

Sexual harassment: A critical analysis

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ABSTRACT

India has a large child population that is vulnerable to all types of abuse, neglect and exploitation. Child sexual abuse in India has been an age-old and deep-rooted social problem, and child trafficking for commercial sexual abuse has become a serious issue for policy makers. The children are facing the problems of sexual harassment as they don't have clear perception about sexual abuse. Also, parents, teachers and others in the community have a vital role to protect children from sexual exploitation and abuse. Adolescence is the most sensitive stage of human life and the experiences of adolescents during this stage have indelible effect on their personality in their later life. So, there is a need to sensitize and generate awareness among adolescents regarding the issue of sexual abuse.

Key Words : Adolescence, Exploitation, Sexual harassment

INTRODUCTION

Child Sexual Abuse is the most heinous of all sexual crimes that can be perpetrated against children. Most of them suffer silently and often bear the mental and emotional scars for their entire life. The few who built up courage to complain about the abuse are not taken seriously, they are often disbelieved and many times silenced especially because of social stigma and or if the perpetrator is a close family member or a popular member of society (Srivastava *et al.*, 2013). Researchers in India estimate that between 18 per cent and 50 per cent of their country's population may have experienced some type of sexual abuse in their life time. These statistics may not account for the number of children (1 in 5) who are sexually solicited while using the internet, and the high number of victims who never disclose their sexual abuse from in and outside the family. Children who fail to disclose may be between 30 per cent and 87 per cent (Deb and Mukherjee 2009). Some researchers reviewed prevalence studies of female sex offending in the US, the UK, Canada, Australia and New Zealand. Official data showed that the proportion of female sexual offenders ranged from 0.6 per cent in New Zealand to 8.3 per cent in the US, with an unweighted average of 3.8 per cent across the five countries. The proportion of female sex offenders identified in victimization surveys ranged from 3.1 per cent in New Zealand to 7.0 per cent in Australia, with an unweighted average of 4.8 per cent (Smallbone *et al.*, 2014). The majority of sexual

abuse happens in childhood, with incest being the most common form (Tylor, 2002).

Deb and Mukherjee (2009) referred Sexual abuse as sexual exposure or contact by a person older than a child for the purpose of sexual stimulation or exploitation regardless of the use of force or any accompanying physical injury. However, in definitions of the term given in scientific literature there are considerable variations in terms of criteria and specificity. In common use the term 'sexual abuse' is sometimes mistakenly used interchangeably with sexual offence, which means sexual activities that are prosecuted by law. Often it also refers to activities that are morally condemned in society. However, this is very ambiguous definition, because moral norms, socially accepted behavior and laws vary greatly both nationally and internationally (Deb and Mukherjee, 2009). Sexual abuse occurs whenever one person dominates and exploits another by means of sexual activity or suggestion (Stephenson *et al.*, 2014). Sexual harassment is rampant throughout India for all young women regardless of race, nationality and color. At some point, spread of globalization has also contributed to this shameful fact. Western entertainment portrays women in over the top sexual form that has proved detrimental in case of Indian women. Sexual harassment could take place in any form, right from lecherous glances to perverted touching, stares, comments or remarks, verbal abuse, suggestive songs, lyrics typically targeted at the girl in question, an unwelcome touch, sexual in nature, physical abuse, beating etc (Devi and Jasrotia 2013). In legal terms, sexual harassment can be termed as any unwelcome sexual conduct that creates an intimidating, hostile, or offensive working environment which is an offensive conduct related to an individual's gender that a reasonable woman or man should not have to endure (Bhattacharya, 2014).

A cross-sectional study of Class XI students in eight higher secondary schools in Goa revealed that one third of adolescents had experienced some form of sexual abuse. Sexual abuse experiences were associated with the experience of other forms of physical and verbal violence. Coercive sex had been experienced by approximately 6 per cent of the adolescents. Differences in risks were found for urban and rural school students, while rural boys were more likely to have experienced coercive sexual intercourse than urban boys (10.3 % v/s 2.5%), urban girls were more likely to have experienced any form of sexual abuse than rural girls (37.2 % v/s 25.4 %) (Patel and Andrew, 2001).

Another survey of 4,200 girls on sexual harassment in schools revealed the incidents occurred in school classrooms (94%) and hallways (76%), respectively, friends or fellow students usually witnessed the sexual harassment, and teachers were present one-third of the time. Girls were touched, pinched, or grabbed (83 %), recipients of sexual notes or pictures (28 %), recipients of gestures, looks, comments, or jokes (89 %), or pressured to do something sexual (10 %). Further, 39 per cent were sexually harassed on a daily basis during the past year. The incidence of sexual harassment was slightly higher among girls between 13 and 16 years of age than among other age groups. Girls usually took action against harassers, two-thirds told the harasser to stop, and one-third resisted with physical force. Girls harassed by teachers and administrators were more likely to do nothing or walk away than those harassed by students (Bradway, 1994).

An assessment of the prevalence, correlates, and psychiatric disorders of adults with history of child sexual abuse in the US population revealed that the prevalence of child

sexual abuse was 10.14 per cent (24.8 % in men and 75.2 % in women). Child physical abuse and neglect were more prevalent among individuals with child sexual abuse than among those without it (Fuentes *et al.*, 2013).

In a national study in India 53.22 per cent children reported having faced one or more forms of sexual abuse. Andhra Pradesh, Assam, Bihar and Delhi reported the highest percentage of sexual abuse among both boys and girls. Child respondents (21.90 %) reported facing severe forms of sexual abuse whereas 50.76 per cent experienced other forms of sexual abuse. Out of the child respondents, 5.69 per cent reported being sexually assaulted. Children in Assam, Andhra Pradesh, Bihar and Delhi reported the highest incidence of sexual assault. Children on street, at work and in institutional care reported the highest incidence of sexual assault. Fifty per cent abusers have been found to be the persons known to the child or in a position of trust and responsibility (Kacker *et al.*, 2007).

WHO (2007) estimated that 150 million girls and 73 million boys under 18 years of age experienced forced sexual intercourse. Highest prevalence of Child Sexual Abuse was in Africa (34.4%) and Europe (9.2%). U.S.A. and Asia had prevalence rates between 10.1 per cent and 23.9 per cent, respectively. In India, 53 per cent of children faced sexual abuse, including 52.9 per cent boys and 47.06 per cent girls (Behere and Mulmule 2013). In 50 per cent of cases, the abuser was in a relationship of trust with the child. Every second child is being subjected to some forms of sexual abuse and every fifth child is facing severe forms of sexual abuse (Behere and Mulmule 2013). A total of 33,098 cases of sexual crimes against children were reported in 2011 and 26,694 cases in 2010 increase by 24 per cent. Sexual abuse is highest in Madhya Pradesh (1,262 cases), followed by Uttar Pradesh (1,088 cases) and Maharashtra (818 cases) (Behere and Mulmule, 2013).

Krishankumar *et al.* (2013) studied the prevalence and spectrum of sexual abuse among adolescents in Kerala, South India. A self-report survey was conducted among adolescents in the 15-19 years age group, studying in the plus one and plus two classes in selected schools. Of the 1614 respondents (688 boys and 926 girls), 36 per cent of boys and 35 per cent of girls had experienced sexual abuse at some point during their lifetime. Most instances were sexual advances while using public transport.

In a report by Tata Institute of Social Sciences a study done on 150 minor-age girls in Bombay, India showed 58 of the girls surveyed had been sexually abused before age 10. Of this number, 50 had been abused by a family member or friend of the family (Virani, 2013). A study done in Bangalore by Samvada with high school students showed 47 per cent of respondents had been sexually abused, 62 per cent of whom had been raped once and 38 per cent of whom had suffered repeated violations (Deb and Mukherjee, 2009).

Deb and Mukherjee (2009) in Kolkata revealed that the majority of the victim girls (93.3%) came from nuclear families and a large number of them were illiterate. Nearly half of the girls were sexually abused between 10-13 years, and others were sexually victimized at a very young age, between 6-9 years.

Sexual abuse can happen to any child but there may be certain circumstances that can increase a child's vulnerability. Other forms of abuse, especially previous sexual abuse or a disrupted home life can lead to a child being more susceptible to being sexually abused. Some abusers target children who are neglected by their parents or children who don't have

many friends as they are more likely to be receptive to the attentions of an adult (Elliot *et al.*, 1995). A disrupted home life can make children particularly vulnerable to sexual abuse. Domestic violence can push children out of home and make them susceptible to people who seem kind and show them affection (Goodyear-Brown, 2012).

Children of parents who misuse substances may have homes where lots of adults are coming and going or they may be left alone for long periods of time while their parents are out. This can leave those children vulnerable especially when adults in the house may be under the influence of drugs or alcohol (Goodyear-Brown, 2012). Children with disabilities are particularly vulnerable to sexual abuse. Sullivan and Knutson (2000) found that disabled children were up to three times more likely to be abused than non-disabled children. Children can also be at risk when using internet. Social media, chat rooms and web forums are places where children could be groomed, persuaded to meet an abuser in person or persuaded to send pictures of them or perform sexual acts in front of webcams. However, it should be recognized that the internet has also brought huge benefits for children (Leonard, 2010).

Victims of sexual abuse can show a range of symptoms during and for years after abuse has occurred. Physical signs and symptoms are still given precedence in the literature but often it is the emotional and psychological effects that do more long term damage to victims. A higher number of sexual acts may cause more serious impact, many other factors may influence the degree of damage the victim experiences. Other factors may include the perspective of the individual, the individual's internal resources, and the individual's level of support (Carson *et al.*, 2013).

According to Kapoor and Dhingra (2014) Women, who have suffered the humiliation and harassment, show certain peculiar characteristics in their behavior such as frightened, guilty, powerless, angry, ashamed, depressed, numb and lacking self confidence. Thus these offences highly influence the lives of the women in many negative ways. They are not only physically abused, but also bear an emotional mental torture which walks with them throughout their lives. Many studies found that sexual harassment can affect a student's self-esteem and confidence. Self-esteem is very important for students. People who have low self-esteem view themselves as unworthy and unlikable. Researchers have found that low self-esteem is related with anxiety. Symptoms of anxiety may be nausea, headaches, muscular spasms, insomnia and high blood pressure. If the sexual harassment continues a student may develop more serious stress related diseases. Both the psychological and physical impact of sexual harassment can affect academic grades (Alberta Civil Liberties Research Centre, 1997).

Child sexual abuse can have a more fundamental effect on brain functioning, where a child's brain becomes damaged by the abuse they have suffered (Mizenberg *et al.*, 2008). The effects of sexual abuse can include dissociation, memory impairment and reduced social functioning (Whitehead 2011). Sexual abuse can also have physical consequences for victims. These physical consequences compound the significant emotional and psychological damage inflicted by the abuse (Whitehead, 2010).

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Sexual abuse is a kind of physical or mental violation of a child with sexual intent, usually by a person who is in a position of trust or power. There is not a single law aimed at safeguarding children and protecting them against sexual abuse and assault, which is a serious lacuna against this background and is needed urgently (Kumar *et al.*, 2012). Child sexual abuse in India has been an age-old and deep-rooted social problem, and child trafficking for commercial sexual abuse has become a serious issue for policy makers (Carson *et al.*, 2013).

Even after so many efforts of the Government of India the cases for sexual harassment have seen no decline. The people who are assigned for our help, that is the cops and Government employees, are now themselves seen as harassers in many cases. The provisions contain several loopholes which can be exploited easily by the harasser in his favor. Clearly the provisions and laws need to be more comprehensive to provide a means of justice to those who have been victims and a means of protection for those who could be potential victims. Sexual harassment anywhere is not accepted and has to be rooted out of society.

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