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# FROM FLIRT TO FEROCIOUS ATTACK: UNCOVERING THE DARK REALITY OF ATROCITIES AGAINST WOMEN AT THEIR WORKPLACE

- Sneha Dutta<sup>1</sup>

## ABSTRACT

Long ago, birth of a daughter used to compel her mother to ponder upon the uncertain future, even uncertain life of the newborn because of prevailing atrocities against girl child and women. Workplace harassment and violence faced by women often remains under-reported and un-addressed. Lecherous persons with lustful eyes consider women as commodities and their bodies as playthings. In the eloquent words of Nelson Mandela, “To deny people their human rights is to challenge their very humanity”. From flirtation crossing professional boundaries to grim assault and sometimes to death, the curse of atrocities puts a question on the very human existence of the women. Today, man has reached the moon, but has yet to reach the deepest core of heart where exists an ocean made of the tears of woman persistently crying for a safe environment. In a world where "sky is not the limit", for many women, the thresholds of their own houses, after sunset, become their boundaries. The existing legal frameworks grant rights to women, but how much these rights are truly implemented remains unknown. Thousands of years passed, still this civilization fails to provide the women their indispensable Right to Life with dignity. This article through a multifaceted analysis, explores the trajectory of sexual harassment faced by women at their workplace and maps out how seemingly benign interactions can escalate into malignant abuse.

**KEYWORDS:** Workplace Harassment, Lustful eyes, Safe environment, Right to Life with dignity, Legal framework, Benign interactions.

## INTRODUCTION

In the eloquent words of **Maya Angelou**, “Each time a woman stands up for herself, she stands up for the all-women”. In every ages, in every civilization, in every countries women are subjected to grave abuse

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and gender-based violence. The struggle which starts in the mother's Womb in the form of defeating female foeticide ends with struggle for existence. We all know, "Morning shows the day" and what can be a better example of it than the women's lives. The struggle of women starting as a foetus, shows that her future will be full of threats and challenges. Sexual harassment at workplace is one of the challenges a woman has to face in her life. It is a pervasive issue that affects individuals across various industries and roles. The impact of sexual harassment is profound and far-reaching. Victims often experience emotional and psychological distress, reduced job satisfaction and diminished productivity. In a broader sense, "sexual harassment" can serve as a reminder of the battles faced by countless women around the world in numerous forms- fighting against societal norms, gender biases and uncountable injustice.

## SEXUAL HARASSMENT AT WORKPLACE

Equality before law is a well-celebrated concept in any part of the world. Women in order to become economically independent and to fight against economic disparity started working a long ago. With this, a new type of crime emerged- sexual harassment at workplace. Sexual harassment includes unwelcome sexual advances, requests for sexual favours, and other verbal or physical harassment of a sexual nature in the workplace or learning environment, according to the Equal Employment Opportunity Commission<sup>2</sup>. The spectrum of sexual harassment is much broader. It is not confined to only unwelcome behaviour but any behaviour or approach which includes sexual incitement to fulfil lust and must make a woman uncomfortable at her workplace.

**Convention on The Elimination of All forms of Discrimination Against Women (CEDAW)**, a culmination of more than thirty years of work by United Nations Commission on the status of Women, is an international treaty adopted in 1979 by the United Nations General Assembly. It is often described as international bill of rights for women. The states ratifying the convention, commit themselves to undertake certain measures to discard all forms of disparities against women<sup>3</sup>. But how far the equality is established, remains unknown. To ensure equality, first the environment should be made worthy to support the women in every aspect. Like, to ensure equality, equal opportunities of employment have been incorporated but while exercising this right, women become the victim of sexual abuse at their workplace every now and then. Some comes to light, while others remain hidden. Many women endure the atrocities at their workplace silently, either in fear of losing dignity or losing job. Thus, while we are writing this paper, we hardly assume how many incidents of workplace atrocities are suppressed. Not necessarily a harasser is in a superior position, but he or she may be a colleague, even person inferior than the victim. What matter the most, are the lustful eyes and lecherous villains. The harasser can identify with any gender, any relationship

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[\(https://rainn.org/articles/sexual-harassment#:~:text=What%20is%20sexual%20harassment%3F,Employment%20Opportunity%20Commission%20\(EEOC\)\)](https://rainn.org/articles/sexual-harassment#:~:text=What%20is%20sexual%20harassment%3F,Employment%20Opportunity%20Commission%20(EEOC)) (LAST VISITED ON: 10/09/2024)

<sup>3</sup> Dr. G.B. Reddy's Women and The Law, 2023 edition, Pages- 13,14

to the victim, including being a direct manager, indirect supervisor, co-worker, teacher, peer, or colleague. Some forms of sexual harassment include: Making conditions of employment or advancement dependent on sexual favours, either explicitly or implicitly, physical acts of sexual assault, requests for sexual favours, verbal harassment of a sexual nature, including jokes referring to sexual acts or sexual orientation, unwanted touching or physical contact, unwelcome sexual advances, discussing sexual relations/stories/fantasies at work, school, or in other inappropriate places, feeling pressured to engage with someone sexually, exposing oneself or performing sexual acts on oneself, unwanted sexually explicit photos, emails, or text messages<sup>4</sup>.

Workplace abuse starting with mere flirtations can escalate to lethal torture. Teasing and negative comments. Article 5 of the **Universal Declaration of Human Rights (UDHR)** incorporates Freedom from Torture and says none shall be subjected to torture or cruel degrading treatment. Article 22 of UDHR recognises right to get social security and Article 6 provides right to be recognised as person before the eyes of law. In spite of the existence of UDHR, CEDAW and other conventions, the women are facing the grave injustice mostly gender-based injustice. All the rights bestowed are mostly confined into papers and books, the main hindrance still lies in the mentality and societal structure. Until and unless the mean mentality of considering women as commodities changes, real change will lie in a far distance.

Sexual harassment at workplace can be divided into two traditional categories- “Quid Pro Quo” and “Hostile work environment”. ‘Quid Pro Quo’ means ‘this for that’. It implies to seek sexual favour or benefits in exchange of promotion in work, monetary benefits, hike in salary, special posting or other allied aid at workplace. If woman denies to render sexual favour, the outcome can be demotion, cancellation of bonus and even termination from the job. The concept of ‘hostile work environment’ is a broader term and is not clear. It involves intolerable work environment and unacceptable behaviour towards female workers or employees. This kind of environment makes it hard for the female employees to work. This takes a toll of even the mental health of the female employees. Derogatory comments, figure shaming, showing obscene images and magazines, portraying of adult films, wedding rumours about a person's sex life, photoshop editing of pictures, bullying, threat to rape, attempt to rape, rape and so on can be elements of hostility<sup>5</sup>.

## LEGAL FRAMEWORKS IN DIFFERENT COUNTRIES

Sexual harassment is a form of discrimination based on sex. It is a gender-based violence. The Civil Rights Act of 1964 was a landmark law that prohibited discrimination in the **United States** based on race, colour, religion, sex or national origin. Title VII of the Civil Rights Act of 1964 is a federal employment law that

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<sup>4</sup> [https://rainn.org/articles/sexual-harassment#:~:text=What%20is%20sexual%20harassment%3F,Employment%20Opportunity%20Commission%20\(EEOC\) \(LAST VISITED ON: 10/09/2024\)](https://rainn.org/articles/sexual-harassment#:~:text=What%20is%20sexual%20harassment%3F,Employment%20Opportunity%20Commission%20(EEOC) (LAST VISITED ON: 10/09/2024))

<sup>5</sup> [https://vikaspedia.in/social-welfare/women-and-child-development/women-development-1/forms-of-sexual-harassment-at-workplace \(LAST VISITED ON: 10/09/2024\)](https://vikaspedia.in/social-welfare/women-and-child-development/women-development-1/forms-of-sexual-harassment-at-workplace (LAST VISITED ON: 10/09/2024))

prohibits employment discrimination and gives employees a private right to action. Such claims cannot be brought against a specific individual such as a supervisor. Employers are subject to vicarious liability to violations caused by employees. Adverse employment actions and hostile work environment can support a claim under this title. Under Title VII, a hostile work environment exists when the workplace is "permeated with discriminatory, intimidation, ridicule, and insult, that is sufficiently severe or pervasive to alter the conditions of the victim's employment and create an abusive working environment." For example, evidence of sexual harassment is sufficient to show a hostile work environment<sup>6</sup>.

Title IX of the Education Amendments of 1972 is a Federal civil rights law that prohibits discrimination on the basis of sex in education programs and activities. In May 2020 United States Department of Education specifically added legal bindings on educational institutions who must take efficient steps in response to notice of alleged sexual harassment. This amendment broaden the purview of sexual harassment and included certain types of unwelcome sexual conduct, sexual assault, dating violence, domestic violence and stalking.<sup>7</sup>

In California, the law prohibiting sexual harassment at work (the Fair Employment and Housing Act, or "FEHA") applies to all California employers. California law protects all workers – including independent contractors, interns, and volunteers – not just people who are officially classified as "employees." California employers have primary duties to prevent sexual harassment at first place. At bare minimum, employers must have a transparent written framework of where and how to complain against it. California employers with 5 or more employees, at least once every 2 years, must provide training to employees and supervisors to combat sexual abuse at workplace.<sup>8</sup>

In **United Kingdom**, sexual harassment is considered as a type of sexual violence which is an umbrella term and includes various sexual activities like rape, molestation, sexual assault and so on without the consent of the victim. Under the Equality Act of 2010, sexual harassment is considered as a type of unlawful discrimination. Section 26 of the said Act runs, *"unwanted conduct specifically of a sexual nature or related to gender reassignment and has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for the complainant or violating his or her dignity."*<sup>9</sup> Some forms of sexual harassment are automatically considered a criminal offence under UK laws, including- indecent exposure, up skirting, stalking, any sexual harassment involving psychical contact, which is automatically classified as "sexual assault" in the UK.

Sexual harassment if takes police will interrogate and a list the person guilty of this offence. Suspects can go on trial on criminal charges and if found guilty may be sent to correctional homes or prisons. The burden

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<sup>6</sup> [https://www.law.cornell.edu/wex/title\\_vii](https://www.law.cornell.edu/wex/title_vii) (LAST VISITED ON: 10/09/2024)

<sup>7</sup> [https://www.law.cornell.edu/wex/title\\_ix](https://www.law.cornell.edu/wex/title_ix) (LAST VISITED ON: 10/09/2024)

<sup>8</sup> <https://www.equalrights.org/issue/economic-workplace-equality/sexual-harassment/> (LAST VISITED ON: 10/09/2024)

<sup>9</sup> <https://www.easylama.com/blog/uk-sexual-harassment-laws> (LAST VISITED ON: 10/09/2024)

of proof will lie on the prosecution who must prove beyond a reasonable doubt that the victim did not give consent to such sexual offence. It is provided that person giving consent must not have been incapacitated by alcohol or drugs. The consent of a minor who is under the age of 16 is considered to be immaterial. A female employee is much more likely to face sexual harassment than a male employee however a certain number of male employees also fall victim to sexual assault. In England, a discriminatory behaviour which is based on generalizations and stereotypes are aimed at individuals on the basis of sexism and phobic attitude. LGBTQ+ individuals and several other social minorities are mostly subjected to hostile behaviours. Employers has the moral and primary duty to protect their employees from sexual harassment by co-workers and higher-ups. The UK Government is additionally working to pass more bills to be drafted on the basis of a formal response to a "consultation on sexual harassment in the workplace" launched by UK Government in 2019.<sup>10</sup> Compensation for a successful sexual harassment employment tribunal claim can be uplifted by up to 25% where an employer has breached his duty. Equality and Human Rights Commission (EHRC) says that, all employers will be expected to have in place effective and well communicated policies and practices which aim to prevent harassment and victimization. The EHRC is updating their employment code and guidance to address the multifaceted spectrum of sexual harassment at workplace.<sup>11</sup>

The term sexual harassment is not defined in **Russian law**. Depending on the nature of the offence sexual harassment is either categorised under discrimination or another type of offence<sup>12</sup>. Employers are allowed to include provisions addressing sexual harassment at work in collective bargaining agreement, however this is not a widespread practice in Russia. sexual discrimination committed by a person by the use of his or her management is considered to be a crime in Russia. Russian law provides that organisations are free to elaborate their own internal local regulation to prohibit sexual harassment.<sup>13</sup> Workplace sexual harassment cases hardly go to court for redressal. It is mostly set outside the court. The majority of cases end with no consequences of the wrongdoer. In some of the cases employment relations are terminated while in others employees are dismissed due to misconduct. The law is silent on this issue and the ball is in the employer's court.<sup>14</sup>

Until 1930s, the Women's Department of the Communist Party (Zhenotdel) operated as an important organisation that gave voice to women's complaints. People from every sector used to participate in local meetings. It was dismantled when Stalin declared the "woman question" to be answered. A real paradox

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<sup>10</sup> <https://www.easylama.com/blog/uk-sexual-harassment-laws> (LAST VISITED ON: 10/09/2024)

<sup>11</sup> <https://www.fieldfisher.com/en/insights/new-duty-to-prevent-sexual-harassment-in-workplace> (LAST VISITED ON: 10/09/2024)

<sup>12</sup> <https://cms.law/en/int/expert-guides/cms-expert-guide-on-sexual-harassment-in-the-workplace/russia> (LAST VISITED ON: 10/09/2024)

<sup>13</sup> <https://www.mondaq.com/discrimination-disability-sexual-harassment/1016938/workplace-harassment-a-legal-perspective-from-russia-and-beyond> (LAST VISITED ON: 10/09/2024)

<sup>14</sup> <https://iuslaboris.com/insights/workplace-harassment-a-legal-perspective-from-russia-and-beyond/> (LAST VISITED ON: 10/09/2024)

for women in the post-communist context is that previous legal instruments have been destroyed yet their issues are not effectively administered in the current centralized system<sup>15</sup>.

While in **China**, in 2023, the headlines of China Justice Observer's headline was "China Regulates Sexual Harassment in Workplace". The relevant departments of China's labour supervision issued two demonstrative guidelines for employers to improve systems of special labour protection for female employees and elimination of sexual harassment in workplace. The guidelines included Rules for the Special Labour Protection of Female Employees in the workplace. According to the rules sexual harassment is an act that causes others to feel uncomfortable with sexual associations against their will through languages, expressions, gestures, text, images, videos, voices, links or any other means regardless of whether the perpetrator has a harassing or other inappropriate purpose or intent.<sup>16</sup>

In 2023, China has significantly improved their process of combating workplace sexual harassment. Firstly, the revised law on the Protection of Women's Rights and Interest; secondly, the publication by the government of a reference policy on Eliminating Workplace Sexual Harassment. The revised law provides a particular list of practices which should be adopted by employers for preventing workplace harassment. These include-established anti sexual harassment system, designate key responsible personnel, organise staff training, adopt necessary safety and security measures, set up of feasible reporting mechanism and establish investigation handling procedures that can manage complaints in a timely manner. The Policy for Eliminating Workplace Sexual Harassment consists of seven chapters covered in areas such as training, handling employee complaints, investigations, union participation and supervision. It involves victim-centred definition of workplace harassment and particularly characterizes sexual harassment. It provides for creation of an open reporting channel for employees and developing a systematic set of measures for handling this mishap.<sup>17</sup>

**India**, a country where women are worshipped as Goddess Durga, Goddess Kali, where even rivers are impersonated as mother, earth is called "Dharitri mata", even though there exists a huge number of cases of sexual harassment at workplace. Article 21 of the Constitution of India depicts the right to life and personal liberty; where life means a life full of dignity. Section 75 of Bharatiya Nyaya Sanhita, 2023 express Sexual Harassment if committed any of the following acts- physical contact, advances involving sexual overtures, demand or request for sexual favours, showing pornography against the view of a woman, making sexually coloured remarks. Section 77 explains Voyeurism, section 78 explains Stalking, Section 79 depicts Words, gestures or acts intended to insult the modesty of a woman. Sections

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<sup>15</sup> <https://repositories.lib.utexas.edu/server/api/core/bitstreams/3c34594e-0826-4020-a8fb-170757241261/content> (LAST VISITED ON: 10/09/2024)

<sup>16</sup> <https://www.chinajusticeobserver.com/a/china-regulates-sexual-harassment-in-workplace> (LAST VISITED ON: 10/09/2024)

<sup>17</sup> <https://www.davispolk.com/insights/client-update/china-announces-new-initiatives-combating-workplace-sexual-harassment> (LAST VISITED ON: 10/09/2024)

63 to 70 of the Sanhita explain various provisions regarding rape and types of rape and other related issues to rape. Earlier Indian Penal Code, 1860 governed the criminal justice system as substantive law. This year, it was replaced by the Bharatiya Nyaya Sanhita, 2023.

India has a statutory law particularly governing sexual harassment of women at their workplace- The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. Section 2 of this act defines aggrieved women, employee employer sexual harassment, workplace etc. The workplace is defined as a department or organisation under an office established by a government, local authority, corporation etc; private sector organisation; hospital nursing home; sports institutions, stadium; dwelling home etc. This Act provides the establishment of Internal Complaints Committee headed by a presiding officer and a Local Complaints Committee headed by a chairperson. This act also provides duties of the employer under Section 19- safe working environment, fixing of penal consequences at conspicuous places, workshops or awareness programs, service rules etc.<sup>18</sup>

## **CASE REFERENCES**

### **THE TRANSLATOR CASE, RUSSIA**

An employee who worked as a translator in a company, was dismissed due to repeatedly failing to fulfil her employment duties. She filed a complaint and a claim for reinstatement. One of the claims was a demand for compensation of moral damage for sexual harassment. She alleged that her supervisor harassed her at the workplace. However, she was only able to provide verbal explanation and could not offer any piece of factual evidence of sexual harassment. The Court pointed out that the employee's words were not backed up by any evidence. As a result, no compensation was granted.

### **THE ALLEGATIONS ON THE INTERNET CASE, RUSSIA**

A female employee accused one of her fellow employees of sexual harassment and filed a claim to the police. She released a copy to the mass media using internet resources where information about sexual harassment claim was published. Employer's representative when found out, filed a claim demanding that the information relating to harassment must be deleted since it did not reflect the reality. The employer's representative also claimed compensation for moral damage. The court held that the employee had fails to provide appropriate evidence to confirm her statement of being sexually harassed. the court declared since

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<sup>18</sup> [https://www.indiacode.nic.in/handle/123456789/2104?sam\\_handle=123456789/1362](https://www.indiacode.nic.in/handle/123456789/2104?sam_handle=123456789/1362) (LAST VISITED ON: 10/09/2024)



there is no evidence, this information must be deleted from the website and ruled that the employee has to compensate the employer's representative for moral damages.<sup>19</sup>

## **ARUNA RAMCHANDRA SHANBAUG V. UNION OF INDIA<sup>20</sup>**

Aruna Ramchandra Shanbaug was a staff nurse employed in King Edward Memorial Hospital, situated in Mumbai. She was attacked by one of the sweepers of the hospital on 27th November, 1973. He choked and strangled Aruna with a dog chain to restrain her movement in order to rape her. When he realised Aruna was menstruating, he sodomized her. On the very next day, the victim was found lying on the floor with blood everywhere even all over on her body. The strangulation via the dog chain seized oxygen supply to her brain leading to severe damage to the cortex. She sustained brain stem contusion along with cervical cord injury. A writ petition was filed under Article 32 of the Constitution in 2009 after thirty-six years of the incident. During this long period Aruna has been in a "Permanent Vegetative State". The bench comprised of Justices Markandey Katju and Gyan Sudha Misra. The case, decided on 7th March 2011, was a landmark in criminal original jurisdiction<sup>21</sup>. The court drew distinction between active and passive euthanasia and the Supreme Court recognised the right to die as a part of the right to life.<sup>22</sup>

The petitioner in this case was a journalist and activist, Ms. Pinki Virani, who argued Article 21 of Indian constitution Right to Life encompasses Right to Die with dignity. She added, individuals who are suffering from terminal illness or permanent vegetative conditions should have the right to end their lives with dignity in order to get rid of prolonged agony. Aruna was bedridden for thirty-six years with no hope of improvement. Moreover she could not chew her food and lacked consciousness. The Respondent, the Dean of the Hospital opposed euthanasia stating that hospital staff had been caring for the basic life needs of Aruna for nearly thirty-six years and will continue to do so. Moreover, the respondent added, Aruna's age was 60 and suggested that she would naturally pass away so euthanasia makes no sense. One hospital staff had such a close bond with Aruna that willingly agreed to serve Aruna without pay. Ultimately the Supreme Court laid down specific procedures and guidelines for granting passive euthanasia in the rarest of the rare circumstances.

## **BARNES V. TRAIN, UNITED STATES<sup>23</sup>**

This case is commonly viewed as the first case of sexual harassment in America. Even though the term sexual harassment was not used in the case, still a concept of it was definitely discussed. Paulette Barnes,

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<sup>19</sup> <https://www.lexology.com/library/detail.aspx?g=e06e79ef-63f2-49c6-99d3-6f61e09cd740> (LAST VISITED ON: 10/09/2024)

<sup>20</sup> Writ Petition (Criminal) No. 115 of 2009

<sup>21</sup> <https://lawbhoomi.com/aruna-shanbaug-vs-union-of-india/> (LAST VISITED ON: 10/09/2024)

<sup>22</sup> <https://articles.manupatra.com/article-details/Case-analysis-of-Aruna-Ramchandra-Shanbaug-vs-Union-of> (LAST VISITED ON: 10/09/2024)

<sup>23</sup> 1974

an African woman, a clerk under the Environmental Protection Agency, was terminated from her job for refusing the advances of a male supervisor. The case was dismissed but again appealed in another case.<sup>24</sup>

## **MERITOR SAVINGS BANK V. VINSON, UNITED STATES<sup>25</sup>**

The Supreme Court first recognised sexual harassment as a violation of Title VII. The Court established the standards for analysing whether a conduct is sexual harassment or not. The concept of a hostile environment came into light. The employer's duty was extended from merely recruiting employees, giving salaries to ensure a safe environment for female employees.<sup>26</sup>

## **VISHAKHA AND OTHERS V/S STATE OF RAJASTHAN, INDIA<sup>27</sup>**

It is a landmark case which deals with the evils of sexual harassment of women at their workplace. Bhanwari Devi, a social activist in one of the Rajasthan's village, work under a social development program to restaurant child marriage. Bhanwari Devi endeavoured to stop the marriage of Ramkaran Gujjar's infant daughter. As a result, she was exposed to social punishment. In September, 1992, she was gangraped by Gujjar and his five friends in front of her husband. The male doctor at the primary health centre declined to survey her. In police station too, she was taunted. The trial court discharged the accused people for not being guilty. An NGO filed a public Interest litigation in Supreme Court of India. The judgement was delivered by Chief Justice J. S. Verma. Apex court held that women have fundamental right towards freedom of sexual harassment at workplace and propounded Vishakha Guidelines. After this case the term sexual harassment was well defined and till today it is landmark case in the legal history of India.<sup>28</sup>

## **JURKOWLANIEC V AYKUT GUL, UNITED KINGDOM<sup>29</sup>**

The Employment Tribunal (Scotland) found in favour of the claimant in terms of payment to her from the side of respondent who sexually harassed her. the claimant worked for the respondent as a waitress. She was not provided with the particulars of her employment as well as payslips. The respondent touched the claimant inappropriately. The respondent did not appear at the Tribunal hearing. The Tribunal with a little difficulty found claimant to be a credible witness and passed decision in favour of her.<sup>30</sup>

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<sup>24</sup> <https://www.bartleby.com/essay/History-Of-Sexual-Harassment-In-The-United-PJ7R8P7E4V> (LAST VISITED ON: 10/09/2024)

<sup>25</sup> 1986

<sup>26</sup> <https://supreme.justia.com/cases/federal/us/477/57/> (LAST VISITED ON: 10/09/2024)

<sup>27</sup> Air 1997 Sc 3011

<sup>28</sup> <https://www.legalserviceindia.com/legal/article-374-case-analysis-vishaka-and-others-v-s-state-of-rajasthan.html> (LAST VISITED ON: 10/09/2024)

<sup>29</sup> ET/4107131/2019

<sup>30</sup> <https://redmans.co.uk/insights/employment-tribunal-awards-claimant-over-12000-after-she-was-sexually-harassed-at-work-jurkowlaniec-v-aykut-gul-et-4107131-2019/> (LAST VISITED ON: 10/09/2024)

## #METOO MOVEMENT

Tarana Burke, an advocate for women in New York, coined the #MeToo phrase in 2006. Her motive was to empower women who have sustained sexual violence by letting them know that they were not alone. Time magazine named Burke as Person of the Year for 2017.<sup>31</sup>

This movement spread awareness around the issue of sexual harassment and sexual abuse of women in their workplace. While the phrase had been in existence for more than a decade, it came to light when a tweet by American actress Alyssa Milano sparked social media phenomena that raised awareness and gave voice to the victims. Within hours of her tweet, thousands of people reply to her call for action. Within just twenty-four hours, Facebook received more than 12 million responses. This movement spread beyond the United States and attracted the attention of many countries. In addition to social-media activism, the early age of this movement was defined by investigative journalism. Predatory behaviours of producers towards actresses and female employees revealed how women are tolerating atrocities silently. The focus largely shifted away from individual actors towards a broader system which enabled such misconduct to occur. In 2022, US President Joe Biden signed two pieces of federal legislation that trace their roots to this movement. The Speak Out Act limits the enforcement of NDAs that stifled the ability of employees to speak publicly about sexual harassment within the workplace. legal exports opened that such agreements had been widely needed as to ensure safe for environment for women. Moreover, the Ending Forced Arbitration of Sexual Assault and Sexual Harassment Act allows the victims of sexual abuse to have the opportunity to be heard in court.<sup>32</sup>

The ability to live a dignified life free from violence is a basic human right. The Constitutions of several countries have protected the right to dignified life as a fundamental right. Sexual and gender-based violence which persists in almost every country is a great hindrance towards our life full of dignity. The global #MeToo movement has come forward in 2017 to raise a light of hope for the survivors of sexual harassment. Though it has gained popularity, it continues to be under-resourced, lacking access to flexible multi-year funding and structural connections.<sup>33</sup>

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<sup>31</sup> <https://www.verywellmind.com/what-is-the-metoo-movement-4774817#:~:text=Tarana%20Burke%2C%20an%20advocate%20for,had%20suffered%20the%20same%20experie> ce. (LAST VISITED ON: 10/09/2024)

<sup>32</sup> <https://www.britannica.com/topic/Me-Too-movement> (LAST VISITED ON: 10/09/2024)

<sup>33</sup> <https://www.globalfundforwomen.org/movements/me-too/> (LAST VISITED ON: 10/09/2024)

## **R. G. KAR RAPE CASE- THAT SHOOK THE HUMANITY- A RECENT ONGOING CASE**

The brutal rape and murder case of a trainee doctor in RG Kar Medical College and Hospital, Kolkata in the state of West Bengal in India, has shook the world. It's been thirty days, and justice is waiting to be served. The victim was a second-year medical student of post-graduation. She was found dead at the seminar hall of her college cum working place during her night-shift duty. The accused is under the custody of Central Bureau of Investigation (CBI). Currently the Apex court of India is hearing the matter. The division bench consists of the honourable Chief Justice of India, Justice D. Y. Chandrachud, Justice J. B. Pardiwala and Justice Manoj Mishra. The deceased doctor has been honoured with the nicknames of "Abhaya" and "Tilottama". Even outside India, at nearly one fifty places, people are demanding justice for Abhaya. What started with 'We want Justice ' has now taken the form of 'We demand Justice'. Every heart is waiting for the day when justice will be served to Abhaya.

## **CONCLUSION**

The progression from seemingly harmless flirtation towards aggressive behaviour, highlights the disturbing phenomena of harassment that women often face in their workplace. What starts with mere adult jokes can quickly convert into discomfort leading to the hostile environment for work. Addressing this issue requires a concerted effort from both individuals and organisations. Laws after laws are being passed, still it hardly affects the crime rate. Laws are more in pages, rather than in the minds of the individuals. To efficiently curb this issue, recognition of all forms of inappropriate behaviours, is the need of the hour. No matter how minor harassment initially they may seem, if not redressed timely, it will contribute to a venomous culture and strangled environment leading to disempowerment of women. The legislature, executive and judiciary must come forward and stand against all forms of harassment starting with the smallest one and extending to the most egregious acts.