

SEXUAL HARASSMENT IN COLLEGE CAMPUS

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Abstract:

Sexual harassment is a serious problem for students' at all educational levels. Students in elementary and secondary schools, as well as vocational schools, colleges and universities can be victims of sexual harassment. This problem is more common than one might think because many students are scared or too embarrassed to report sexual harassment. Sexual harassment can be requests for sexual favors or unwelcome sexual behavior that is bad enough or happens often enough to make feel uncomfortable, scared or confused and that interferes with students' college work or his ability to participate in extracurricular activities. It is a form of violence in everyday life and is discriminatory and exploitative creating an atmosphere of threat and terror.

Keywords; Sexual harassment , elementary and secondary schools , human rights violation.

INTRODUCTION

Sexual harassment is the expression of male power over woman that sustain patriarchal relations in our male dominant society. It is practiced to remind woman of their vulnerability and subjugated statuses. These patriarchal values and attitudes of both men and woman pose the greatest challenges in resolution and prevention of sexual harassment. It is emotionally abusive and creates an unhealthy, unproductive atmosphere at the workplace.

Sexual harassment is a form of human rights violation, and is an infringement on their life and liberty as defined in the Constitution of India. It can be verbal, physical or visual. It was in 1997 that the Supreme Court had redefined sexual harassment in the following terms-“Sexual harassment includes such sexually determined behavior such as – physical contact, a demand or request for sexual favors, sexually colored remarks, showing pornography, any other unwelcome physical, verbal or non-verbal conduct of a sexual nature” It means that sexual harassment is different from sexual desire, it come in many forms like verbal or nonverbal, physical or psychological. The definition of sexual harassment includes harassment by both peers and individuals in a position of power relative to the person being harassed. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conducts of a sexual nature that tends to create a hostile or offensive work environment. Sexual harassment is form of sex discrimination that occurs in the workplace. Sexual harassment includes many things such as

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- i) Actual or attempted rape or sexual assault.
 - ii) Unwanted pressure for sexual favors
 - iii) Unwanted sexual looks, deliberate touching, letters and telephone calls
 - iv) Sexual comments, teasing, remarks and jokes.
 - v) Making sexual gestures with hands or through body movements.

Sexual harassment has been recognized globally as intimidating, most violating forms of violence since long. Many countries have not only taken note of how degrading experiences of sexual harassment for students but have to adapt legislative measures to combat sexual harassment. In India, it has been only more than ten years since sexual harassment was for the first time recognized by Supreme Court as human rights violation and gender based systemic discrimination that affects woman's Right to Life and Livelihood. The Court defined sexual harassment very clearly as well provided guidelines to redress and prevent sexual harassment.

Colleges and Universities long have been confronted with the problem of sexual harassment of students by faculty members. For many years, institutions of higher education have either ignored the problem or dealt with it by quietly dismissing professors who have been accused of harassment or by quieting student victims of such harassment. Despite the wealth of non legal literature, reports and statistics documenting the pervasiveness of sexual harassment in the nation's institutions of higher education. The University Grant Commission advisory to institutions of higher education to make campuses safe for woman students in the aftermath of the Delhi Rape Case addresses a neglected issue.

Studies have found that sexual harassment is still endemic, often hidden, and present in all kinds of institutions, organizations, government departments. Sexual harassment and even attacks on campus often go unreported because educational institutions do not have proper systems in place to monitor behavior, counsel students, and record complaints and initiate proceedings. It is important for universities and colleges, therefore, to view security not solely as the prevention of high profile attacks, but as a continuum that protects against various forms of sexual harassment. Fear interferes with a female student's ability to pursue the full spectrum of educational, cultural and social activities on campus and must be eliminated. The university system in India does not provide an explicit understanding of what constitutes statutory sexual misconduct and harassment. This is particularly true of undergraduate campuses where the youngest students arrive each year and are in need of both counseling and careful supervision. The Supreme Court guidelines in the Vishaka case denies sexual harassment and provide a good base on which to build protective systems, but the Centre has been slow to incorporate these into law; it is only now that the 'Protection of Woman Against Sexual Harassment at Work Place Bill 2010' is going through the parliamentary process.

In colleges, though sexual harassment initiated by students is most common, it can also be perpetrated by professors or other college employees, and the victim can be student, a teacher, or others. Sexual harassment of students can cause particularly serious and damaging consequences for the victim. It can happen to boys as well as girls. Sexual harassment can be

fellow students, professors, principals, coaches and other college officials. There are two types of sexual harassment-

- i) This for that and
- ii) Hostile environment

This for that sexual harassment occurs when a professor or a college employee offers a student better grade or treats better if he or she does something sexual. It could also be a threat to lower students' grade if he or she refuses to go along with a request for a sexual favors.

Hostile environment sexual harassment occurs when unwanted sexual touching, comments, gestures are so bad or occurs so often that it interferes with student's college work, makes him feel uncomfortable or unsafe at college. This type of harassment does not have to involve a threat or promise of benefit in exchange for a sexual favors.

Some students who are being sexually harassed are too embarrassed to voice a complaint, are intimidated by their harasser, or think that little can be done to end the harassment. Many students think that it is not a serious problem and that it will stop if they just ignore it. These are all understandable reactions to difficult situations. Sexual harassment, however, is a serious issue. Many students who have been sexually harassed report a drop in their grades, and some student have had to transfer to a different school, drop classes, or leave college altogether. Students experience a wide range of effects from sexual harassment that impact their academics including have trouble sleeping, loss of appetite, students may experience multiple effects or just one. The wide range of experience lowers the percentage of students who experience any particular effect. It leads to a loss of self-confidence as well as fear of reoccurrence, even it resulted in absenteeism from college, are only a few of the effects of sexual harassment on college campuses. Sexual harassment has affected on their personal or academic development in one way or another.

Every one shall have a right to be free from sexual harassment and right to work in an environment free from any form of Sexual Harassment. Preventing the menace of sexual harassment and making the campus free of sexual harassment will be the moral responsibility and accountability of the entire institute from the Principal to the lowest level employee and students. It will be the legal responsibility of the head of institutions to provide safe environment for woman free from sexual harassment and discrimination at campus; and to ensure that the atmosphere in the institution is in no way offensive to students. Every head of the institution shall take all necessary and responsible steps to prevent and ensure that no student in the establishment is subject to sexual harassment by any one during their course. The head of the institutes shall take all necessary steps to assist the aggrieved woman where any such sexual harassment to redress the act of sexual harassment. For the prevention of sexual harassment, a comprehensive Sexual Harassment Policy is required. The institutions will evolve and adopt a comprehensive sexual harassment policy amend its rules to bring them in conformity with the Hon'ble Supreme Court guidelines. The Bhawridevi Case in Rajasthan, a spate of protests and public debates lead to the Supreme Court's landmark Vishaka Judgment in 1997. Its guidelines

defined sexual harassment and sought to protect women from sexual harassment by placing the onus of providing a safe work environment in the management or administration.

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