



Just as the second round of #MeToo was imploding in the country, two cases of sexual harassment at institutionalized religious workplaces were catching public attention and it would be useful to look at the approaches in the two places in some depth. With institutionalized religious workspaces, one may well ask, whether, due process is at all provided for, or, whether, even if there is due process provided for, the same is working, or whether the spiritual mantle or crosier simply throws these due processes off gear. Two of the key issues that the #MeToo movement is raising are the disbelief that a woman complaining of sexual harassment is instantly met with, and the working of due process where the Accused enjoys a certain extra clout.

One case in the public domain involved separate complaints of sexual harassment of two women devotees, by a priest employed at the Mangeshi temple in Goa, and in the second case, a complaint by a nun in Kerala of being raped by a Bishop at the guest room in their Mission Home.

The Sexual Harassment of Women at the Workplace (Prevention, Prohibition and Redressal) Act, 2013 (SHWWPPR Act) stipulates that the workplace even includes any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey. The definition of an 'aggrieved woman', that is the woman who can make a complaint under the Act, includes, in relation to a workplace, a woman of any age, *whether employed or not*, who alleges to have been subjected to any act of sexual harassment by a person.

Pertinently, the Catholic Bishops' Conference of India (CBCI) has promulgated the CBCI Guidelines to Deal with Sexual Harassment at the

Workplace, on 14th September, 2017. As per the Guidelines, as the statutory framework is already available under the SHWWPPR Act, the instances under the SHWWPPR Act, the instances covered by the Act will be dealt within these 'Guidelines' as per the procedure prescribed under that Act. Thus the CBCI itself sees the Church workplaces as coming within the ambit of the SHWWPPR Act, 2013.

Furthermore, the Guidelines aptly recognize that sexual abuse can also take place in the context of spiritual or psychological guidance or services, and require that appropriate professional boundaries be maintained between members of all sections of ministry or service at all time and in all places.

The complainants in the case of sexual harassment at the Mangeshi temple in Goa are stated to be devotees who were visiting the temple. So they were not working there. But the priest against whom the complaint is levelled was working there, and he is alleged to have drawn leverage from his position in his workplace to sexually harass women visiting his workplace.

Similarly, with the nun, the Mission Home, for instance, may be the workplace of the nun, and there may be no strict work relationship between the accused Bishop and the nun. But everyone knows that nuns are expected to host/serve priests and Bishops, even if this is not strictly written in their work profiles in any form. Bishops and priests are at the helm of the power structure of the Catholic Church in any region.

Given that there is a social shaming of women, whether or not they belong to dominant communities, one rarely finds women coming forward to complain of sexual harassment by priests. The women are contending with both male power as well as the power that comes from the barrel of performing the religion's sacred rites. It might be a little easier for women from the diaspora because being based abroad, they are not caught in the day to day

trappings of living in the community and facing pressures not to complain, as the locally based women from the same dominant community would, or the locally based women being from disadvantaged castes would.

More visibility has followed for this issue in Goa with cognizance of the grievance of the women against the temple priest being taken by the Goa State Commission for Women, which opined that all institutional religious places come within the ambit of the SHWWPPR Act, 2013. One hears that an Internal Committee has since been constituted at the Mangueshi temple.

Given that the temple is a work place as recognised, albeit deprecatingly, within the Devasthan Regulation, it is an apposite moment for the temples to be brought within the ambit of the SHWWPPR Act, 2013, and to constitute Internal Committees as mandated under the Act, for prevention and redressal of acts of sexual harassment.

Similarly, the Church as an institution is also a workplace, where women staff are working, or where womenfolk of the men employed to do menial jobs such as grave-digging, and who stay on the Church's premises, can also be exposed to sexual harassment. Therefore rules relating to a workplace must apply in equal measure to the Church staff as workers and they do, if one goes by the CBCI Guidelines. Even the relationship between a nun and a priest or bishop would be considered to be a work relationship, and not a personal one.

That being said, the power relation between a priest and the victim is an unequal one. Even more unequal when the priest belongs to a religion that gets special preference or is considered as superior by the State. This is



even if the priest be an employee himself. The inequality is starker in times of religious nationalism. The might of the State tends to get thrown behind the harasser to protect him from being investigated, or being prosecuted in a court of law, or taken to task for his wrong doings at any level at which there are otherwise mechanisms for dealing with the issue.

On the other hand, Christians constitute a minoritized group in the country today. With this, victims face an even tougher task because both they and the community do not want to expose the inner workings of the community to the dominant group for fear that this may increase the assault on the community. The position therefore that any women victims of minoritized groups are in is a very very difficult one, almost walking on a tight rope, so to say.

But sexual harassment is sexual harassment and cannot be condoned whatever be the status or affiliation of the perpetrators. It should invite even more opprobrium when the perpetrators are persons who betray the trust that is reposed in them by virtue of their position - in the instant case, the position and power to spiritually guide.

What remains to be seen is whether the managements of the temple as well as the church establishments will constitute the Internal Committee and enable it to be operational, in the letter and spirit in which it is meant to be set up and operate.

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#MeToo at Religious Workplaces: A Tale of Two Places