

India: Women Reject State Surveillance

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Abridged from Liberation. Kavita Krishnan will speak at [Green Left's 30th birthday event on March 27](#).

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*Madhya Pradesh **Chief Minister Shivraj Chouhan** has proposed that every woman stepping out of her home be required to register herself with her local police station so that the police can track her for her safety.*

Chief Justice Sharad Arvind Bobde asked last month why women had been “kept” at the farmers’ protests and praised Supreme Court advocate AP Singh (a man with a record of victim-blaming and support for honour crimes) for giving an assurance that women would be sent home and kept out of the protests.

As an Indian woman, these developments fill me with a sense of foreboding and panic. Chouhan and Bobde are men with immense power, who do not feel obligated to listen to the voices of women. Their whims carry the weight of authority.

We need to tell these powerful and influential men: Women are not a “problem” for which confinement and surveillance are the “solution”. Women are not “things” owned by men, which need to be “protected” from theft or damage.

Women are people with the inalienable right to live the fullest of lives. Everything that prevents their life from being lived to the fullest extent of freedom is a form of violence.

Violence against autonomy is, by far, the most widespread and the least acknowledged form of gender-based violence in India.

I wrote [Fearless Freedom](#) to document and discuss this fact. National Family Health Survey data shows that just 42% of women with no schooling, and 45% of women with schooling, have the right to go “alone to the market, to the health centre, and outside the community”.

An India Human Development Survey (IHDS) found that even those women who could go out alone — to workplaces, for instance — are expected to seek permission from some authority

figure in the household to do so.

The NFHS and IHDS surveys found that even Dalit, educated and socially disadvantaged caste (OBC) and *adivasi* (indigenous) women experience restrictions on mobility, to more or less the same extent as women from more privileged castes.

In *Fearless Freedom*, I wrote:

“What do these facts and figures really mean? They translate to a life lived ‘crashing against walls’, like a bird caught in a closed room, battered by every attempt to escape and fly free. There’s really no way to dress up this life and romanticise it as ‘safe’. Such intense and obsessive confinement of women is not ‘safety’. It’s time we recognised it as violence in its own right.”

Rape or sexual assault is violence against women’s autonomy — that is, her control over her own body.

Confinement to the home and surveillance inside and outside the home is also violence against women’s autonomy.

Requiring women to take permission from authority figures in the family to step out of the home is violence against women’s autonomy.

Requiring women to inform state authorities (like the police) of their movements outside the home is violence against women’s autonomy.

Requiring women to seek permission from the state to convert to another faith or marry someone from a different caste or community is violence against women’s autonomy.

Withholding the right of a woman to take risks (by protesting in cold weather for instance) is violence against women’s autonomy.

A man is not asked to explain and answer for why he is “outside his house”. The “outside” is accepted as his natural sphere.

The very fact that a woman is expected to answer to others for her presence “outside her house” proves that the house is in fact a prison for a very large number of women. As Shilpa Phadke’s 2011 book [Why Loiter](#) eloquently asserts, women have a right to loiter without purpose, and it is only by asserting and defending this right that women can truly have a claim to their city.

Confinement is violence, not safety.

Surveillance is violence, not safety.

Those who prescribe restrictions on women’s freedoms in the name of “safety” are the most likely to voice rape culture that blames victims, not perpetrators, for sexual violence.

Singh is a handy example. He declared, in the context of the Delhi gang rape and murder in 2012, [“if my daughter was having premarital sex and moving around at night with her boyfriend, I would have burnt her alive. All parents should adopt such an attitude.”](#)

The man who justified rape of a woman on the grounds that she went out at night with her boyfriend, says today that women must stay home and keep out of protests — and the Chief Justice agrees with him. What a disturbing and dangerous meeting of minds.

The Bharatiya Janata Party (BJP) and the fascist Rashtriya Swayamsevak Sangh (RSS) act as though the *Manusmriti* (a religious script declaring that women are never free, and must always be in the custody of their father, husband or son) is India's Constitution — and they boast that their views and policies are in line with those of the majority of Indians, while feminist ideas are confined to an isolated, "westernised" minority.

BJP leader Ram Madhav [boasted in an Indian Express op-ed](#) in 2017 that this liberal, feminist minority, which had enjoyed an influence out of proportion to its size, was finally out of the driver's seat, and "The mob, humble people of the country, are behind [Prime Minister Narendra] Modi. They are finally at ease with a government that looks and sounds familiar. They are enjoying it."

In [another op-ed in the same paper](#) in 2019, Madhav called for the "pseudo-secular/liberal cartels that held a disproportionate sway and stranglehold over the intellectual and policy establishment of the country" to be purged from "the country's academic, cultural and intellectual landscape" under Modi's second term as PM.

People's movements in India (trade union, students', feminist, anti-caste, civil liberties and environmental movements) aim, like Dalit rights campaigner B R Ambedkar, to democratise Indian society — and these movements have been led by masses of ordinary people, not by liberal intellectuals. From educators Savitribai Phule and Fatima Sheikh, to anti-dowry campaigners Shahjahan Apa and Satyarani Chaddha, feminist organisers are the products of Indian soil, fighting for a more democratic India.

As we have seen, NFHS data does show that regressive anti-feminist ideas and practices are still widespread in India. But until six years ago, women could still appeal to the courts, at least, and be fairly confident that the outcome would uphold constitutional morality above social majoritarian morality. Today, we have no basis for such complacency.

With the BJP and RSS controlling government and influencing every institution, women's legally recognised liberties hang by a thread. All that stands between women and regressive laws legalising the shackles on their autonomy are the courts. And the sheer number of judges who seem to have no understanding or respect for the very concept of women's autonomy and constitutional morality does not inspire confidence.

It is no coincidence, after all, that some of the inspiring Indian feminist figures of our times (to name a few — advocate Sudha Bharadwaj and teacher Shoma Sen, student activists Natasha Narwal and Devangana Kalita of Pinjra Tod, Ishrat Jahan and Gulfisha) are in prison today under draconian laws, and no judge seems able to see and end the appalling injustice of their incarceration.

Our rights rest on the chance that the judge who gets to weigh in on such regressive policies and laws will be guided by constitutional morality, and not by his own patriarchal common sense. That is a grim thought.

It is women's movements, and the extraordinary courage of ordinary women in the face of fascist assaults, that supply the confidence that the Courts do not. We draw courage from

the young women like [Muskan](#) who tell violent mobs that she is an adult and has a right to marry whom she pleases.

We draw courage from the young women out to loiter and break the cages of hostels and homes even as leaders of these movements are thrown in prison.

We draw courage from the elderly, grey-haired women who lead movements asserting equal citizenship and farmers' rights, and refuse to be treated like school kids and "sent home" by paternalistic judges.

The followers of the *Manusmriti* are afraid of the change that women's movements can bring. And we can smell their fear. And their fear dispels ours.

So Messrs Chouhan, Adityanath and company, the honourable chief justice and other honourable judges — we are not going to be boxed up by you.

We refuse to show you papers to prove our citizenship.

We refuse to register ourselves with the police.

We refuse to allow courts to decide if obnoxious, regressive "laws" and policies are legitimate or not — we will defy them and refuse to obey them no matter what the judges think.

We are going to wash the dirty linen in public — and expose the violence inside our homes.

We need no one's permission to break our cages.

We are here on the streets — and here we are going to stay.

Get used to it.

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