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Sexual Harassment and Sense of Entitlement: A Relation Representative of Fractured Society

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Abstract--The resignation of an Indian Administrative Services Officer named Rani Nagar and its non-acceptance by the state government of Haryana had revived the debate around sexual harassment in India. The reason given by the officer was sexual harassment by a senior and non-action of authorities leading to her feeling threatened for her safety. It highlights the fact that the position of women in India is not corresponding to their professional achievements. The mindset of society remains attached to the notion of the inferior status of women in general, regardless of their professional status. This paper seeks to delve more into the issue of sexual harassment per se and find the actual root cause that serves as a driving force behind such acts of the perpetrator. It is done by using cases, theories, and examples of contemporary times.

Keywords--patriarchy, sexual harassment, sexual violence, social dominance theory, society.

Introduction

Sexual Violence against women and girls is rooted in centuries of male domination. Let us not forget that the gender inequalities that fuel rape culture are essentially a question of power imbalances. - UN Secretary-General Antonio Guterres

The words above resonate with the common understanding of widespread violence against women. It is a basic Human Right to live a violence-free life. Many international agreements have recognized this as an essential right. Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, 1989)(CEDAW, 1992) and UN Declaration on the Elimination of Violence against Women (Assembly, 1993), recognizes this right. The declaration classifies physical, sexual and psychological violence against women in three categories- firstly, as that occurring in the family, Secondly, occurring in the general community and thirdly, one perpetrated or condoned by the State (Assembly, 1993). The vulnerable position of women can be understood by the mere reading of these classifications. The instances of such violence at home by people in whom she puts her faith, within the very community where she desires to feel safe and lastly by the State that undertook the duty to provide her security and preservation of her right can have a debilitating impact on a woman.

The deep roots of her status as that of being created out of rib of Adam in Bible (Bible, n.d.)ⁱ, as a concomitant of Dharma seeking protection of men in her various stages of life in Manu Smriti (IX:3, n.d.)(Halder & Jaishankar, 2008)ⁱⁱ, to be under the charge of her husband in Q'uran (Ghafournia, 2017)ⁱⁱⁱ and in various other similarly worded, clothed in the language of subjugation of women, religious texts are the foundation of centuries of male conditioning. It is this conditioning that created the concept of women being weak and under constant need of protection. The concept in turn impacted the upbringing of women as well. The duty-bound women had forgotten that they were equals and not inferior. Such an equation would naturally create a sense of power and domination in the one in position to control the weak. And this is what exactly happened in the modern world. With advancement of education and awareness women became more empowered and learnt to distinguish right from wrong thereby raising their voice against such oppression.

Resultantly, the retaliation by the one in power, to such challenge on his position of dominance and authority, could be seen in the varied and more subtle forms of violence. The more explicit violence of the ancient and pre-modern era gave way to violence being used to hit at the very dignity and sexual autonomy of a woman. One such violence is in the form of Sexual Harassment. As per U.S. Equal Employment Opportunity Commission, any form of sexual advances that are not welcome, sexual favor requests and any other form of harassment be it physical or verbal having sexual nature to it and which are done in the workplace or any other learning environment is sexual harassment.^{iv} The Equality Act 2010 of UK under section 26 (2) provides for violation of the dignity of others by engaging in such conduct of sexual nature that is unwanted thereby creating an uncomfortable environment (Section 26, n.d.).^v This is just one aspect of harassment that the Act deals with. Under the Indian Penal Code 1860 (IPC) sexual harassment, along with other provisions, was added as a punishable offense in the year 2013 after the Justice Verma committee submitted the report recommending amendments to the Criminal Law. Section 354A of IPC under subsection 1 provides for instances that are taken as a form of sexual harassment (Section 354A, 2013). This is quite similar to the definition of sexual harassment provided in The Sexual Harassment of Women at the Workplace (Prevention, Prohibition and Redressal) Act, 2013 (Section 2 (n), 2013).^{vi}

The recognition of sexual harassment as an offense by various legislations is significant in understanding the impact of such acts on society as a whole. It is evidentiary of the fact that centuries of conditioning had reached a point where state intervention became pertinent to protect the so-called weaker sex. But sexual harassment can be perpetrated by anyone regardless of their gender. The U.S. and UK Acts provide for gender-neutral provisions in the field of sexual harassment but IPC is not liberal enough to consider that a woman can also be the perpetrator of such an act. Section 354 A specifically uses the word 'A man'. It is implicit that the victim could be of any gender but the accused shall always be a man which is explained as a male human being of any age (Section 10, 1860). This bias could be understood by keeping in view the cultural references of Indian Society where patriarchy is deeply embedded in the thought process. This notion of patriarchy gives rise to the phenomenon of having authority over the other. This other in this case is mostly women. It is the abuse of this authority that gives rise to sexual violence (Favier et al., 2021; Mulyani et al., 2017; Nyandra & Suryasa, 2018).

Through this paper, the researchers enquire into the question that whether the power of the accused over the victim and his status vis-à-vis the victim's status is the driving force behind the causation of the offense of sexual harassment. The paper strictly considers status as the positioning of both in terms of economic status, disturbing norms of superiority in professional lives, deeply entrenched patriarchal mindset, and other similar forms of positioning. It is argued by the researcher that the perpetrators situated in superior positions tend to harass women not so situated and also similarly situated ones due to the ideological makeup of the societal norms in India that requires overwhelming re-conditioning.

The differences in alternatively used terms

Before delving into theories and understanding the liabilities under sexual harassment it is important to understand the difference between sexual abuse, assault, and harassment. Sexual abuse is generally understood in terms of child sexual abuse. It includes touching the child or making the child touch the perpetrator inappropriately or making the child watch sexual activity or looking at body parts of the perpetrator. As per common law doctrine, a child is considered *doli incapax* i.e. incapable of forming the intent to commit criminal activity. Therefore, it can be said that if a child is unable to intend a crime then his capacity to form an informed consent for sexual activity stands negated. This is the rationale behind sexual abuse theory as well.

Assault is the physical violence committed against the victim. When this violence takes the form of the perpetrator touching the victim sexually without consent or coerces or forces the victim to engage in a sexual act against will then it becomes sexual assault. It may take many forms such as rape, attempted rape, any unwanted sexual conduct and includes sexual abuse. But section 351 of IPC provides that any gesture, or any preparation made with the intention or knowledge that it will cause apprehension of usage of criminal force to that person, is assault (Section 351, n.d.).^{vii} Further section 354 of IPC makes any such assault or criminal force committed on any woman with intent to outrage

her modesty a punishable offense (Section 354, n.d.).^{viii} Meaning thereby that under Indian law assault will be said to have taken place even without physical violence having been committed if it is intended by the perpetrator to outrage the modesty of a woman by such acts.

Sexual Harassment is broader term than sexual assault. It encompasses three forms: Sexual Coercion, Unwanted Sexual Attention and Gender harassment. Sexual coercion is legally termed as quid pro quo harassment which means this for that in Latin. This variant of harassment falls under category of supervisors requiring sexual favours, demands from an employee in return of any advancement in employment. It generally falls under workplace sexual harassment. The Indian definition of sexual harassment under The Sexual Harassment of Women at the Workplace (prevention, prohibition and redressal) Act, 2013 (hereinafter Sexual Harassment Act) resonates with this form. Unwanted Sexual Attention includes acts like hugs, kisses, touching someone or any sexual behaviour that is unwanted but not falling under the category of violence per se. Gender Harassment is not necessarily sexual in nature but falls under sexual harassment because it is based on sex. It downgrades people on the basis of gender without any sexual intent or interest (Basile et al., 2009; Ismail et al., 2021; Rosramadhana et al., 2021).

In addition to above there are two other terms that need description. One is power and other is status. Power is the person's ability to produce an effect either by an act or through commands or any sort of possession of authority or control over others (Merriam-Webster, n.d.-b). Status is the position of a person with respect to other. It can also be called as a condition of any person in consideration of law (Merriam-Webster, n.d.-c). The difference between the two lies in the ability to influence the actions of others under the notion of entitlement. While the person in power has such ability per se but the status of a person in relation to other might not be enough to incorporate such capacity. Abuse can be seen in light of above two terms. It is improper use of one's power over another or any other corrupt and wrongful practice being used upon other either for any gratification or to fulfil a purpose (Merriam-Webster, n.d.-a). Reading these definitions in context of sexual harassment gives a picture of a person being in power or having status of dominance over the victim abusing this authority by exercising his influence or in other words by exploiting the weak status of victim. The entire sequence boils down to the narrative of the patriarchal mindset.

Social dominance theory

Felicia Pratto and Andrew L. Stewart in their article Social Dominance Theory (Sidanius & Pratto, 2004), states that it is a theory of various levels to show how societies maintain group dominance. They point to the form that such dominance can take in the form of sexism. Here men hold disproportionate power and freedoms as compared to women. It further laid down the notion of heterosexism where being heterosexual is considered being privileged over kinds of sexuality. The theory lays down the groundwork to explain how the systematic organization of institutional discrimination and cultural ideologies towards gender roles and the prejudices produce group-based inequality.

The relevance of this theory lies in the existing discrimination against women in our society. It helps in understanding how a particular mindset can lead to disturbing trends. In context of sexual harassment, it can be said that the conditioning of people in context of male domination led to the formulation of invisible grouping system where men looked down upon women in all spheres of life. This theory blends in the centuries of patriarchal mindset, especially with the workplace culture, producing devastating results in the form of sex-based violence. Sex based here means both gender-specific as well as orientation-based harassment.

The definition of power and status (Merriam-Webster, n.d.-b)(Merriam-Webster, n.d.-c) shall be seen in light of this theory. The impact of power in the perpetrator's mind and the calculative move by considering the status of the victim is the basic premise of any sexual harassment case. The Ruchika Girhotra case (SCC Online, 2016), Asok Kumar Ganguly case ([Times, 2014](#)), David Davidar case ([Kaur, 2010](#)), Phaneesh Murthy case ([Jayashankar, 2013](#)), are all glaring examples of such power being used to violate the dignity of victim considering the other in a vulnerable and weak position.

One counter that might be made here is through Rupan Deol Bajaj case (SCC, 1995) where the victim was not positioned in vulnerable state but still the perpetrator touched her inappropriately. It raises a point that perpetrators in cases of sexual harassment cannot be stopped by equal or superior positioning of women. To answer this, it is pertinent to recall here that the argument of social and professional positioning of women comes within the general framework of a society. It is the ambit of generally accepted norms of society that goes on to define the positioning. For instance, in Saudi Arabia, where till recently women were not allowed to drive, were given the driving rights only in 2018, and were given travelling rights without guardian in the year 2019. It shows that rights that are basic to human existence are being granted by 'others' to females. These 'others' are the consequential entity of the inherent mind set of dominance. Drawing from Social Dominance Theory this entity consists of men who have been conditioned to think that they are superior to women in all walks of life and thereby have the power to control their movements, behaviour, sexuality and other aspects. Similarly, in India also the group dominance emerges out of deeply entrenched idea of patriarchy which has roots in our ancient practices and rituals. Most recent example of such ideology in India can be located in Permanent Commission in Army case (SC, 2020) where centre had pleaded domestic obligations and the mental block of male troops in accepting women officers in commanding posts ([Megarry, 2014](#); [Stockdale, 1993](#); [Chakraborty et al., 2018](#); [Lefebure, 2019](#)).

The position of a woman with reference to males, therefore, becomes secondary because the umbrella of basic norms of society and the guiding practices behind such norms gives a sense of authority to males. It leads to the development of male dominated society which regulates all future decisions and the movement of community. This is what exactly happened in India as well. The introduction of laws of Manu can be taken as the locus from where the downfall of women had started. Man took himself as the master of opposite sex which constructed the base on which today's society function. In such scenarios the positioning of victim

does not matter because the actual guiding light beneath the behaviour comes from the ideology of socially accepted dominance.

Guiding light of feminism

The concept of feminism runs around socio political movements and thoughts sharing common goal to establish equal status of men and women politically, economically, personally as well as socially. Modern feminist movements can be divided in four waves: First wave started with Women's Suffrage Movement in 1848 New York under leadership of Susan B. Anthony and Elizabeth Cady Stanton. Its aim was to promote women's right to vote. Second wave started in 1960s and aimed at legal and social equality for women like reproductive rights, divorce laws, domestic violence, marital rape. India at that time was a very young Independent nation to incorporate such progressive views of feminism but later in 2005 with passage of Protection of Women from Domestic Violence Act, 2005 (DV Act) the legislature recognised the violence against women being committed within the precincts of their own homes. Third wave started in 1990s and its main areas were sexually liberal feminism propagating the idea of sexual freedom being an essential component of women's freedom and a term coined by Kimberle Williams Crenshaw called 'intersectionality' played major role. Its focus was upon abolishing gender role stereotypes and expansion of concept feminism to be inclusive of all women of various cultures. Fourth wave began around 2012 targeting sexual harassment and its variants with situation specific violence, rape, sexist imagery, assault in public transport, online harassment, body shaming, workplace discrimination (Espelage et al., 2012; Pryor et al., 1993; Dill et al., 2008).

It is in the wake of these various waves that victims were able to understand the wrongs done to them. The ideologies floated by the feminist theories made people aware of the underlying problems that existed amongst them but were never recognised or acknowledged as such. These recognitions challenged the power dominance enjoyed by set of people having sense of entitlement over the other. The recent cases like Nirbhaya Gang Rape in India gave rise to 2013 amendments in substantive criminal law, Harvey Weinstein and Bill Cosby case in US gave rise to campaigns like No More, Everyday Sexism Project and #MeToo that led women around the world raise their voice against sexual violence.

The critiques of feminism often say that feminism is not the answer to solve the unequal bargaining power of society. But they fail to understand the very basic notion behind the concept of feminism. It propounds equality and not superiority of one over the other. And, it must be noted that where equality exists the question of negotiations and exploitation do not arise. If both parties have equal rights and remedies then power structure need not be present and it can be replaced by simple and effective administrative structure. Feminism nowhere requires placing women in roles of men and vice versa but it works on the basic principle of treating men and women equal so that none dominates over the other in any aspect of life.

Culmination of theories in legislation in India

The issues mentioned above drew significant focus and brought legal reforms in plethora of existing issues in society like sexual harassment at workplace, legal recognition of sexual harassment per se as an offence, voyeurism and stalking. The theory of dominance and power is implicitly recognised by the Sexual Harassment Act by defining employer elaborately including the person in the household employing domestic workers (2(o), 2013). It shows the recognition of the authority that an employer of any sort can have over his employees, by the law makers. It is this authority, being used to sexually harass the employee that the law targets upon. In turn it acknowledges that people having any control over the others have the capacity to abuse the ones working under them.

The law on sexual harassment nurtured after the landmark verdict of Supreme Court in Vishakha case (SCC, 1997). The guidelines in the case were with respect to sexual harassment at work place. The judges relied mainly on CEDAW Convention for definition of sexual harassment. The amendments in IPC were done in the wake of Justice Verma Committee which was formulated after the brutal gangrape in Delhi. Section 354 A defined sexual harassment and recognised the general harassment can be done to women at places other than that of workplaces. It was done finally to recognise the position of women in the country. The amendments are not gender neutral. The reasoning behind this lies in the fact that socio cultural structure of Indian society is such that women are always in a vulnerable position. The Supreme Court in the Apparel export case (Kanoon, 1999), observed that sexual harassment is a form of sexual discrimination and interferes with the performance of work of female employees creating intimidating and hostile environment at the workplace.

The DV Act also recognizes sexual abuse as one ingredient of domestic violence (Section 3, 2005).^{ix} In effect any such act will be sexual abuse within the shared household where the respondent having an authoritative hold, in domestic relationships, over the aggrieved acts in ways given under sexual abuse clause. The DV Act provides that aggrieved person could be 'woman' (2(a), 2005).^x Therefore, it will not be wrong to say that legislations in India also recognise that men hold authoritative position over women in all walks of life and this has the effect of fear of abuse of such authority. The fear is evident from various cases mentioned in the above text. The legislature, by enacting such laws, implicitly recognised that women needs protection form the patriarchal mindset prevalent in the society.

Specific situations and cases: The legal argument

Sexual harassment can take place anywhere. There are scores of arenas where women have reached today ranging from offices to simply roam in public places but instances of such harassment have also increased with it especially in workplaces (PIB, 2019). Therefore, specific situations where women are most vulnerable shall be dealt with in order to further the argument that mindset of males towards women remains prejudiced, regardless of the situation they are in and the core position of woman being one step beneath runs through the entire society. The cases form the backdrop to look at such situations as it helps in

understanding the progressive thinking of Judiciary and recalling through legal lens that this menace has existed throughout and must be addressed strictly.

Workplace

Vishakha judgement laid down foundations for workplace harassment in India. The definition of sexual harassment laid down in Vishakha Case was quoted in D.S. Grewal case (SCC, 2009). The Vishakha Guidelines were confined to traditional office set-up. But the Sexual Harassment Act introduced the concept of 'external workplace'. The Delhi High Court in Saurabh Kumar Mallick case (DLT, 2008) read in the extension of workplace to the places where employees continue to be in furtherance of their work, the proximity from the place of work, control of management over the place where the working woman is residing and held further that it shall be seen whether the place is extension of the working place or shares any border with it.

The judgement given by Supreme Court in Medha Kotwal Lele case (SCC, 2013) had a significant impact. It gave directions to all Union and State territories to amend their respective Civil Service Conduct Rules to include workplace sexual harassment with the objective to implement the Vishakha Guidelines. As an effect, the Central Civil Service (Conduct) Rules, 1964 were amended in 2014. The judgement is significant in understanding the underlying tones. Through it the Apex Court also sent a message that the fundamental right to life and dignity given to women cannot be compromised. The harassment by people in position of authority violate this very right of such women and it shall not be tolerated by any State or other institution. According to a survey conducted by the Indian National Bar Association, 68% of the victims of sexual harassment at workplace did not report to the management, due to fear of retaliation and discrimination (INBA & Consulting, 2017). It is evidentiary of the fact that despite having laws victims have fear instilled in them.

Outraging the modesty

Section 354 and 509 of IPC, both, uses the term modesty. In former it is used in the sense of outraging the modesty and in latter it is used as insulting the modesty of a woman. The word modesty is not defined in IPC. Therefore, when the matter under section 354 IPC came up before Supreme Court in Rupan Deol Bajaj case (SCC, 1995) it referred to various dictionary meanings of it. Along with such definitions the court referred to its earlier judgment in Major Singh case (AIR, 1967) and concluded that it is 'that act' of offender which has capacity to shock the sense of decency of woman that will be the ultimate test of ascertaining whether modesty has been outraged or not. Intention is the necessary ingredient in both the sections. However, direct evidence of intention might not be available in such scenarios. Therefore, the court in the Rupan Deol case held clearly that such evidence may be gathered from the surrounding circumstances.

Here, the situation was a social set up where the person at a prominent position outraged the modesty of an equally placed woman. In such scenarios the power play is not evident prima facie. The status of the victim cannot be said to be of vulnerable woman and that of the accused cannot be called as someone in

position of authority per se over her. But still the incident took place. The deep roots of sense of entitlement seems to never give up which happened in Rupan Deol case (SCC, 1995) as well. It shows that the structured way of seeing women as beings of no sense of self dignity is the root cause of harassment cases.

Domestic set up

The DV Act provides that in cases of sexual abuse on an aggrieved woman by respondent who lives or has lived in shared household gives rise to domestic violence and calls for action under the Act. The respondents were generally considered as adult males by the interpretation of scheme of definition of respondent under section 2(q) of DV Act. But the Supreme Court bench of Justices Altamas Kabir and Cyriac Joseph in the case of Sandhya Manoj Wankhade versus Manoj Bhimrao Wankhade (SCC, 2011) held that female relatives of the male partner or husband also falls within the ambit of the complaints under DV Act. Therefore, until now the position held by man as the culprit of power dominance in domestic setting is to be shared by his female relatives as well. This means that in such settings even females have the power over aggrieved to harass her. Harassment here does not necessarily have to be of sexual nature by such females but otherwise. The male counterparts may be held guilty of such sexual harassment.

Public places, transport and social gatherings

Eve Teasing is understood as public sexual harassment of women by men. It is taken to be as a common phenomenon among societies dominated by males. It can be substantiated with the fact that 50 to 100% women report victimization (Talboys et al., 2017). The use of the term is discouraged by women's advocates because it perpetuates the culturally sanctioned practice of normalising and escalates the violence against women in public spaces. The term is not used in IPC but it prohibits Eve Teasing. (Section 294)^{xi}.

Getting touched inappropriately by random men in buses or metros, groped by strangers in markets and other public place, acts of obscenity in moving buses or on roads and even in social gatherings raises an alarm. Supreme Court had observed Eve Teasing as 'pernicious, horrid and disgusting practice' in Deputy Inspector General of Police and another versus S. Samuthiram (SCC, 2013). In the case of Pawan Kumar versus State of Himachal Pradesh (SCC, 2017) where a young woman took her life due to continuous harassment and eve-teasing of the accused, it observed that male chauvinism has no room in civil society and he should not put his masculinity on a pedestal and abandon the concept of civility. Such observations by the Apex Court are sufficient to understand the deep-rooted cultural ideology of patriarchy that has crept into being a normalized affair among members of society (Dartnall & Jewkes, 2013; Lundgren & Amin, 2015; Pratto, 1999).

Online sexual harassment

In the survey done by Indian National Bar Association (INBA & Consulting, 2017) 50.7% of women said they had been targets of online sexual harassment. It can

be defined as unwanted sexual conduct on any digital platform including sending objectionable pictures or videos, jokes, messages that has the effect of making the receiver feel humiliated, coerced, upset, discriminated or exploited. There are many forms of online sexual harassment such as revenge porn, posting of objectionable private pictures, pornography without consent, posting of messages having sexual content that falls under cyber bullying. Along with-it cyber stalking is another form of harassment that can take sexual form.

In the case of Majeesh K Mathew versus the State of Kerala^{xii}, the Kerala High Court observed that comments on social media, made against women, having content falling under the category of being sexually explicit amounts to online sexual harassment. Social media harassment through sexually explicit messages in the case of investigative journalist Rana Ayyub (IFJ, 2020), actress Shruti Seth (Roy, 2015), and the likes are evidence of the alarming stage that this practice has reached. India does not have any particular provision to punish online sexual harassment. Section 67A of the Information Technology Act^{xiii} can be invoked in such instances along with 354 C and 354 D of IPC.

Conclusion

The intent towards bringing social change in any society can be traced from the legislations, the binding decisions of courts and from the actions of the executive. The Parliament in India showed its progressive intent in the form of various legislations mentioned in the text, Judiciary showed it through its judgments but the government disappointed the progressive intent of other two wings by laying down regressive arguments in the Permanent Commission in Army case. The acts of sexual harassment are not caused by the mere invocation of desire. They have disturbingly deep and normalised notion of sense of authority over the opposite by considering the victim as weak and vulnerable. All the cases and the movements of contemporary times show one common nexus – that of dominance arising out of power and the willingness to apply this dominance to the victim which in turn is detrimental to the sense of being and self-worth of any human. This study reveals that people in power have been reported to cause sexual harassment but the underlying cause for such acts is the deeply embedded patriarchal conditioning. The glaring reality put forth through case studies and contemporary issues answers the query relating to impact of the positioning of perpetrator and victim on sexual harassment. It means that sense of entitlement attached to the status of the perpetrator is the actual driving force that makes him commit such acts.

To change the mindset of people and bring changes in society it is required that efforts are made at the grassroots level. This can be done using three following tools: Education, Awareness and Sensitisation. Education can be used as a tool in schools in two ways- firstly, the curriculum of primary classes shall be developed in such a way so that they are exposed to the ideas of building an inclusive and equal society. The impact of the curriculum shall be regularly monitored through games, activities and interviewing students for grading them. Secondly, for upper classes regular sensitization sessions shall be held where groups of students, consisting of all sexes, can be given small projects. This will develop mutual respect and habit of working with others. Sensitization shall be used as a tool in

all professional workplaces whether government or private along with local workshops by NGOs and Self-Help Groups in villages. Awareness shall be spread pertaining to the need of equality in society. It can be achieved through radio programs, TV shows and reaching out to people through newspapers and social media platforms. The government has initiated various schemes like Beti Bachao Beti Padhao that focus primarily on the education of girl child but the real nerve of the issue lies way beneath education. The conditioning of people starts from home and the environment where we live, and it is this conditioning that requires revamping in the modern world.

References

- Assembly, U. G. (1993). Declaration on the Elimination of Violence against Women. *UN General Assembly*.
- Basile, K. C., Espelage, D. L., Rivers, I., McMahon, P. M., & Simon, T. R. (2009). The theoretical and empirical links between bullying behavior and male sexual violence perpetration. *Aggression and Violent Behavior, 14*(5), 336-347. <https://doi.org/10.1016/j.avb.2009.06.001>
- Chakraborty, T., Mukherjee, A., Rachapalli, S. R., & Saha, S. (2018). Stigma of sexual violence and women's decision to work. *World Development, 103*, 226-238. <https://doi.org/10.1016/j.worlddev.2017.10.031>
- Dartnall, E., & Jewkes, R. (2013). Sexual violence against women: the scope of the problem. *Best practice & research Clinical obstetrics & gynaecology, 27*(1), 3-13. <https://doi.org/10.1016/j.bpobgyn.2012.08.002>
- Dill, K. E., Brown, B. P., & Collins, M. A. (2008). Effects of exposure to sex-stereotyped video game characters on tolerance of sexual harassment. *Journal of Experimental Social Psychology, 44*(5), 1402-1408. <https://doi.org/10.1016/j.jesp.2008.06.002>
- Espelage, D. L., Basile, K. C., & Hamburger, M. E. (2012). Bullying perpetration and subsequent sexual violence perpetration among middle school students. *Journal of Adolescent Health, 50*(1), 60-65. <https://doi.org/10.1016/j.jadohealth.2011.07.015>
- Favier, M. R., Manzanares, N. M., Loor, K. M. M., & Zambrano, T. Y. M. (2021). Management as a necessary tool for the prevention of violence against women. *International Research Journal of Management, IT and Social Sciences, 8*(6), 679-689. <https://doi.org/10.21744/irjmis.v8n6.1979>
- Ghafournia, N. (2017). Towards a New Interpretation of Quran 4: 34. *hawwa, 15*(3), 279-292.
- Halder, D., & Jaishankar, K. (2008). Property rights of Hindu women: A feminist review of succession laws of ancient, medieval, and modern India. *Journal of law and religion, 24*(2), 663-687.
- Ismail, S., Urus, N. S. T., Binawae, F. I., & Siraji, A. H. A. S. (2021). The protection of a wife's rights against the elements of narcissism and gaslighting in domestic violence: The impact during COVID-19 pandemic. *Linguistics and Culture Review, 5*(S4), 2175-2194. <https://doi.org/10.21744/lingcure.v5nS4.1931>
- Jayashankar, M. (2013). The Phaneesh Murthy Saga: How the Cookie Crumbled, *Forbes India*.
- Kanoon, I. (1999). Apparel Export Promotion Council versus A.K. Chopra.
- Kaur, K. (2010). Ex-Penguin boss resolves sexual harassment case out of court.

- Lefebure, C. (2019). Translating letters: criticism as a perspective for a translator. *Applied Translation*, 13(1), 32–39. Retrieved from <https://appliedtranslation.nyc/index.php/journal/article/view/317>
- Lundgren, R., & Amin, A. (2015). Addressing intimate partner violence and sexual violence among adolescents: emerging evidence of effectiveness. *Journal of Adolescent Health*, 56(1), S42-S50. <https://doi.org/10.1016/j.jadohealth.2014.08.012>
- Megarry, J. (2014, November). Online incivility or sexual harassment? Conceptualising women's experiences in the digital age. In *Women's Studies International Forum* (Vol. 47, pp. 46-55). Pergamon. <https://doi.org/10.1016/j.wsif.2014.07.012>
- Mulyani, S., Subiyanto, A., Anantanyu, S., Respati, S. H., & Wiboworini, B. (2017). Path analysis: knowledge, motivation factor, and their relationship with readiness to provide exclusive breastfeeding among pregnant women. *International Research Journal of Management, IT and Social Sciences*, 4(1), 8-14. Retrieved from <https://sloap.org/journals/index.php/irjmis/article/view/430>
- Nyandra, M., Suryasa, W. (2018). Holistic approach to help sexual dysfunction. *Eurasian Journal of Analytical Chemistry*, 13(3), pp. 207–212.
- Pratto, F. (1999). The puzzle of continuing group inequality: Piecing together psychological, social, and cultural forces in social dominance theory. In *Advances in experimental social psychology* (Vol. 31, pp. 191-263). Academic Press. [https://doi.org/10.1016/S0065-2601\(08\)60274-9](https://doi.org/10.1016/S0065-2601(08)60274-9)
- Pryor, J. B., LaVite, C. M., & Stoller, L. M. (1993). A social psychological analysis of sexual harassment: The person/situation interaction. *Journal of vocational behavior*, 42(1), 68-83. <https://doi.org/10.1006/jvbe.1993.1005>
- Rosramadhana, R., Sudirman, S., & Iqbal, M. (2021). Gender-sensitive approach to adolescent women's overcoming of bullying violence in social media. *Linguistics and Culture Review*, 5(S3), 1276-1284. <https://doi.org/10.21744/lingcure.v5nS3.1566>
- Roy, P. K. (2015). Why online harassment goes unpunished in India. *BBC News*.
- Sidanius, J., & Pratto, F. (2004). Social dominance theory: A new synthesis.
- Stockdale, M. S. (1993). The Role of sexual misperceptions of women's friendliness in an emerging theory of sexual harassment. *Journal of Vocational Behavior*, 42(1), 84-101. <https://doi.org/10.1006/jvbe.1993.1006>
- Talboys, S. L., Kaur, M., VanDerslice, J., Gren, L. H., Bhattacharya, H., & Alder, S. C. (2017). What is eve teasing? A mixed methods study of sexual harassment of young women in the rural Indian context. *Sage open*, 7(1), 2158244017697168.
- Times, T. E. (2014). Justice AK Ganguly resigns as chairman of WBHRC.

ⁱ So, the Lord God caused a deep sleep to fall upon the man, and he slept; then he took one of his ribs and closed up its place with flesh. And the rib that the Lord God had taken from the man he made into a woman and brought her to the man - Genesis 2:21–22.

ⁱⁱ Her father protects (her) in childhood, her husband protects (her) in youth, and her sons protect (her) in old age; a woman is never fit for independence- Laws of Manu IX.3.

ⁱⁱⁱ The male is in charge of the female- Q'uran 4:34.

^{iv} U.S. Equal Employment Opportunity Commission- sexual harassment is a form of sex discrimination including unwelcome sexual advances, requests for sexual favours, and other verbal or physical harassment of sexual nature in the workplace or learning environment

<https://www.eeoc.gov/publications/facts-about-sexual-harassment>

^v Equality Act, 2010, engagement in any unwanted conduct of sexual nature having the purpose or effect of violating the dignity of other or creating an intimidating, hostile, degrading, humiliating or offensive environment

^{vi} Section 2 (n) – sexual harassment includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely –

- (i) Physical contact and advances, or
- (ii) A demand or request for sexual favours, or
- (iii) Making sexually coloured remarks, or
- (iv) Showing pornography, or

Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

^{vii} Section 351 of Indian Penal Code, 1860- Whoever makes any gesture, or any preparation intending or knowing it to be likely that such gesture or preparation will cause any person present to apprehend that he who makes that gesture or preparation is about to use criminal force to that person, is said to commit an assault. Explanation-Mere words do not amount to an assault. But the words which a person uses may give to his gestures or preparation such a meaning as may make those gestures or preparations amount to an assault.

^{viii} Section 354 of Indian Penal Code, 1860- Assault or criminal force to woman with intent to outrage her modesty – whoever assaults or uses criminal force to any woman, intending to outrage or knowing it to be likely that he will thereby outrage her modesty, shall be punished with imprisonment of either description for a term which may extend to two, or with fine, or with both.

^{ix} Section 3 explanation (ii) of Protection of Women from Domestic Violence Act 2005- sexual abuse includes any conduct of a sexual nature that abuses, humiliates, degrades or otherwise violates the dignity of woman.

^x Section 2 (a) of *ibid* – aggrieved person means any woman who is, or has been in a domestic relationship with the respondent and who alleges to have been subjected to any act of domestic violence by the respondent.

^{xi} Section 294 Indian Penal Code, 1860 – Whoever, to the annoyance of others-

- (a) does any obscene act in any public place or
- (b) sings, recites or utters any obscene song, ballad or words, in or near any public place, shall be punished with imprisonment of either description for a term which may extend to three months, or with fine, or with both.

^{xii} Decided by the Kerala High Court in the year 2018.

^{xiii} Under section 67A of the Information Technology Act, it is an offence to publish or transmit material in electronic form which contains sexually explicit act or conduct; Section 354C of Indian Penal Code 1860 punishes voyeurism and section 354 D punishes stalking.