



# SEXUALITY, SEXUAL VIOLENCE AND THE LAW: UNPACKING CONTRADICTIONS, EXPANDING SITES OF ACTION

25<sup>TH</sup>-28<sup>TH</sup> MARCH, 2018

NEW DELHI

Despite the successes in relation to rape law reform, the manner in which the law has been implemented remains the same as it was before the changes. There is a definition of consent which treats rape as a violation of bodily integrity and sexual autonomy of a woman, cleansing the written law of references to 'virtue', 'chastity' and sexual purity of the victim. Yet, women continue to be shamed for previous sexual history. For victims rendered additionally powerless account of being dalit, tribal, trans gender; whose marginalization arises from disability, rural location, poverty –the registering of a complaint is not just fraught, but sometimes invites cover-ups and even fatal backlash. Consent in law as well as in society, remains a terrain of contradictions. And structural inequalities in spite of its recognition in the context of atrocities, only magnifies the odds against victims claiming rights and redress. In face of this reality, how do we make sense of the law reform, and beyond that, the larger agenda for social change? How do change agents understand the bigger picture in relation to sexuality, power relations and consent in the law, to devise strategies that more effectively challenge sexual inequalities. Beyond the law, what other sites of change are necessary within which a culture of consent can be instilled, affirmed and advanced.

These questions lead us to look at how sexuality and sexual rights are treated in the law. It calls for an engagement that is not limited to the rape law, but takes into account broader concerns of sexuality and its treatment within the law. Indeed, only this makes it possible to unpack the relevance of consent and sexual autonomy within the law – to unpack the ways in which inequalities of gender, caste, tribal status, and poverty define boundaries of legitimate and illegitimate sexuality in law. Rather than focus on information giving and legal literacy, **this workshop seeks to understand the inter-linkages of rape law with**

**the other legal provisions on sexuality, as they relate to issues of power structures, gender relations and sexual autonomy.** Law is not just a tool of legal redress, but also a site where inequalities are validated, re-constituted– which is why it is an important site for feminist understanding and action.

The women's movements have struggled to reform the law – and while this has succeeded in accommodating women's experiences of sexual violence – through naming and criminalization – the sexual norms on which the law is founded, are entrenched in more complex and cross cutting ways. Dismantling the foundational norms within the law calls for more than a definition of consent for rape and the inclusion of specific forms of sexual violence against women. Law reforms, however progressive, are interpreted and applied through a cultural understanding of sexuality at a given moment – which means that the successful campaigns and prosecutions –laudable in themselves are insufficient for real change.

To broaden the understanding of sexuality in modern law – the **workshop looks at the origins of sexual offences, including rape – and the relationship of rape law with other penal offences on sexuality.** In addition to rape law, the discussions will look at how law constructs sexuality in relation to marriage, trans and same sex desiring persons, adolescents, sex workers– to piece together a bigger picture on how the State defines acceptable and unacceptable sexuality. It also looks at contexts of inequality and power relations between social groups, where sexual targeting serves as a weapon to humiliate the other, or restore old patterns of oppression. By widening the engagement to sexuality, discussions will aim to unpack the reasons why law works or does not – in relation to specific categories of persons and social groups. The workshop also seeks to explore strategies that help build a culture of respect for positive expressions of sexuality, based on sexual agency and consent.

This is part of a series of events by PLD, which seek to foreground the continuum between sexuality and sexual violence, by exploring inter-linkages and inter-dependence between the two. PLD believes that the struggle against sexual violence must be part of a larger struggle for affirmation and acceptance of sexuality and sexual rights – in law and in society. It believes that the stigma and shaming of victims of sexual violence can be dismantled only when the stigma around sexuality itself is overturned.

The workshop is bilingual – with sufficient mix of Hindi and English to be accessible to those fluent in either of the two languages. It is primarily for social workers, lawyers, and para-legals who have some familiarity with laws on sexual violence.

To apply, please fill the application form attached and send it back by 25<sup>th</sup> February. You can also fill the form online by clicking [here](#).

**The selected participants will be required to be part of a 3-day residential workshop in Delhi. The accommodation is fully supported, and full travel support is available to participants who indicate need for the same.**

Last date for submitting application form: 25<sup>th</sup> February, 2018 (midnight)

**Registration fee: Rs.1000 (to be paid by selected participants)**