

Speak out, don't wait



By Meenakshi Lekhi | Issue Date: November 04, 2018 | Updated: October 27, 2018 16:15 IST

Originating in the west, and traversing to different parts of the world, the #MeToo movement has finally come to India to liberate women from their silos of isolation. It enables them to be heard and seen and bonds them in solidarity like never before.

Nothing has contributed to the success of feminism in the world as the #MeToo campaign has done in the past one year. So far, feminist movements around the world remained focused primarily on the issues of gender inequality, gender sensitivity, power-relations and gender politics. However, the #MeToo campaign has added an issue that a majority of women face in workplaces—sexual misconduct born out of power relations.



Illustration: Bhaskaran

Since the time the campaign was officially started in the US by actor Alyssa Milano—though #MeToo was originally coined by American social activist Tarana Burke in 2006—it has spread like wildfire. Many hallowed names have fallen from grace, thanks to those stories. Some of the stories date back to more than 20 years, yet they needed to be told, no matter how legally untenable they may be. After all, the movement is all about giving vent to simmering anger and pent-up emotions. More than exposing those big names, the idea has been to help survivors relieve themselves of their sense of guilt and shame that has been burgeoning over ages.

The purpose of the movement is to help the society understand the magnitude of this problem and to bring forth solutions. However, it has been observed that the movement is more directed at

individual stories focusing on celebrities, which were sensationalised by the media, keeping the audience interested only in secondary details. But, the fact remains that such incidents happen more in the realm of common workers, especially from weaker and vulnerable groups.

A 2017 report by The Washington Post mentioned that 54 per cent of women in the US faced some kind of unwanted sexual advances from people at their workplace, and 95 per cent of such incidents went unpunished. Lack of protection, fear of reprisals, a sense of shame, isolation and lack of an enabling environment are the factors that prevent women from coming forth to report such predatory behaviour.

Hence, it is important to look away from stories of celebrities and to reach out to vulnerable groups. One way is to set up workplace committees as mandated by the Vishaka Guidelines, that were stipulated by the Supreme Court and subsequently adopted into the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. The other solution is to re-educate men on the notions of female sexuality and consent, apart from false notions of masculinity, so that any predatory behaviour could be nipped in the bud.

However, as a lawyer, I always advise that any incidence of sexual misconduct must be reported immediately. Loss of time means loss of evidence. If the evidence is lost, a criminal case may not be of much help, because, under criminal jurisprudence, the prosecutor has to furnish evidences beyond reasonable doubt to establish that someone is guilty. Hence, time is important in such cases, otherwise it can result in further victimisation of the victims.

However, as a mark of caution, it must also be stated that there are some women who use sexuality to enhance their career. Thus, each case needs to be considered on its own peculiar facts.

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