

# **India - No Patriarchy, No Police State, No Capital Punishment: A Report on the Rally Against Rape**

Friday 4 January 2013, by [MARIK Soma](#) (Date first published: 29 December 2012).

The Delhi gang rape is gruesome. But it does not stand alone. There were 22,000 rapes reported in 2010, and this implies at least 100,000 unreported cases. In the National capital, Delhi, there were around 570 cases reported. West Bengal has about 9,000 cases of rape, where the matter had not begun moving in courts. Rapes, gang rapes, rape as a “political” action (rape of “lower” caste women, rape of minority community women, rape of political opponents) have been taking place continuously. Though India’s political leaders have been claiming stridently that India is forging ahead, that India is one of the new powerhouses of the world, in terms of the violence inflicted on women, in terms of the sheer barbarism of rape, India shows no sign of being a forward looking, civilized country. It was with this perspective that students, mainly from Jadavpur University and Presidency University, called for a “Rally Against Rape,” to assemble at the College Square on 27<sup>th</sup> December at 2 PM, and to march to Rani Rashmoni road, hold a meeting, and also to send a deputation to the Chief Minister or someone representing her.

The program at its peak had about 1,000 people. The major political parties had no space in it. The CPI(M) [Communist Party of India (Marxist)] royally ignored it, to the great pleasure, one suspects, of the organizers. The Trinamul Congress [The All India Trinamul Congress is the ruling party in West Bengal, and abbreviated “TMC”] tried to cash in on it without joining at all, by sending a small TMC women’s brigade to the same spot for a separate rally; the purpose perhaps was to demobilize, disperse or confuse the participants. The student organizers showed great presence of mind by instantly pushing their program back by an hour.

*The organizers issued a statement, reproduced below:*

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“Capital Punishment is not a solution. Neither is public humiliation. These are products of mob mentality which lead us back to our medieval nature.

For every 100 people accused in rape charges, only 26 are convicted. We want fast-track courts in all cases of sexual violence, and certainty of punishment for the guilty.

1. End all legitimization of sexual violence, domestic violence, ‘honor killings’ and the like. All government officials, including elected public representatives, guilty of maltreatment of rape victims should resign.
2. A dedicated department for the funding of medical treatment and psychological therapy of rape victims should be formed. Hospitals should have the infrastructure for forensic analysis to aid criminal investigations.

3. Gender-sensitization and neutral laws ensuring sure justice. After due consultation with women's rights and issues groups and organizations, provisions for such laws have to be made, through which sexual violence (including marital rape and custodial rape), sexual harassment and mercy killings can be made criminal offences.

4. Pregnancy and maternity leaves have to be secured for women employees in both public and private sector.

6. The rights of the Single Mother have to be ascertained and secured with due diligence by the State Government.

7. All State Government forms and document requiring the name of 'Father/Husband' should also require the name of 'Mother/Wife.'

8. Sexual harassment laws should be affected in the workplace. Those companies which do not fulfill these requirements should have their licenses revoked.

For your consideration,

To Prevent Rape and to End Patriarchy:

1. The Female Body is not an object. Stop Objectification and Commodification.

2. The Female body is not just flesh. Try and put an end to 'flesh trade.'

3. Eradicate pornography.

4. A woman's value is not just for her vagina.

5. Stop female foeticide and infanticide.

6. Rape can be stopped only when we bring about a change in our own mentality.

7. Raise your voice against all acts of oppression against women and marginalized sex.

8. Women's security cannot be ascertained by increasing the recruit in police forces and installing CCTVs. We do not want a police state on the pretext of security."

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The demands were worked out by consulting with each other and with others who were posting on Facebook, writing in blogs, and so on. In other words, this displayed a creative use of horizontal networking and organisational techniques. Discussions continued after the rally too, so that one suggestion that came was to criticize the Bengali text that had called for ending prostitution and to focus instead on ending trafficking.

The rally had about 85% people in the age group upper teens to mid or late-twenties, with barely 15% from older adults. This was in fact heartening, though it did also bespeak a gap between older people working in various mass organisations, including the women's networks like Maitree, and the radical youth. Politically, though banners were absent, faces from [various student organizations] Jadavpur University FAS [Forum for Arts Students], Presidency IC [Independents' Consolidation], AISA [All India Students Association], PDSF [Progressive Democratic Students Federation], DSO

[Democratic Students Organization] and others could be identified. There were a small number of Maitree members and a small number of Radical Socialist members. CPI(ML) Liberation [Communist Party of India (Marxist-Leninist)] was the political organisation that had brought a large number of people, and Malay Tewari was one of the speakers, along with Benjamin Zachariah of Presidency University Department of history. It was surprising that though organised by students, giving speeches was handed over to seniors. Another feature was the presence of numerous vanloads of policemen, at one stage, before the rally had started, even more numerous than the protesters. No cops, when women are raped. No cops to arrest rapists. But hundreds of them, possibly to protect the state from the "dented and painted" women.

It was reported that a team of five representatives (Sanjukta Basu, Sayantani Gupta, Ankita, Sudhanya Pal and Koumi Dutta) met Firhad Hakim, the Minister for Urban Development to place the demands. His remarks on them were:

- The demand for fast track courts: some fast track courts exists more will come up soon.
- The demand for ending all legitimization of sexual violence, domestic violence, "honor killings" and the like and the demand that those guilty of maltreatment of rape victims should resign was left without response.
- In response to therapy of rape victims, funding medical treatment, etc., he assured a certain amount of monetary assistance for the treatment of the rape survivor.
- Concerning gender-sensitization and neutral laws ensuring sure justice, etc., he promised to refer to the law department. He also considered this demand to be very necessary and important. He also wanted to implement sex education in all educational institutions in consultation with the education department.
- Pregnancy and maternity leaves have to be secured for women employees in both public and private sector: government sectors will provide 18 months leave, laws for private sectors will be checked soon to implement this on them.
- The rights of the Single Mother have to be ascertained and secured with due diligence by the State Government: he was indifferent to this.
- All State Government forms and document requiring the name of "Father/Husband" should also require the name of "Mother/Wife": he asserted this will require a "constitution revision". This shows a total lack of laws. This can be done by government with no constitution change, since Article 14 declares all Indians to be equals, and other laws, including Supreme Court verdicts, can be used in this context (e.g., Geetha Hariharan's case).
- Sexual harassment laws should be affected in the workplace. Those companies which do not fulfill these requirements should have their licenses revoked: he wanted laws to be "effective," but did not agree to revoking licenses.
- Stop trafficking in women: no comments.
- Damayanti Sen must be brought back as the investigating officer in the Park Street rape case: Damayanti Sen's transfer has nothing to do with the Park street rape case; she violated rules and hence, the transfer.
- Government must publish White Paper on rapes cases till date: formal agreement.

One question we face, and I personally faced after participating in this rally is, do such civil society protests matter, and if so how?

Very briefly: yes, they do. It is because women have been protesting ever since the Mathura rape case that there is some action, some visibility for rape cases. Some laws have been passed or modified. One example is the Sexual Harassment at Workplace Law. It is because some women, somewhere, stood up and resisted that we all have more rights than in the past. So we need to constantly go out into the streets and fight until all our goals against patriarchy are met.

I would also add, civil society action is being advised to not go beyond a certain point, by the corrupt parties and leaders. We are being asked to be satisfied now that some ministers, including the Prime Minister, have spoken. The reality is that the PM uttered platitudes that mean nothing. [West Bengal Minister for Urban Development and Municipal Affairs] Hakim gave a set of promises that cost nothing. We need to connect demands from different sectors and widen our alliances and bridge the “civil” and “political” gulf. For example, we need to ask at election times, not what leaders are promising for tomorrow, but what they have done over the past five years. We need to demand that Electronic Voting Machines must have an “I do not like any candidate” button, and that if this gets the highest number of votes all the candidates must be disqualified. We need to stop protecting rapists in uniform, including through repeal of the Armed Forces Special Powers Act. For a start, therefore, we need to add these demands and to come out repeatedly until some of these demands at least are met. And we need to express solidarity with rape victims everywhere in India, and with women on whom violence has been unleashed in any form.

### **Soma Marik**

**Postscript, December 29, 2012:** This morning, I, along with countless other Indians, learnt that the victim of the gang rape in Delhi has died in Singapore. We also know since the day before yesterday that Anisur Rehman, a CPI(M) leader and former minister, made objectionable remarks about [Chief Minister of West Bengal] Mamata Banerjee [\[1\]](#), showing that like the Bourbons, the CPI(M) has learnt nothing and forgotten nothing. Rehman’s query, about what would be the CM’s fee if she were subjected to sexual assault, was one that perfectly followed Anil Basu’s earlier comment [\[2\]](#). But this was immediately matched by Congress MP Abhijeet Mukherjee, who is not merely an MP but son and successor of another MP, none other than Pranab Mukherjee. He remarked that the “dented and painted women” who were protesting did not know the ground realities [\[3\]](#). That he withdrew this after protests and prodding show not contrition, but the reality that whenever Indian politicians of any party make spontaneous comments about women, it is obscene, or degrading, or trivializing.

And that goes for a vast number of women politicians as well, as shown immediately by Kakoli Ghosh Dastidar, TMC MP, who told CNN IBN that there was a great difference between the Park Street Case and the Delhi Case, because in Park Street there had been no rape. “They (the Park Street rape and Delhi gang rape) are totally different. The incident at Park Street was not a rape at all. It was a misunderstanding between two parties involved in professional dealing—a woman and her client.” According to the Times of India, “Trinamool leader Subrata Mukherjee, who was quick to condemn Anisur Rehman’s sexist comment against the chief minister, was not so forthcoming when asked for his reaction on Ghosh Dastidar’s insensitive remark”. In other words, for all these parties, without exception, even the massive public outrage over the Delhi gang rape is not a wake up call. They will continue as before. When in government, they will try to conceal rape cases, assist the policemen who taunt and humiliate rape victims, transfer honest police officers, and use the language from the gutter to attack victims and those who stand up in solidarity. If a victim dies, they will then use honeyed lies and set piece commentaries, while hoping that the issue would soon be over. As the Delhi case has shown, they will use false claims, as with Constable Tomar’s death, and they will ask

TV managers, “Theek hai?” [“Is it fine?”] after mouthing inanities. If the death of the young woman is to make us wake up, then it must be in the direction of rejecting every mainstream political party [4].

We can start by demanding and carrying on a sustained campaign all the way to the elections of 2014 with at least these few demands:

1. Set up fast track courts to ensure that rape cases are tried and completed within one year.
2. Ensure that police take action in ALL cases of rape and sexual assault, not on selected ones where media takes particular interest.
3. Ensure punishment of police and administrative personnel if they ignore rape cases or flout laws in rape cases.
4. Stop protecting rapists in uniform, including through the abolition of the Armed Forces Special Powers Act.
5. Change the electoral machinery and law so that EVMs all carry a “do not want any of the candidates” button and declare none found suitable if that gets the highest votes.

We will be told that all this will hamper the state, that these are anarchic demands. Who are the greatest threats to women? Anarchy, real or imagined? No. it is the criminal gangs, the police and politicians who protect them.

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## **P.S.**

\* From Solidarity:

<http://www.solidarity-us.org/site/node/3786>

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## **Footnotes**

[1] [http://articles.timesofindia.indiatimes.com/2012-12-30/kolkata/36063422\\_1\\_mamata-banerjee-amitabh-bachchan-cpm](http://articles.timesofindia.indiatimes.com/2012-12-30/kolkata/36063422_1_mamata-banerjee-amitabh-bachchan-cpm)

[2] <http://www.ndtv.com/article/assembly-polls/outrage-over-cpm-leader-s-comments-on-mamata-100995>

[3] <http://ibnlive.in.com/news/abhijit-mukherjee-s-comment-disappointing-similar-to-the-ones-heard-at-street-corners/312605-3.html>

[4] <http://www.thehindu.com/news/national/when-theek-hai-was-not-ok/article4235989.ece>