

Women Legal Para-workers

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Creating an awareness of the legal rights that women enjoy, and identifying and training legal para-workers to help the village women access these rights both in their homes and in the gram sabhas are steadily showing results, in terms of empowerment of these women and their position in their social milieu.

Training and building the capacity of women in legal matters is a response to a felt need. This need had been frequently expressed by women, particularly the aggrieved, in SHG meetings. SHG members would often stress on the need for greater legal awareness and the need for networking with other gender-based groups rather than working in isolation. Borrowing from the experience of other groups, it was believed, would save the SHGs from trying to reinvent the wheel.

Recognizing this, a training was organized in Saharanpur in 2005–06, in collaboration with Jagoree. It was held in the campus of one of the partner agencies of Jagori called Disha. About 20 women, including Community Resource Persons (CRPs), were selected for the training. The other trainees comprised women members of SHGs that fell under the ambit of the Narmada Mahila Sangh (NMS). NMS was formed in 2001 as a federating body of 600 SHGs spread across the two districts of Hoshangabad and Betul.

The training shed light on different legal recourses available to a woman in trouble. Crucial aspects such as how does one go about filing a First Information Report (FIR), what are the precautions a woman is required to take at this stage, and what sections of the various Acts apply in different instances. Women were taken to a court and familiarized with the procedures, to remove any inhibitions they may have. What made the training special was that care was taken to ensure that even the illiterate women succeeded in grasping the basic content of the training.

On their return from the training, the women shared this newly acquired knowledge with the other women of NMS. Together they began to reach out to aggrieved women of the SHGs. Quick action was initiated to bring the accused individuals to task, more so when serious offences such as rape and murder were concerned. These women were also able to provide direction on how land disputes could be resolved. In due course, women outside of the SHGs of NMS began to approach the trained women for legal support and guidance.



The task at hand is not as simple as it appears. Legal procedures, at least in our current day and age, are rather convoluted. One has to be very careful when filing the FIR, and especially to ensure that the police book a case under the appropriate sections. The police often books a case under a lesser charge and thus enables an easy acquittal of the accused, especially if he is influential or willing to offer a handsome bribe. The police, on occasion, also misrepresents the details of the case in court, allowing influential people to get away scot-free. Apart from such instances of corruption, there are procedural delays, not to mention that petitions submitted to the court remain suspended for lack of any concrete action for years.

Although the training in Saharanpur was insightful in this regard, there emerged a

need for legal para-workers, colloquially referred to as *kanooni sakhis*, who could do the required handholding through all the precarious stages of a case with greater efficacy. Para-workers would need to ensure that the police do not deviate from the truth of the matter and to collaborate with a reliable lawyer to ensure the delivery of justice. This paved the way for a second training that was organized in collaboration with a Gujarat-based NGO called Centre for Social Justice (CSJ). Two resource persons, Nupur and Anuradha, facilitated a legal training camp at the Kesla campus of Pradan, to address the legal needs of women. The three-day training provided deeper insights on how women can ensure the delivery of justice despite the shortcomings of the system. After the training, a small test was organized for the participants.



All such efforts were brought to their logical end when on 22 February 2010 in the yearly federation meeting of the NMS, called the *Mahadhiveshan*, the district collector of Betul recognized the efforts of the legal para-workers before the general body of about 8,000 women SHG members. As per the written suggestions of the women para-workers, the collector promised to adopt the model of *Gram Suraksha Committees*, as prevalent in Maharashtra. He further assured that such bodies would enjoy state backing, and would be central in addressing instances of violation of women's rights at the village level. The collector also distributed certificates of merit and recognition to the para-workers during the federation meeting.

The collector shared the good work of the legal para-workers with the District Superintendent of Police (DSP), who in turn assured the workers that the police department would offer its fullest cooperation to the work being carried out by the women. The women para-workers then met the DSP and the collector in person. These interactions led to the inclusion of the women para-workers at the village level in the *Gram Suraksha Committees*. In Dhodramau village of Betul district, one finds a living expression of the processes at the village level. Here, women approached the police station directly and, after speaking with the concerned inspectors, have initiated the process of having themselves elected to the *Gram Suraksha*

Committees. A similar process is alive in a number of other villages as well. What is remarkable is that the local police stations now extend these workers a helping hand, which was not common before.

This is only the beginning and much remains to be done. There are a number of challenges in the work being carried out by the women legal para-workers. For one, there is a dire need to reach out to those villages, which are not a part of the NMS network. The women legal para-workers cannot turn a blind eye to the atrocities being committed on the women in neighbouring villages. On the other hand, caste and gender are closely knit at the village level.

The asymmetries in caste are reflected in the asymmetries in gender as well. Leela Dube writes about this in her essay 'Caste and Women' published in 1996. She records that upper caste men succeed in disregarding the needs of the lower caste women, by way of the power and force they wield in the male dominated *jati-panchayats*. Such *panchayats* are agencies of patriarchy and are rarely considerate of women's rights and needs. The *gram sabhas* are of no use either. They are rarely called forth in the event of any distress caused to a woman or a group of women. Women are not able to voice their needs at such forums and a 'culture of silence' pervades decision-making at this level. A similar voicelessness extends itself to the police stations, where, in the absence of lady police officers, the aggrieved women are not free enough to share the details, particularly when the offences are in the nature of eve teasing and rape. The male inspectors are often insensitive about women-related issues. Being overloaded with work and crippled by the lack of adequate police personnel, the police department very often adopts a

matter-of-fact approach to such offences. The only option then is for them to approach the court, where the services of a good lawyer are indispensable.

EXPERIENCES OF LEGAL PARA-WORKERS

The training programmes have done much for the sense of confidence of the *kanooni sakhis*. This is evident in the life-stories of Geeta Chauhan and Suneela Dhurvey. Geeta Chauhan is a resident of Polapathar, Betul district. She has studied up to 5th standard and is 35 years. She has been an SHG member for about 11 years now. She plays an important role in facilitating the meetings of the SHGs and assisting them with bank transactions and linkages. After she attended the gender training programmes, she began to reach out to women, who are victims of physical violence and sexual abuse or those who have been deserted by their husbands. She assists them in filing cases in the local police station and even in approaching the courts for justice. Geeta says that both the training programmes—the one at Saharanpur and the PRADAN campus at Kesla—were critical in boosting her confidence. Geeta adds that her knowledge of law is her strength; it has given her a voice. To Geeta, the trainings have very effectively made up for her lack of formal education.

Suneela Dhurvey, a resident of the village Resalpatha, Hosangabad district, has studied up to 10th standard. She admits that she lived a life that was inhibited and withdrawn for most part till she got the opportunity to attend the training programmes on legal aspects. She states that initially she was uncomfortable to sit in a meeting where sexuality, oppression and violence were being discussed. To her, this was all too personal—something that was to be dealt with in the privacy of one's home. However, at the



meeting, she met other women, and soon learnt how such beliefs had kept many of them stifled just like her own self. Suneela was quick to realize that the label of 'impure' associated with a women menstruating was ridiculous. She saw the absurdity of the belief that water, food, or fodder, or even the oblations being offered to God got polluted simply because she was going through a natural biological process. She discussed things at home on her return from the training. This was her first step in challenging notions, and today Suneela stands amongst some of the foremost

kanooni sakhis of the region. She shows no mercy for social arrangements that are disempowering to women, and believes that when traditional arrangements fail, legal recourse is imperative.

INSTANCES OF AFFIRMATIVE ACTION OF LEGAL PARA-WORKERS

At Salimet

The village of Salimet is 6 km from Bhoura *gram* and is located along National Highway 69 (NH 69). An adivasi family resides here. The family comprises five members—husband, wife, a daughter and two sons. The



daughter is studying in the 10th standard, and the two sons are in the 6th and 7th grades. The adivasi head of the household is a landless labourer and earns his living by cutting and selling fuel wood from the neighbouring forests. In addition, he earns a small amount by providing labour on the lands of other farmers. His wife is a homemaker and is also a member of a SHG. On the 12 December 2009, a village lad intercepted her daughter when she was on her way to school and raped her. The girl related the story amid sobs to her parents. The father thought it pointless to approach the police

despite which a few of the family's relatives lodged a complaint. Unfortunately, the police booked the case under harassment not amounting to rape. The father on his part dithered about bringing up the matter in the *jati-panchayat*, and finally refrained.

It was only in the *Mahaadhiveshan*, when the District Collector was distributing certificates to the legal para-workers, that an elderly SHG member reported the matter to the para-worker of their village. The SHG member was the elder sister of a close friend of the aggrieved girl. She reported the matter to Geeta bai at the NMS office. Geeta bai approached the police station along with other legal para-workers. They found that a case had been registered, but as a relatively minor offence of harassment.

In order to strengthen the merits of the case and ensure that justice is delivered, it was decided that one would have re-register the case as rape (Sec 376 of IPC). Geeta bai and some of the other para-workers consulted with the Centre for Social Justice on the matter, and on the suggestions of the latter, a written petition was submitted before the Superintendent of Police (SP) and Sub Divisional Officer (SDO) and the police officer of the concerned station to file the case under more stringent sections. However, there was no response. A petition was then filed in the court through a reliable lawyer.

Meanwhile, the legal para-workers also spoke to the father of the girl, who had decided to discontinue her education by then. Once the father agreed, the school teachers were approached because they had removed the girl's name from the rolls due to her continued absence. This was a great boost for the girl's confidence, who all this while was being made to feel responsible for the

mishap. The girl successfully cleared all her exams, except English for which she will shortly be re-appearing. On the legal front, the legal para-workers are pressing hard for justice to be delivered. Both they and the concerned lawyer are confident that action will shortly be taken.

At Ojhapura

The forest village of Ojhapura is located about 8 km from NH 69. It has about 60 households. The total population of the village is about 300 people. During the construction of the Tawa dam, the villagers of Ojhapura were relocated. The main tribes here are Gond and Korkus. There is one *chamar* and one blacksmith household in the village. There are three SHGs in the village that are linked to the larger body of NMS. The three SHGs are Lakshmi Samiti, Maya Samiti and Milan Samiti.

On account of the training organized by PRADAN on gender aspects, the women members of SHGs became to see gender-based discrimination with more clarity. Gender-based discrimination, with regard to decision-making and allocation of roles and responsibilities, was discussed. Radha bai was struck by the realization that the tendency of men to abuse and violate women has a strong impact on the way children think and begin to treat the opposite sex. Lakshmi bai noticed how male children take a cue from the way a girl child is otherwise treated. They also gather messages from the jokes made at the expense of women, and rude gestures about a woman undergoing menstruation. Once the women saw that the law does not uphold such forms of discrimination, it gave them much more courage as well as a solid foundation to press for their rights as equal citizens.

In an SHG meeting in July 2010, Radha bai, Lakshmi bai and Kalavati bai shared that they had begun to sensitize the young in the household soon after the training. Positive change is more than visible, according to them. The boys, who previously had the luxury of loafing around with their friends, now partake in household responsibilities such as cooking, washing utensils and clothes with equal zest.

Knowing that the legal framework does not forbid the participation of women in forums such as the *gram sabhas* has also had a positive impact. *Gram sabhas* have always been dominated by the male members of the households. But now, the women are keen to participate in political processes. The women state that they plan to leverage a gender budget, which comprises a significant portion of the state funds that are allocated to the *panchayat* for activities that will empower women, create more awareness and create a more enabling environment for the *kanooni sakhis* to discharge their roles and responsibilities.

In cases where the system by itself fails to deliver, the *kanooni sakhis* bridge the gaps, tie up loose ends, unravel the knots, shed clarity and ensure that justice is ensured for the aggrieved. From the very common haggling that takes place in police stations, to identifying a good lawyer, and even guiding him as to the sections under which charges must be pressed—all these are the forte of *kanooni sakhis*. Their participation in larger forums and political processes is indicative of that which is referred to as 'personal is political' in feminist terms.