SCALING A SURVIVOR-CENTRIC APPROACH FOR SURVIVORS OF SEXUAL VIOLENCE

The case of an action-based research project in India

Andréeanne Martel and Margaret Walton-Roberts

Introduction

Through challenging and changing gendered and other forms of power inequality, scholarship in feminist geography contributes to and simultaneously challenges the process of constructing knowledge. For feminist geographers, the research process, specifically the scale at which research occurs, and how the benefits of such research are shared are central and important issues of concern. In this chapter, we examine these factors in more detail by exploring a project based on scaling access to justice for survivors of sexual violence. This case illustrates the value of scaling the results of effective action-based research in order to increase its transformative potential.

Feminist geography and praxis

The work of feminist geographers can be interpreted as concerned not only with theorizing the operation of power in relation to gendered and other inequalities but also with the development of tools to transform those relations and make power more accountable for the reproduction and maintenance of such inequalities (Hyndman 2004). Staeheli and Lawson (1995, 321) laid out the methodological implications of such feminist geographical analysis: ‘The goal of this more inclusive research and knowledge is the transformation of gendered power relations.’ The power- and process-focused dimension of feminist geography thus compels researchers to be accountable for how they engage in research and with those whose lives are being researched. The physical and relational location of the researcher and those researched speaks to issues of power relations and space-time. Doreen Massey (1993) termed this ‘power geometries’, to indicate how our social location informs how we experience, control, change and access resources; this structures the particular constellation of social relations that frame people’s lives.

Research, for feminist geographers, thus entails a significant amount of reflection on why the researcher is engaging with certain topics, why those topics matter, how the researched...
population is to be included in the formation of the research issue and data collection and how that population will benefit from the knowledge produced (Moss, Al-Hindi and Kawabata 2002). Critical and feminist geographers have addressed such concerns by highlighting the importance of community-based research or participant action research – where researched populations become partners in the process of constructing new knowledge through non-hierarchal partnerships that contribute to change – which represents an important methodological approach for feminist geographers (Pain 2004; Pain et al. in this volume, Chapter 26). The type of methodological approach and research methods used is centrally important when researching and collaborating with vulnerable populations facing significant social inequality (Brickell and Cuomo, in this volume, Chapter 27). Deeply qualitative research approaches can result in powerful yet potentially personal and politically incendiary research outcomes. Collaborative research can contribute to feminist analysis, but the difficulties and dangers of interrogating and exposing the roots of deep-seated inequality are also evident, as the Sangtin Writers Collective and Richa Nagar (2006) reveal in their critical intersectional analysis of caste and gender and the NGO sector in India.

Another debate linked to research relevance and effectiveness is that of scale. The issue of scale is central to research methodology and outcome; understanding the scale at which gender-based violence originates and is occurring is vital to determining how to prevent and address it (Pain et al. and Brickell and Cuomo, this volume, Chapters 26 and 27). Anyone who wants to have an impact on policy must understand the importance of their research being persuasive in terms of sample size or alignment with a larger body of literature with similar findings and recommendations. This element of scale helps to convince government agencies and other institutional bodies of the value and relevance of qualitative research in developing more equitable policies, and can contribute to meaningful policy engagement (Mountz and Walton-Roberts 2006).

Feminist geography has contributed to important theoretical debates regarding scale. This includes the political power of connecting issues across and beyond different scales that are seen as oppositional or mutually exclusive. This theorization is evident in the idea of the global and the intimate (Pratt and Rosner 2006), which elaborates on the political potential of feminist work to ‘disrupt traditional organizations of space, to forge productive dislocations, reconfigure conventions of scale’ (Pratt and Rosner 2012, 1). Also, Katz’s (2001) counter-topographies, where political potential can be forged through collaborative engagements that upend or query scalar or spatial distances and find commonalities, are evident in human struggles around production and social reproduction (see also Walton-Roberts 2010). Significant debates regarding scale as a social construction have been informed by feminist arguments to take seriously social reproduction and consumption (Marston 2000), which in turn has informed rich debates about the politics of scale and new approaches such as rescaling (Swyngedouw 2004), as well as the need to focus on scales such as those of the body (Mountz 2004) and the home (Blunt 2011).

Thinking about scale together with community collaborative research can yield valuable examples that speak to the power and ideals of feminist geography and its focus on identifying and challenging all forms of social inequality. This chapter engages with these themes and provides an illustration of research with vulnerable populations: survivors of sexual violence and their access to justice.

In this chapter, we explore the outcomes of a project that took effect in 2012, a collaboration between Majlis – a Mumbai-based, women-led legal organization committed to ensuring access to justice for women in India – and the local Department of Women and Child Development, with financial support from the International Development Research Center (IDRC) in Canada. The memorandum of understanding between these organizations led to the
establishment of RAHAT, a survivor-support programme that provides socio-legal assistance to survivors of sexual violence and their families. To further the transformative potential of this work, the Mumbai-based organization continued to build its partnerships after the end of the grant from the Canadian funder in order to bring the model to scale, in this case to other locations in the State of Maharashtra and, eventually, to other sites in India.

Before we start into the example, it is important to be explicit about the politics of space and scale that this chapter represents. By focusing on India and gendered violence, we are not suggesting that gendered violence does not exist in other contexts; it does (see also Pain et al. and Brickell and Cuomo, this volume, Chapters 26 and 27). Our chapter could have easily reported on how the Trump administration has rescaled gendered violence beyond the US to women globally through re-imposition of the ‘global gag rule’, which limits funding to organizations that counsel or provide information on abortion, a policy that will lead to increased child and maternal mortality in countries that are dependent on donor funds (Singh and Karim 2017). Likewise, we could detail how in the UK Theresa May’s government-imposed two-child welfare cap on low-income households will cause disproportionate harm both to low-income women who already face structural marginalization and to their children (Machin 2017). Moreover, at the time of writing this chapter, Canada has experienced its second largest mass killing since the 1989 École Polytechnique massacre in which 14 women were murdered by a man who claimed to be fighting feminism. In April 2018, a man drove a van for 2 kilometres along a busy pavement in North Toronto, killing 10 people, eight of them women. The attacker claimed he was a ‘foot soldier’ for Incel, an online community of involuntary celibate men who hold women, and the feminist movement, responsible for their inability to form intimate relationships with the opposite sex. Thus, there is no shortage of examples of forms of gender-based violence enacted by governments, social groups and individuals across countries, regardless of their economic, cultural, religious or political context.

We examine the situation of India in this chapter from our shared interest in that country, and also because India is the site of important community-based innovations that target entrenched forms of gendered-based violence through transformative policy and practice. The work of many Indian NGOs is highly perceptive of the structural dimensions of gendered violence and the need to enact system-wide changes to empower survivors of violence, as well as to make states, agencies and individuals accountable for their role in perpetrating such violence. Such groups demand that organizations engage in transformation change in order to prevent the continuation of gender-based violence, but their work is highly context-sensitive, aimed at transformative change that leads to material improvements in the lives of women and girls even when faced with entrenched gendered inequality. As an example, we observed in India other similar interventions involving the potential of scaling feminist transformative work into the legal system. The ‘women’s courts’ (mahila adalat or mahila mandal) in low-income neighbourhoods in Delhi and the recent proliferation of these alternative courts in various cities in India provide an interesting context to discuss the idea of scaling access to justice for women in this country (Vatuk 2013). As in the dissemination of ‘women courts’, we believe there may be important lessons from the Rahat case to share.

**A survivor-centric approach for social and legal support for survivors of sexual violence: the RAHAT initiative**

A few months before the highly publicized gang rape on a bus in Delhi in December 2012 made the headlines, a local journal in Mumbai had reported that a four-year-old girl
had been raped by her school watchman. Lawyers and social workers at Majlis decided to offer socio-legal assistance to the victim-survivor’s family. For Majlis, this case highlighted the existing flaws in the criminal justice system in addressing sexual offence cases and dealing with victim-survivors. When this horrific crime happened, data on sexual offence occurrences from the National Crime Bureau of India indicated that rape was occurring every 26 minutes, molestation every 14 minutes and dowry death every 63 minutes. Impunity for these crimes was the norm, as only 27 per cent of the perpetrators were convicted (IDRC 2016).

The purpose of the research was to build a survivor-centric approach to provide greater access to justice. To implement this approach, Majlis created the RAHAT unit. Lawyers and social workers working in this unit – the RAHAT team – launched an action-based research project that aimed systematically to follow and document the High Courts’ and the Supreme Court’s ruling in cases of violence against women and children and to identify the gaps in the criminal justice system (IDRC 2016, 1). This included tracking the poor implementation of the existing law and led to the development of a holistic, survivor-centric approach to address those lacunae. This unit came from a collaborative project between the Department of Women and Child Development, Government of Maharashtra, and the Majlis Centre – a women’s legal organization created in 1991 in Mumbai, funded by IDRC for three years. The action-based research project, entitled ‘Interrogating Sexual and Domestic Violence and Evolving Protocols for State Agencies’, came into effect in August 2012.

The Majlis survivor-centric approach focuses on minimizing trauma, to transform the victim into a survivor. In order to achieve that process, the RAHAT team focuses on rehabilitation and prioritizes the needs and rights of victim-survivors in its intervention (RAHAT 2015, 20). The approach prescribes joint collaboration and coordinated actions among multiple stakeholders to provide victims with the appropriate legal, medical, social or other support required, throughout the litigation process and beyond. The model of support is not limited to assistance while in hospital, but can also go directly to the victim’s residence as soon as the case is reported (RAHAT 2015, 20).

Between 2012 and 2015, the RAHAT team documented the positive rulings by the High Courts and the Supreme Court and analysed them. In actual terms, it has followed up on 490 cases, having analysed 140 judgments of trials in 2011 and 2012 to ascertain trends in rape trials, and has followed almost 500 cases of sexual violence. The team has developed tools, protocols and training to help the stakeholders such as police and protection officers involved in the justice system to fulfill their roles more effectively. The RAHAT team has developed standard operating procedures (SOPs) for justice officials’ use in cases of sexual offence against women and children. To date, these SOPs are being followed by over 2,000 police officers in Mumbai. The team has also designed training programmes for key stakeholders such as police, public prosecutors, judges and others in the criminal justice system, and is currently monitoring progress towards the institutionalization of these practices.

IDRC support to Majlis ended in 2015, but the RAHAT team continues to support women and children victims of violence. The tools and protocols developed by the team have been used in 93 police stations, as well as by several judges and public prosecutors in Mumbai City and suburbs. In the process of its work it began to ask how it could make its survivor-centric approach sustainable and expand it to other communities. As the RAHAT team was achieving success in Mumbai City in 2014 and 2015, it decided to explore the potential for scaling up its approach to other cities and districts in India.
Scaling a survivor-centric approach

Following the success of the survivor-centric approach in Mumbai City and suburbs, the RAHAT team is now pursuing both horizontal and vertical scaling strategies (Naqvi and Mehta 2015). ‘Horizontal scaling involves the replication or expansion of an innovation in a different community; while vertical scaling implies the institutionalization of an innovation through policy, political, legal, regulatory, budgetary, or other [systems changes]’ (in Rottach et al. 2012, 2; Rottach et al. 2012).

The RAHAT team has pursued three strategies in scaling its approach. A first horizontal strategy involved replication of the approach to additional sites across the 36 districts of Maharashtra. The following two involved a vertical strategy. It is scaling its approach through its adoption by the state government or other NGOs. ² The final strategy focused on promoting behaviour change at various levels of the legal jurisdiction to ensure sustainability, as well as to improve accountability of state agencies and reduce impunity. The development of SOPs, training programmes and monitoring the institutionalization of procedures were the main pathways to scale the impact of the survivor-centric approach. This combination of mutually reinforcing scaling strategies focused on enhancing the capacities of state agencies and other public stakeholders to abide by and apply the law. It is also in line with the fundamental mandate of Majlis, which, at ground level, focuses on supporting women victims of violence and advocating for policy change. The RAHAT team is improving access to justice for survivors, holding state agencies accountable and ultimately decreasing the impunity for perpetrators of violence against women. From its perspective, a critical element for the sustainability of this approach is monitoring the behavioural changes of officials and strengthening state capacity. Each scaling strategy has encountered challenges in terms of feasibility, the quality of the model and the coordination with other stakeholders.

Replicating the survivor-centric approach in a new community: Navi Mumbai

The initial uptake of the survivor-centric approach in Mumbai and the suburbs was effective and efficient, because it was built on a solid network of organizations that believed in the approach and trusted the RAHAT team (Martel 2019). This close collaboration is the key to its success, yet is also the main obstacle to replicating the model. The scaling approach involved mapping potential new locations to identify relevant networks and organizations in each district; this was important in order to avoid competition and duplication. Even more important was identifying feminist organizations, feminist lawyers and social workers with a strong belief in the approach and a willingness to form a social network with shared values. Efforts to replicate the approach demanded the RAHAT team maintain the model’s fidelity while understanding that adaptation to new contexts was critical. To stay relevant to victims’ needs, the researchers had continuously to assess and adapt their approach to various types of vulnerability contexts, such as rural/urban, class, caste, ethnicity, religion, and so on. One of the cornerstones of the RAHAT survivor-centric approach’s success is the Mumbai police commissioner’s support, and seeking this level of support in other settings was an important feature of scaling.

As seen, a scaling process is not the achievement of a single organization but, rather, requires the participation of many partners and collaborators at several levels of the scaling pathway. In considering the replication of its approach in the city of Navi Mumbai, the RAHAT team first mapped all the organizations involved in providing social and legal support for victims of violence. This phase was critical to providing a better understanding of the context in which
sexual offences against women and children were occurring and the actors involved in tackling such issues. Implementing the survivor-centric approach at the original site also involved a high number of official partners and collaborators. For example, the memorandum of understanding between the Department of Women and Child Development (DWCD) and Majlis Legal Centre represents one of the key factors in the success of this project. As noted by Naqvi and Mehta (2015, 12), this strategic collaboration ‘allowed mutual needs of the DWCD and Majlis to merge toward shared goals’. The Government of Maharashtra was trying to gain public acknowledgement of its efforts to fight crime against women and obtain the trust of the public. Through this partnership, the RAHAT team had access to all key stakeholders in the judicial system, including the courts. The partnership gave RAHAT the credibility and legitimacy it needed to access the First Information Reports (FIR) recorded by the Mumbai police and the opportunity to train public prosecutors and judges. Over the course of the project, the RAHAT team became, in a sense, part of the justice system and a significant advocate for survivors of violence. Its expanding role in supporting victims of sexual violence allowed it to build a close relationship with major stakeholders within the justice system, starting with the police commissioners, public prosecutors and judges. This level of partnership was essential to its ability to scale its approach, and RAHAT leveraged its official partnerships with the DWCD and the police commissioner in Mumbai to access police stations and state agencies in its new implementing site, Navi Mumbai.

In scaling its approach horizontally to sites outside of Mumbai (Navi Mumbai), RAHAT’s formal partnership with the DWCD enabled it to create a trusting environment and build relationships in other districts within the State of Maharashtra, where it was not so well known. This partnership was also a key element in the vertical adoption of the approach and its institutionalization within systems of regulatory oversight. Even though the replication of the approach in the State of Maharashtra was facilitated by its having the same laws and legal system, the actual application of the law remained highly contextual in each community. The scaling process sought to systemize the survivor-centric approach and expand official commitments to supporting it.

**Concurrent strategies to reach the optimal scale**

Identifying the optimal scale to replicate an approach should result from a dynamic and challenging process of assessing the resources available and the proper replication context (McLean and Gargani 2019). The survivor-centric approach illustrates some of these challenges.

In the new site of Navi Mumbai, the RAHAT team undertook a needs assessment to ensure that its approach was as context-specific as possible. Even though it had followed a high number of cases in Mumbai to inform the development of its model, the RAHAT team still needed to understand better the contextual factors in each new setting. Questions covered by the assessment varied from ‘What is the socio-cultural context?’ and ‘What types of violence are women facing?’ to ‘What are the vulnerability factors?’ and ‘Which organizations are working in the same sector?’ All these questions helped the team to make a decision regarding its scaling strategy in Navi Mumbai. Its experience in Mumbai City and suburbs allowed it to understand the multiple and complex contextual challenges that victims of violence face. The diversity of socio-economic conditions in the city represented a microcosm of the multiple facets of violence. Nevertheless, the specificity of operating in a smaller city or rural area still needed to be further assessed, as well as the types and roles of organizations already operating there.

Another important component that informed the scaling strategy was the effective capacity of the organization itself to scale the approach. The time and expertise demands that the
Andréanne Martel and Margaret Walton-Roberts

scaling process involved might have stretched the Majlis staff beyond their limits. In this regard, it is about the capacity to deliver on a model built on their expertise. One scaling challenge of this strategy for a grassroots organization like Majlis was that it required it to allow other organizations to implement the model, running the risk that they would diminish its quality (fidelity) or transformative potential. A decentralized scaling strategy combined with deliberate partnerships with similar feminist organizations provided a means for Majlis to expand the model without compromising it (Naqvi and Mehta 2015, 5).

The third scaling strategy, changing the behaviour of stakeholders, involved many training events and rigorous monitoring of court rulings. The latter is one of the critical challenges of this model. To expand this scaling strategy, the team requires more human resources or will need to rely on partner organizations. Given the limited numbers of lawyers using a feminist perspective and the years that it took to build the specific and unique capacity of the RAHAT team, this is one of the key challenges of the various types of scaling strategy.

For this specific project, the goal was not policy change, because new regulations were already in place (e.g. the 2012 Amendment of Criminal Law and the 2012 Protection of Children from Sexual Offences Act). Instead, it was a matter of ensuring proper application of the law in a manner that supported the intentions of the survivor-centric model. Considering these needs, an optimal approach to scaling the model might involve simultaneously targeting behavioural change at the policy level by training state representatives on the existing laws and replicating the approach at a community level. These two concurrent strategies help to build cohesion around the approach and help the different stakeholders to adopt the model progressively. Ideally, improved application of the law would lead to the model’s expansion rather than deliberate NGO-led scaling strategies.

The success of scaling up based on behavioural change might mean scaling down the role of the NGO, which might then be an indicator of success. Ideally, a successful scaling up strategy allows the implementing organization eventually to step back and let others (NGOs through adoption, state agencies through behavioural change) standardize the new approach.

Gender transformative strategies while scaling

A gender transformative paradigm aims to change power dynamics and empower marginalized groups or individuals. A transformative strategy also seeks to challenge gender norms and attitudes by improving the status of women in society (Kabeer 1994). Gender accommodating approaches, on the other hand, acknowledge gender norms and inequalities, and develop actions that adjust to, and often compensate, for these norms. Martel (2019) demonstrates that both gender transformative and accommodative strategies could be used in a scaling process in order to enhance the ownership of a particular approach. Though the general mandate of the survivor-centric approach was gender transformative, as it seeks to challenge how the justice system and society look at women and children victims of sexual violence, the RAHAT team decided to use both gender accommodative and transformative strategies in scaling its approach, after analysis of the gender barriers inherent to the scaling process. For instance, RAHAT needed to consider gender barriers and to articulate the role of gender at each stage of the process, from the design of the approach to the scaling strategy:

[Their approach] is not universal and they need to be very context-specific if they want to be able to replicate it in different districts with an appropriate uptake by the communities. […] The overall Survivor Centric Approach is deeply gender
A survivor-centric approach for survivors of sexual violence

transformation as it seeks to challenge the way the justice system and society look at victims of sexual violence and help the victim become a survivor. To achieve that mandate, the RAHAT team had to challenge, for example, a popular misperception that all rape cases were false.

Martel 2019, 123

The direct impact of this misperception was the normalization or dismissal of violence by the police and subsequent official inertia when addressing sexual violence complaints. To challenge this, RAHAT conducted a massive sensitization campaign for police officers called ‘Zero FIR’. This campaign focused on raising awareness around the importance of filing a First Information Report (FIR) within the first 24 hours following the report of a rape. The socio-legal support that Majlis provided to its clients through legal counselling, skills training or job re-entry programmes aimed to counteract the dismissal of victims by empowering women to go through a transformation that positioned them as survivors, rather than victims, of sexual violence.

In the RAHAT project, accommodative strategies were used to enhance the ownership of the approach by key stakeholders and consequently ensure its sustainability. One of the main accommodative components was the skills training programme for police officers, which had a twofold aim. It included a sensitization component aimed at educating them about their roles in addressing cases of sexual violence (e.g. the importance of filling out FIRs, following SOP protocols, women officers recording the complaints, etc.) (Martel 2019, 122). The training was deliberately non gender-sensitive, which means that it was not trying to change the mindset of police officers about sexual violence and the role of women in society but, instead, to create a rote form of standardized practice. This decision aimed to avoid resistance and gain buy-in. In this case, a pragmatic, gender accommodative approach was more appropriate than a transformative one, and stakeholder analysis was useful in identifying this more-effective approach. For the scaling purpose, RAHAT needed to collaborate with stakeholders who have very different and sometimes opposing perspectives on gender roles and norms. Yet the skills training programme also had a gender transformative component, as it included training exclusively for female police officers, and this aimed to empower them and reinforce their skills. This non-mixed training sought to make the female police officers aware of their role in recording female victim statements.

Conclusion

This chapter explored an example of a Canadian-funded Indian NGO-led development project in which strategies of scaling were used effectively to create access to justice for victims of sexual violence in a gender transformative manner – transforming victims into survivors and making agencies of the state support and advance that transformation. The RAHAT team challenged the geometries of power that precluded women from accessing justice, and rescaled its survivor-centric model horizontally to other communities, as well as vertically to police and legal systems. Various scales and strategies of intervention were employed to bring solutions to communities in need of justice. In some cases, these approaches were transformative (working with women police officers), while in others they were accommodating, in terms of implementing changes that were not explicitly presented as gender transformative but rather as systematic operating procedures or rote bureaucratic requirements of officials.

The example of RAHAT reveals how gender transformative research needs to be highly context-specific; geographical sensitivity is evident in how the RAHAT team understood the need to operate with existing hierarchies of government, justice and police structures.
RAHAT understood how transformative change could be advanced through gender accommodating initiatives, such as developing new standard operating procedures and embedding this change in the rote official norms of police responsibility. Assessment of the capabilities of relevant NGOs and institutions in the new scaling site was vital to the success of a scaling strategy. The project demonstrates how feminist-inspired research, in combination with multiple state agencies, can widen the scope of gender transformation research to materially transform structures of gendered inequality. Scaling these programmes entailed working within existing systems of legislation to make them more accountable to survivors of gendered violence, thereby transforming power structures through both gender transformative and accommodating strategies.

Notes
1 This chapter is limited to the RAHAT initiative. The overall project funded by IDRC includes a second initiative, Monitoring of Hinsa (PWDV) Act in Maharashtra (MOHIM), focusing on domestic violence issues and the application and implementation of the Protection of Women from Domestic Violence Act (PWDVA). One of the major outputs of this component of the project was the publication and implementation of a handbook published by the Maharashtra government in August 2014, entitled The Protection of Women from Domestic Violence Act, 2005: Maharashtra State Handbook on Protocols, Best Practices and Reporting Formats (RAHAT 2015).
2 During a field visit in September 2016 by Martel, a major international NGO was evaluating the possibility of replicating the model in Pune.
3 However, they were also advocating with several strategies to sensitize police officers. A pledge by Mumbai police to treat women and children with dignity was put up at the entrance of every police station in Mumbai.

Key readings

References
A survivor-centric approach for survivors of sexual violence


