
Sexual Harassment Issue And Its Impact On The Society

INTRODUCTION

Sexual harassment and assault are widespread issues. They cause limitations to people's lives, cause pain and impact communities and society. Sexual harassment and assault cause a significant problem, especially for women. Women with disabilities are more likely to be the victims than women without disabilities to report experiencing assault. Men in socially narrowed groups are more likely to experience sexual harassment and assault than other men. Sexual harassment incidents begin often in a younger age group people. It takes place around a number of locations but is usual in public space. Its most frequently perpetrated by men, and most often by strangers for harassment and a known person for assault. It causes all people of any demographics to feel anxiety or depression and prompt them to change their route or routine.

Due to a large number of women being victimized to sexual harassment and assault, Tarana Burke, an American social activist, began to use the phrase "me too" on the Myspace social network to highlight the occurrence of sexual harassment, particularly as it targeted women of color. She made efforts to make "Me Too" movement works on empowerment through empathy, by showing the world just how common sexual harassment is and by telling survivors that they are not alone and are supported. It became viral both online and in the mainstream during late 2017, when high-profile actresses came up talking about their experiences with sexual harassment in the film industry. Since then, it has provided a source of solidarity for women from all backgrounds who have experienced sexual harassment, not always but most often perpetuated by a male colleague. In October 2017, many actresses in Hollywood came forward with sexual abuse allegations against Harvey Weinstein, an incredibly influential film producer with the power to make or break careers. Initially contributing to Burke's work, on October 15, 2017, actress Alyssa Milano invited people to use a #MeToo hashtag to show just how widespread sexual harassment and assault are in the United States beyond Weinstein and the stories in the headlines. Soon, millions of people had used the hashtag.

Four months later, dozens of high-profile men have been fired or resigned from their jobs in the entertainment, arts, political, sports, and business industries because of women and some men who came forward with their allegations of abuse. In many cases the accounts of abuse were confirmed by many victims sharing similar stories about the same perpetrator, showing a clear pattern of abuse and predatory behavior, which was all too often ignored by individuals and institutions who failed to hold these perpetrators accountable.

On October 8, 2018, the long-awaited wave of the global #MeToo movement finally hit Indian social media. Tanushree Dutta filed a sexual harassment complaint against fellow actor Nana Patekar resurfaced wherein Dutta said Patekar acted inappropriately while they were shooting a film in 2008. More disclosures came in the form of Twitter tweets and Facebook posts. As one woman raised her voice against this, the insidious pattern of silence broke instantly, by women who've been sexually harassed and assaulted by the men mostly in powerful positions. Since then, the list of sexual harassment allegations against famous and well-known figures in India has grown. The well-known names came from Bollywood, the journalism and media industry,

and even politics.

Research Objectives: The following research attempts to ensure how the sexual harassment has impacted the modern world and how every problem has a solution to it. The researcher focuses on bringing upon the beginning of #MeToo movement, the major consequences the helped women protect themselves against sexual harassment and the landmark judgements.

Research problem

How is sexual harassment a major issue in the modern living society? Could it be really distance the (mostly) women and men from sexual harassment through an initiative called #MeToo movement? Who can be the harasser and who can be the victim? What are the various difficulties that a victim comes across?

Research methodology

This paper presents the findings of a criminal force used on women and men. The methodology adopted for this research is doctrinal method of study. An Exploratory form of Research and Secondary Sources of Data is used with an objective of discovering and building a theory based on it. The collection of data is procured from authenticated publications, online journals and articles. The literature review has been compromised by following the instructions given by the faculty board members.

Analysis

Sexual Harassment- A nightmare!

According to section 354 A of Indian Penal Code, 1860: Sexual harassment and punishment for sexual harassment

1. A man committing any of the following acts—
 - i. physical contact and advances involving unwelcome and explicit sexual overtures; or
 - ii. a demand or request for sexual favours; or
 - iii. showing pornography against the will of a woman; or
 - iv. making sexually coloured remarks, shall be guilty of the offence of sexual harassment¹.
2. Any man who commits the offence specified in clause (i) or clause (ii) or clause (iii) of sub-section (1) shall be punished with rigorous imprisonment for a term which may extend to three years, or with fine, or with both.
3. Any man who commits the offence specified in clause (iv) of sub-section (1) shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

According to the Equal Employment Opportunity Commission, sexual harassment is

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or
- Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Unwelcome Behavior is the critical word. Unwelcome does not mean 'involuntary.' A victim may consent or agree to certain conduct and actively participate in it even though it is offensive and objectionable. Therefore, sexual conduct is unwelcome whenever the person subjected to it considers it unwelcome. Whether the person in fact welcomed a request for a date, sex-oriented comment, or joke depends on all the circumstances.

According to the Prevention of Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act 2013, "Any of the following (directly or by implication) shall mean sexual harassment: (1) physical contact and advances; (2) a demand or request for sexual favours;(3) making sexually coloured remarks; (4) showing pornography; (5) any other unwelcome physical, verbal or non-verbal conduct of sexual nature."

Sexual harassment majorly takes place in the following two forms:

(a) Hostile Work Environment: It occurs by unwelcomed conduct or speech of another employee that creates a demeaning or hostile work environment which affects the work performance. Example: Any unwelcome sexual comments that are repeated even after indicating that such behaviours are unwelcomed.

(b) Quid Pro Quo: It is a Latin phrase which means, 'something for something'. It means demanding sexual favours in return for a benefit.

Sexual harassment amounts to many things like Actual or attempted rape or sexual assault, Unwanted pressure for sexual favors, Unwanted deliberate touching, leaning over, cornering, or pinching. Unwanted sexual looks or gestures, Unwanted letters, telephone calls, or materials of a sexual nature, Unwanted pressure for dates, Unwanted sexual teasing, jokes, remarks, or questions, Whistling at someone, Sexual comments, Turning work discussions to sexual topics, Sexual innuendos or stories, Asking about sexual fantasies, preferences, or history, Personal questions about social or sexual life, Sexual comments about a person's clothing, anatomy, or looks, Kissing sounds, howling, and smacking lips, Telling lies or spreading rumors about a person's personal sex life, Neck massage, Touching an employee's clothing, hair, or body, Giving personal gifts, Hanging around a person, Hugging, kissing, patting, or stroking, Touching or rubbing oneself sexually around another person, Sexually suggestive signals, Facial expressions, winking, throwing kisses, or licking lips, Making sexual gestures with hands or through body movements.