

Male Sexual Harassment

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Abstract

In contrast to female sexual harassment, this piece of write-up addresses male sexual harassment. In a society where male sexual harassment is still considered non-existent, this article claims to have full detailed research on a) Male rape victims, b) reporting, c) myths about male rape, d) impact on male rape victims, and e) molestation of male children, thereby providing enough information to show that male sexual harassment is a grave issue and major threat to society. The present study combines legal sections, literature, and empirical analyses all in this assessment.

Keywords: Male assault, Male rape, rape myths, impact on male victims, molestation.

Introduction

Performing sexual act without consent, harassment, rape, unnatural lust, attempting or committing rape. All above mentioned terms are examples of sexual harassment. It is stated that unnatural lust respects no gender which means its regardless of a person's gender, falling prey to it has a profound effect on their mental state. The CDCP [Centre for disease control and prevention] states that "Sexual violence is sexual activity when consent is not obtained or freely given". It significantly affects lifelong health, opportunities, and well-being and is a major public health concern. Every community is impacted by sexual violence, which affects individuals of all ages, genders, and sexual orientations. Sexual assault can happen to anyone or be committed by anyone. Usually, a friend, coworker, family member, or someone the victim knew well is the one who commits sexual abuse against them. Non-consensual sexting, or the uploading or sharing of another person's sexual images without that person's agreement, is an example of sexual assault that can happen in person or online through texting someone something sexual without that person's consent, often said as sexting.

Sexual harassment is a severe organisational problem prevailing in not only Indian society but all over the world. Despite the increase in studies over the last 30 years, male victim voices have received less attention as compared to female victims. The current study examines the qualitative experiences of two male sexual harassment victims who were harassed by male perpetrators¹. The study looks at how uncertainty, threats, and the negotiation of masculine, heterosexual² identities interact. We also examine the contrasts and similarities in the men's communication strategies during the build-up, realisation, and responses to the men's tales. In regard to male victims' experiences, theoretical implications for hegemonic masculinity and liminality are discussed. It is a major public health concern that requires significant public, societal, and judicial attention. According to current statistics, more than 27% of men and 32% of women have

¹ According to the Oxford dictionary, a person who commits a crime or does something that is wrong or evil is known as perpetrator.

² According to the Oxford dictionary, a person is said to be heterosexual when he is sexually attracted to a person of the opposite sex.

been sexually victimised at some point in their lives which strongly proves that molestation and sexual harassment are not only a huge problem for females but for males as well. Almost one in three men have experienced sexual harassment involving physical contact in life time. Molestation is very common thing that is happening with children and it affects their lives in a very iniquitous way and is often committed on someone who is weak by use of force. The term molestation is used to describe sexual activity done with children single time to repeatedly creating a pattern of sexual assault and making them a victim of sexual abuse or sexual Harassment. Victimization has a negative impact on the physical and mental health of persons who are victims, resulting in short- and long-term physical injuries, dread, anxiety, despair, post-traumatic stress disorder ³(PTSD), low self-esteem, social difficulties, and suicidal ideation. Along with additional socio-economic ramifications, such as being unable to work, dropping out of school, and being shunned by their communities, it is also associated to a higher risk of sexual and reproductive health difficulties and it affects the males as much as it affects the females, mentally as well as Physically.

Female sexual assault has long been a major social and public health issue in all of the ancient and modern countries. However, establishing the infrastructure and support necessary for reporting sexual assault was incredibly challenging. Specifically, "Few women were willing to endure the damage to their reputation and prospects for marriage that resulted from filing a rape complaint, and if they did, their chances of being vindicated were slim." The common law required a woman claiming rape to make a highly structured showing that sexual encounters were nonconsensual; she had to establish that intercourse was induced by force and against her will, that she surrendered to overpowering physical force despite exercising the 'utmost resistance'. In case of female rape or female sexual harassment ⁴ cases, the females are encouraged to fight for justice and give the criminal the punishment they deserve. Women are being provided with strict laws that if someone infringes their rights and hurts their modesty, they will be severely punished but the fact that isn't being accepted that sexual harassment is not only a 'curse' for females but also males.

The female victims of sexual attacks have received much-needed attention, the collection of scholarship analysing men as victims of sexual violence is deficient. As therefore, the body of knowledge on adult male sexual victimisation (AMSV) pales in comparison to that on female victimisation. It is believed that male victims receive nearly 20 years less treatment and care than female victims. Furthermore, male victims have less resources and face more shame than female sexual assault victims.

In Indian society, the idea of a woman sexually harassing a man is still unfathomable. People's tendency to label male sexual harassment victims as "feminine" or "weak" makes it even more difficult for guys to discuss such incidents openly. The lack of data/statistics on sexual harassment of males by women in India contributes to public scepticism. In Indian society, the idea of a woman sexually harassing a man is still unfathomable. People's tendency to label male sexual harassment victims as "feminine" or "weak" makes it even more difficult for guys to discuss such incidents openly. The lack of data/statistics on sexual harassment of males by women in India contributes to public scepticism.

It has been kept a "Dark Secret" for so long that society is either uninformed of it or blindly rejects such instances when they occur and emerge from the shadows. The fear of being disregarded or disbelieved and the social reaction discourage male sexual assault victims from opening up to anybody, including

³ It means when a person has experienced or witnessed a scary, shocking, terrifying, or dangerous event a disorder is developed known as PTSD.

⁴ As per Section 354(A) Indian Penal Code 1860, Acts of physical contact and advances involving unwelcome and explicit sexual overtures, a demand or request for sexual favours, showing pornography against the will of a person, making sexually coloured remarks is Sexual harassment.

family, friends, and colleagues, about these tough and traumatising occurrences, encouraging offenders to continue pursuing their target.

Societal Stigma

Arguably the greatest challenging issues in dealing with male sexual harassment in Indian society is the negative connotation associated with it. For not only men in India but for other countries as well it is a matter of shame to tell anyone that a man or a boy has been sexually assaulted. As a result, males who are sexually harassed are often afraid to report it. In India, it is thought that "A MAN CAN NEVER BE RAPED BY ANY OTHER MAN OR WOMAN." People have this mindset because society has nurtured an image of males as being mighty and predominant, and atrocities which include rape and molestation can only be done over women. Men's sexual harassment is a significant concern in India; however, it is mostly underreported and discussed. According to a National Commission for Women⁵ study from 2022, 1.4% of males in India had experienced sexual harassment, and 3,000 cases of sexual assault on men were reported in India in 2022. This marks a significant increase above the 2,500 cases documented in 2021. According to the findings of a recent Economic Times-Synovate survey, men should be part of the bill as soon as possible. Of the 527 respondents polled in seven cities - Bangalore, Chennai, Delhi, Hyderabad, Kolkata, Mumbai, and Pune - 19% stated they were victims of sexual misconduct at work. In Bangalore, 51% of respondents stated that they had been sexually harassed, whereas in Delhi and Hyderabad, 31% and 28% recorded being sexually harassed, respectively. Around 38% of respondents in seven Indian cities felt that in today's workplaces, "men are as subjected to sexual harassment as women."

The main reason these crimes were never reported was "social ridicule" and they felt they wouldn't be believed owing to India's societal beliefs as men are supposed to act in a certain way and possess strength, acts like rape and molestation can't be happening to such a strong gender as per the societal mindset. It has been kept a "Dark Secret" for so long that society is either unaware of it or entirely ignores such instances when they occur and emerge from the shadows. The fear of being disbelieved and the social reaction prevent male sexual assault victims from opening up to anybody, including family, friends, and colleagues, about these tough and traumatic occurrences, encouraging offenders to continue pursuing their target.

Statistics and data

According to the internet, there has not been even a single case of male sexual harassment that is brought up in India. The information available for such topics if searched shows how damaging it is for the mental health of those who confront such challenges in their lives and how it damages the persons health. The major issue is that there is no law designed to protect males from sexual harassment till date in India.

If we go through the stats available on the internet According to a 2023 poll done by the Centre for Civil Society, about 18 percent of Indian adult men surveyed reported feeling compelled or forced to engage in marital affairs. 16% identified a female perpetrator, whereas 2% named a male perpetrator. Another poll conducted by the Economic Times revealed that 29 to 43% of those surveyed said they had been harassed by female coworkers. 24.8% of men worldwide have experienced contact sexual violence, which includes

⁵ The National Commission for women was set up as statutory body in January 1992 under the National Commission for women act 1990 (Act No. 20 of 1990 of Government of India.) to review the constitutional and legal safeguards for women, recommend remedial legislative measures, facilitate redressal of grievances and advice the government on all policy matters affecting women.

rape (penetration in this survey), being forced to penetrate someone else, sexual coercion, and/ or unwanted sexual contact. One in every ten men is subjected to sexual coercion, which includes being worn down by someone who persistently asks for sex and sexual pressure caused by someone using their influence or authority.

- 51% men reported experiencing sexual harassment priorate the age of 18
- 25.3% between 11-17 years of age faced victimisation.
- 26% faced at the age of 10 or younger

If we talk about the locational stats of sexual harassment taking place then it goes 19% in public places, 14% in the school, 13% in workplace 13% in their own residence and 13% over the phone or text and for the men who have been to the jail, 8.7% men reported about being victimised as per the ICASA Organisation

Legal provisions

If we talk about India there is no specific legal provision for adult male who face sexual harassment or have been victimised to protect themselves and punish the wrong doers. The stats provided on the internet are evidently showing how badly India needs to have laws regarding the issue as well. If we talk about other countries then they are as follows **US:** Federal legislation is founded on Title VII of the Civil Rights Act of 1964. If an employee is dissatisfied with the organisation's investigation into the case, he or she may submit a complaint with the Equal Employment Opportunity Commission.

UK: Sexual harassment victims can file a complaint with the Equality and Human Rights Commission. The Sex Discrimination Act of 1975 was revised in 2008, requiring employers to safeguard their employees from customers, suppliers, and others they may encounter while working.

Australia: The Sex Discrimination Act 1984⁶ governs sexual harassment in Australia. Sexual harassment victims can file an official complaint with the Australian Human Rights Commission.

Japan: The Male-Female Equal Opportunity Law was revised in 1999, requiring the organisation to take stringent measures against the harasser. If a victim is dissatisfied with the organisation's procedures, he or she might seek monetary compensation from both the perpetrators and the company.

These countries are in the top 10 economy in the world and India is also one of them in the rank 5th as per the Forbes. In spite of being such an advanced country India is unable to remove the societal stigma that men can be harassed too and their voices must be heard.

Due to lack of legal provision in India crimes like rape and molestation happen but aren't registered. One of the recent examples is from NCR, i.e.,

New Delhi: A horrifying occurrence has been reported in Faridabad, Haryana, near the country's capital, Delhi. In actuality, four persons raped a 23-year-old man after he had an intoxicating cold drink at the OYO guest home. According to the complaint, four teens kept the woman prisoner and gang-raped her. The incident occurred on the night of May 26. According to the victim, he saved his life by jumping from the first floor of OYO and reporting it to the police. The victim claimed that rather of filing a complaint and taking action against the accused, the police threatened him. Later, after the situation was reported in the media, the police quickly filed a case. The victim stated that the individuals who committed this

⁶ This Act addresses discrimination based on sexual orientation, gender identity, intersex status, marital status, relationship status, potential pregnancy, breastfeeding, and family responsibilities. It also addresses discrimination related to sexual harassment, harassment based on sex, and hostile work environments.

heinous deed with him had arrived to the OYO Hotel with a buddy. The victim claimed that on the evening of May 25, his friend Rakesh Sherawat contacted and invited him to meet at OYO.

When he arrived at the hotel, he was given an illicit substance in the form of a cold drink, and he passed out. It is said that following this, Rakesh Sehrawat raped him. Not only that, but Rakesh Sehrawat invited his three other buddies to the hotel room, where they all took turns sexually molested him. The victim claimed that when he attempted to leave OYO, they kept him hostage, beat him up, and looted Rs 5000. As soon as he had the opportunity, he jumped from the first story of OYO and reported the incident to the police.

Newspapers like The Times of India. Indian express has reported of this but there is no legal action taken as there exists not even single legal provision for such heinous crimes that are happening.

Suggestions

In a democratic country like India, where everyone is equal before the law⁷, everyone has equal rights and opportunities, despite having a massive population of 1,428,627,663 people, or nearly 17% of the world's total population, India is trying to be gender neutral in all fields except sexual harassment and here's where we actually do need equality. India is a developing country that must see through such heinous crimes without societal stigma or orthodox mentality such as 'MEN CAN'T BE RAPED', but we must also remember that 'UNNATURAL LUST SEES NO GENDER.'

Hence the following changes that could be brought

- **Gender-neutral laws to provide a more secure atmosphere for everyone-** The laws that are provided for sexual harassment should be made applicable for men women as well as transgenders as all of them are victims of such unnatural lust at least once in the whole life and are unable to get justice because of the lack of laws.
- **Organise camps that help to reduce the societal stigma of male sexual harassment-** Camps must be organised and nukkad nataks must be performed so that people also understand the seriousness of the issue and the societal stigma that male sexual harassment don't occur can be changed. It will also help the victims to openly discuss their problems and seek help regarding the same.
- **Take personal responsibility to ensure safety-** People like us must take responsibility and make sure that if we see someone around us getting harassed in any way, mentally or physically then we must reach out and at least try to get the person out of the problem. Even if we see someone trying to do something wrong with someone and the other person is being victimised, we should stop them as it might ruin someone's life.
- **Create helplines for men as we have for women-** As we have helplines for women in India, we must have for male as well or have a common help line where both men and women might get help when facing issues related to harassment or feeling of being unsafe due to presence of certain people or being in a certain place where they might be prey of unnatural lust.
- **Special bench must be created for these cases-** Cases of male sexual harassment is as sensitive as women sexual harassment and must be treated with equal sensitivity, care and due respect. Creating a special bench might help to deliver justice a little sooner and, in an environment, where the victims

⁷ As defined under Article 14 of Indian Constitution, no one within the territory of India may be denied equality before the law or equal protection under the law by the State.

might feel free to speak about their encounter and problems faced.

Conclusion

If we talk about the current legal System of India, there are many laws which are gender neutral and the Constitution of India itself guarantees that there will be no gender-based discrimination as mentioned under article 14-18 but if we talk about gender neutral laws for harassment then there is no such provision yet. This piece of document is to gain a positive attention of the readers and bring into notice that this is serious concern and a legal provision must be provided for protecting men from sexual harassment and make this our Society safer for everyone be it a lady or a man. Through this document all I want to convey is that in today's time no one is one hundred percent safe but everyone has right to seek justice and protect themselves from the wrong doers. Such crimes adversely affect life of the victims and if there would be strict laws and punishments then it might bring down the rate of crime and create a safer environment for everyone. At last, to conclude I would say always remember "*unnatural lust sees no gender*".