence evident in Indian feminist movements is discernible in the most recent rape case to galvanise widespread protest. That event involved the rape and murder of a 23-year-old female student, Jyoti Singh Pandey (called '*Damini*'—lightening—or '*Nirbhaya*'—fearless—by the press because of legal restrictions introduced in 1893 on divulging a rape victim's name) on a bus in Delhi in 2012 (author removed). Arguably, our interviews revealed an even greater depoliticisation of sexual violence through the campaigns surrounding Jyoti in that her rape became a critical event leading to transformations in social space and even wider societal engagement that carried the likely threat of sexual violence in everyday contexts.

Jyoti Singh Pandey, a physiotherapy intern and her male companion were attacked by six men on a private bus in South Delhi. The pair had mistakenly thought that the private bus was regular transport when the driver stopped to pick them up. Whilst the bus drove through a series of police checkpoints, her companion was beaten up and Jyoti was attacked with iron rods and gang-raped over several hours. The men then stripped the pair and dumped them by the side of the road. Jyoti died from her injuries in December 2012. After the event, there were spontaneous vigils against sexual violence by students in universities across India (Durham, 2015); the rape was also highlighted on social media platforms, including Facebook and Instagram. While the Mathura and Bhanwari cases revealed close links with socialist feminism, the *Nirbhaya* case involved a much broader spectrum of Indian society that transcended both class and gender and it became apparent that those who took part in the vigils showed no interest in identifying with feminism, or indeed with wider social movements (Durham, 2015).

All the interviewees noted not only the extreme brutality of the case, but also the fact that up until then the general public had not been so acutely aware of the nature and extent of sexual gender-based violence. As Smita Iyer explained:

the protesters were young men and women, old men and women, middle-aged men and women, those belonging to middle-class families, across neighbourhoods, not only people like you and me, when actually we came later. (What was different was ...) the nature of violence. In the 90s, we have had cases of rape, custodial rape, murder, yes. But this kind of maiming, inserting iron rods in women's vaginas ... it is something that we are hearing about only now. Secondly, what we hear more about is gang rape. It's almost like a group activity.

When questioned why this case caught the public imagination in such an unprecedented manner, Iyer reflected:

Why this case, is a difficult question to answer. One thing was that it was in Delhi. In a neighbourhood where any of us could have been in. She was a middle-class girl, a student, at a multiplex. She had a partner with her. Not too late at night. So that's the reason many people came out, 'that could have been me too'. (Smita Iyer, interviewed on 17 September 2016).

Four women interviewed exemplified the new generation of protesters. All had become active in combatting sexual violence and abuse post-*Nirbhaya* and displayed a disjuncture between a consciously feminist politics and their conceptualisation of the issue. One respondent, currently

in her forties who had left her job as a senior manager in the aviation industry to set up a private sector social enterprise⁸ to prevent sexual violence and abuse, stated:

I was pretty much oblivious to the existence of such movements in the 80s and the 90s. If there is something that has changed, it's the access to the internet and information and thus being able to connect, not only in the same culture or the same city but across the world. You may decide to call yourself a feminist or you may not decide to call yourself a feminist ... We don't use the word 'feminism' in our work because many people don't understand what it means and it might be off-putting and, therefore, we may exclude a whole group of people. After talking to a corporate a while ago, I feel the word 'feminism' has taken a negative connotation in some ways and I don't like that. (Carol Jones interviewed on 8 September 2016).

A younger woman in her mid-twenties, who had also set up a social enterprise on gender-related issues post-*Nirbhaya* and who, like Carol Jones, had no previous connections to feminist movements, set herself apart from feminism even more strongly:

I see myself working parallel. I haven't been directly involved in any social movement or women's movements, but I know Delhi has a strong feminist movement activity going. (Sarita Sharma, interviewed on 17 September 2016).

However, one of our other respondents, who was in her early twenties and had joined a feminist street theatre group after the *Nirbhaya* case, had a stronger conceptual understanding of feminism and marginalised sexualities. She particularly noted the problems of speaking about sexual violence experienced in public spaces and the fact that homophobic abuse in public often intersects with sexual violence:

If the victim is from the LGBTQ community, they just don't get heard, even by feminists. (Abha Khanna, interviewed on 4 June 2016).

However, in spite of the separation apparent in these newer perceptions, feminists who were active pre-*Nirbhaya* believed that there was continuity between the feminist women's movements and the post-*Nirbhaya* social unrest. As Meena Dixit put it:

It would have been impossible for women to talk about rape before Mathura. The movement of students in 2012–13 seemed spontaneous, but they are really a testament to the women's movement who broke the taboo against (talking about) rape. (Meena Dixit, interviewed on 22 September 2016).

⁸ Social enterprises are organisations that raise money by selling goods and services in the open market and reinvesting the majority of their profits into their business or the local community. Social enterprises are distinct from NGOs as they do not depend on donations or external funding but raise funds themselves by providing services or goods. However, like NGOs, they are autonomous of the state, and have a clear social mission (see Social Enterprise UK, 2017, <https://www.socialenterprise.org.uk/> accessed 10 December 2018).

Others interviewed pointed out that this apparent depoliticisation and rejection of feminist action on gender inequality issues such as rape indicated wider neo-liberal responses to social justice and socio-economic inequality in India. Two respondents referred to continuities between the anti-corruption mass movement in 2010 led by Anna Hazare and Arvind Kejriwal; this movement was framed in terms of the needs of the ‘common man’, but was ultimately cautious about associating itself with a particular political ideology, either socialist or right wing (see also First Post, 2013⁹).

While the feminists active in the social movements during the 1980s and 1990s certainly bemoaned the seemingly ahistorical nature of the more recent responses to sexual violence, they also recognised that the latter had an important role to play. Smita Iyer stated:

the only thing that I find problematic is that there isn’t enough continuity. So the way the new organisations function is like they discovered sexual violence in December 2012. Ahistoricity becomes problematic. It relates to how much social media exposure you have. So people tend to think the newer organisations have done more on sexual violence than say, organisations who have been around since the 1980s, working tirelessly ... (however) I am not at all passing judgment. I think it is important that they are able to reach out to an audience that we were not able to and that is something that we have to accept. (Smita Iyer, interviewed on 17 September, 16).

The newer social movement responses recast Jyoti’s rape and murder as a form of gendered power and control, thus, placing a greater focus on preventing sexual abuse in the public sphere rather than in the home. This approach may well reproduce the views of a social majority that does not recognise marital rape as a criminal offence. Further, feminist interventions around the Mathura and Bhanwari cases were concerned with issues of class and caste, but were less sensitive intersecting identities, such as sexual and gendered identities. Although feminists involved in these movements were wary of what the more recent ahistorical view of sexual violence in India meant for the future of the country’s feminism, they did acknowledge that widespread media coverage had produced greater awareness of sexual violence and had inspired many to act. In their eyes, contemporaneity was valorised at the expense of the other two critical events and lacked acknowledgment of everyday, class-based structural violence that women also continue to face. Ultimately, the use of victimisation of individual women such as that in the case of Jyoti Pandey, as a critical event (Kleinman et al. 1997), by feminist movements to mobilise support, is a source of ambivalent empowerment.

⁹Anna Hazare led the 2011 Indian anti-corruption movement against both financial and political corruption. The movement gained momentum from 5 April 2011, when Hazare started a hunger strike in New Delhi, asking for the introduction of an anti-corruption bill eventually called the Jan Lokpal Bill. The protesters were not linked to any particular political party at the time and actively called themselves non-partisan. First Post. 2013. Arvind Kejriwal is not an angry man. Or a socialist.

<http://www.firstpost.com/politics/arvind-kejriwal-is-not-an-angry-man-or-a-socialist-858861.html>, accessed on 10 December 2018).

Conclusion

The three cases discussed here show that, in the almost five decades since the Mathura case, feminist campaigning against sexual violence in India has changed markedly. Within that time, it has moved from concerns with police brutality aimed at working-class women, to an emphasis on protecting women in the workplace, and finally to a wider societal engagement with raising awareness of sexual harassment that sometimes manifests through a form of quasi-feminist action. These decades have seen a change from essentially socialist feminist perspectives on sexual violence that were firmly connected to a concept of patriarchy and class- and caste-based inequalities to a form of engagement by women who are not particularly conscious of these forms of marginalisation, and who are arguably part of a neo-liberal consensus on how gender might be mainstreamed. It can be argued that rather than their age, it is activists' experience in the women's movement which matters more. More experienced feminists, particularly those active since the 1980s and 1990s, are highly ambivalent about the consequences that previous activism on sexual violence and harassment in the workplace had on the current campaigning resulting from the *Nirbhaya* case. In this sense, these feminists find recent activism problematic and questionably empowering. For them, none of these three critical events has led to a stronger policy emphasis on sexual and domestic violence and patriarchal power in the home. Nevertheless, these women continue to campaign in this area and remain hopeful for the future. Ultimately, it can be argued that critical events such as those discussed in this paper aid feminist mobilisation on sexual violence and an understanding of the history of Indian feminist activism around the issue. However, the valorisation of these events should be treated with caution, as they reflect only particular moments in time, and can be seen as indications of what were significant to Indian feminist mobilisation. These events can nevertheless lead to deeper longitudinal understandings of key events in feminist campaigning on sexual violence in India or elsewhere.

References

- Abha, Ratna, Geetanjali, Radha. 1992. A Conservative Rebel. *Manushi* 72, pp. 17-21.
- Baxi, P. 2014. *Public Secrets of Law. Rape Trials in India*. New Delhi: Oxford University Press.
- Bhattacharya, P. 2018. Kathua, Unnao rape cases: What it will take to get justice for 'India's daughters', <https://www.livemint.com/Politics/KtGZ7f6zjfTgzmYvcdvdl/Kathua-Unnao-rape-cases-What-it-will-take-to-get-justice-f.html>, accessed 10 December 2018.
- Brownmiller, S. 1975. *Against Our Will*. New York: Simon & Schuster.
- Conner, M., Sparks, P., Povey, R., James, R., Shepherd, R. and Armitage, C. J. 2002. Moderator effects of attitudinal ambivalence on attitude-behaviour relationships. *European Journal of Social Psychology*, 32, pp. 705-718.
- Cooper, J.B. 1996. Is Voluntary Reporting of Critical Events Effective for Quality Assurance. *Anesthesiology* 85, pp. 961-964.
- Cosner Berzin, S., & De Marco, A. 2010. Understanding the Impact of Poverty on Critical Events in Emerging Adulthood. *Youth and Society*, 42(2), pp. 278-300.
- Das, V. 1997. *Critical Events: An Anthropological Perspective on Contemporary India*. New Delhi: Oxford University Press.
- Dhagamwar, V. 1992. *Law, Power and Justice (Revised Edition)*. New Delhi: Sage Publications.
- Durham, M. 2015. Scene of the Crime. *Feminist Media Studies*, 15(2), pp. 175-191.
- Figlio, K. 2014. Psychoanalysis, reparation and historical memory. *American Imago*, 71 (4), pp. 417-443.
- Goyal, N. 2017. Denial of sexual rights: insights from lives of women with visual impairment in India. *Reproductive Health Matters*, 25:50, pp.138-146.
- Jungthapa, S. 1995. A shocking acquittal. *India Today*. Available at <http://indiatoday.intoday.in/story/womens-group-shaken-after-jaipur-court-dismisses-bhanwari-devi-rape-case-and-clears-accused/1/289707.html> accessed 10 December 2018
- Kabeer, N. 2012. <http://nailakabeer.net/wp-content/uploads/2013/01/opendemocracy.net-Grief-and-rape-in-India-making-violence-against-women-history.pdf>. Accessed 9 January 2019.
- Kelly L. 1987. The Continuum of Sexual Violence. In: Hanmer J., Maynard M. (eds) *Women, Violence and Social Control. Explorations in Sociology (British Sociological Association Conference Volume series)*. London: Palgrave Macmillan.
- Kishwar, M. (nd). *Sex Harassment and Slander as Weapons of Subjugation*. *Manushi*. Available online: http://www.manushi-india.org/pdfs_issues/PDF%20files%2068/sex_harassment.pdf, accessed 10 December 2018.
- Kleinman, A. Das, V. and Lock. 1997 M. *Social Suffering*. University of California Press. Vancouver.
- Kumar, R. 1998. *The History of Doing*. New Delhi: Kali for Women.
- Meyer, D.S and Staggenborg, S.1996. Movements, Countermovements, and the Structure of Political Opportunity, *The American Journal of Sociology*, 101 (6), pp. 1628-1660.
- National Crime Record Bureau. 2014. <http://ncrb.nic.in/>. Accessed 9 January 2019.
- Parashar, S. 2013. *The Delhi Rape Case: Rethinking Feminism and Violence Against Women*. <http://www.e-ir.info/2013/02/11/the-delhi-rape-case-rethinking-feminism-and-violence-against-women/> , Accessed 10 December 2018,

- Prashad, V. 2008. *The Darker Nations. A People's History of the Third World*. New York: The New Press.
- Roy, A. 2014 Critical Events, Incremental Memories and Gendered Violence, *Australian Feminist Studies*, 29:81, 238-254
- Smart, C. 1995. *Law, crime and sexuality: essays in feminism*. London: Sage.
- Reich, T. and Wheeler, C.S. 2016. The Good and Bad of Ambivalence: Desiring Ambivalence Under Outcome Uncertainty. *Journal of Personality and Social Psychology*, 110 (4), pp. 493-508.
- Vishaka and others V. State of Rajasthan and others. AIR 1997 SUPREME COURT 3011.
- Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.