

#MEN TOO: WHAT'S AT STAKE?

Vol - I



PEN ACCLAMS

**To,
Soham,
Companion & confidant!**

“#MenToo: What’s at Stake?”

(Volume -1)

ISBN: 9781082835735

Anthology of,

‘1st National Essay Writing Competition’

Powered by,

“Pen Acclaims”

in association with,

“Vidhi Aagaz – Inking your Brain”



Preface

A thought that has been enduring in mind when becomes real, is truly an interesting and exciting experience. This book is one such cherished work that has its roots in the persuasion of many authors, contributors and also mentors which has now embellished to become the snapshot of the innumerable efforts put in since months. This book serves to reinforce increased awareness, improved interaction and integration among all of us.

As the Editor of this book entitled “#MenToo: What’s at Stake?”, I wish to thank all researchers across the globe, who have submitted their contributions. The main aim of this book is to enhance knowledge among researchers, students and the legal fraternity at large and to provide an opportunity for creative research and multi-level consideration of broader issues related to legal insight from both national and interdisciplinary perspective.

It has been indeed a pleasure going through the journey of compiling this book. This maiden issue will surely inspire all of us for a new beginning and enlighten the minds of young scholars with hope, confidence and faith.

Happy reading!

**Dr. Pooja Dasgupta
Chairperson
Pen Acclaims**

Foreword

To all the Readers and Contributors of this book:

Bringing innovative strategies to the attention of policy makers and hence empowering the youth has always been a highly essential part of the working of “Vidhi Aagaz”. This book based on the topic ‘#MenToo: What’s at Stake?’ is a culmination of different insights which highlight alternative viewpoints, development approaches and innovative technologies backed by analysis and information from various experts across the globe. This book is geared to the needs of practitioners. Through this book, we have tried to bridge the gap between new ideas and theories and field trials.

However, this masterpiece would not have been possible without the valuable contribution from our avid writers. I wish to express my deepest gratitude to all our contributors for their incessant support and for making this entire event a huge success. The authors in this book have harvested to the core problem of human rights and have cohesively voiced their opinion in the best possible way.

Kudos to all authors and novelists!

**Mr. Gyan Prakash Kesharwani
CEO
Vidhi Aagaz – Inking your Brain**

Index

S. No.	Title of Paper	Page No.
1	*Deeksha Kathayat **Ashwathi Menon Dr. D.Y. Patil College of Law, Nerul (<i>Mard ko bhi dard hota hai! Men Too Movement</i>)	1
2	*Nathishia Rebecca Chandy CHRIST (Deemed to be University) (<i>Reconciling with Feminism</i>)	4
3	Amaryllis Jalla Chandigarh University (<i>#MeToo: Privilege or Truth?</i>)	8
4	Yashi Priya Law College, Dehradun (<i>Gender Biased Laws</i>)	10
5	M. Mahalakshmi Government Law College, Ernakulam (<i>Gender Biased Laws in India</i>)	12
6	Aditi Dhamdhare Modern Law College, Pune University (<i>Gender Equality - Discrimination and Inequality</i>)	15
7	*Natesh K School of Law, SASTRA (Deemed to be University) (<i>Feminism and Women empowerment: The Outlook on busting Myths and Passing the buck</i>)	18
8	Shikha Mishra Modi Law College, Kota (<i>Feminism</i>)	21
9	Anshika Singh Law College, Dehradun, Uttaranchal University (<i>Feminism: A Misconstrued Postulation</i>)	23
10	Riya Iyer Dr. Babasaheb Ambedkar College, RTMNU (<i>The Brunt of Hashtag</i>)	26
11	*Harshit Mishra **Simran Singh ICFAI Law School, Hyderabad (<i>Gender Equality</i>)	29
12	Nagesh Pal Singh Jamia Millia Islamia University (<i>#MenToo Movement</i>)	32
13	S.V. Pavithra Tamil Nadu Dr. Ambedkar Law University, School of Excellence in Law, Chennai (<i>Gender Biased Laws: Men Suppressed in the Name of Gender Equality – An Overview</i>)	35
14	Janaki Ramkrishnan Rizvi Law College (<i>Gender Equality- A World Where the Word Gender Doesn't Exist</i>)	38
15	Stuti Jain Symbiosis Law School, Noida	40

	<i>(Understanding Liberal Feminism in Jurisprudence; Case Study Analysis)</i>	
16	Vivek Yadav ICFAI Law School, Hyderabad <i>(Gender Equality)</i>	43
17	Rani Kumari Mody University, Rajasthan <i>(Gender Equality)</i>	46
18	N. Ilakkiya Tamil Nadu Dr. Ambedkar Law University, School of Excellence in Law, Chennai <i>(Gender Biased Laws V. Right to Equality in the Perspective Relating to Men in India)</i>	48
19	Samriddhi Rai Banasthali Vidyapith <i>(Gender Biased Laws V. Right to Equality in the Perspective Relating to Men in India)</i>	51
20	*Alena Jamal **Kinjal Sharma NALSAR University of Law <i>(Sexual Harassment at Workplace: A Narrow Approach of Law)</i>	54

“Mard ko bhi dard hota hai! Men Too Movement”

****Deeksha Kathayat
Dr. D.Y. Patil College of Law, Nerul***

*****Ashwathi menon
Dr. D.Y. Patil College of Law, Nerul***

I will start with a very funny and a disappointing incident. I was interning at a place and they have organized sexual harassment awareness programme for women and there were male colleagues also present. The programme was of course enriching and supportive for women. It mentioned various ways where women can file such harassment cases and get their grievances solved without any harm to their reputation. Then suddenly one of the male colleagues raised his hand and asked what is the procedure to file sexual harassment case against female employees? Do we have to follow the same procedure?

Everyone was staring at him so he told we have 90% female employees in our office and only 10% male employees so there is a chance that male employee might get harassed. After hearing his question, the person giving the session laughed and said “there is nothing like sexual harassment of men” there are no laws made for sexual harassment of men. Though at that time we took this matter very lightly but as a law student and future torch bearer of justice in the society we need to see that scales of justice are held even.

History is the evidence that women have always been suppressed and dominated, there was, there is and there will be a need for laws and special privileges for women for their emancipation. But at the same time, we tend to forget the male issues which are also very important to address which often get fogged up in the clouds of women empowerment and problems. Media, people and legislators they are all caught up in the race to highlight only women issues probably legislators do it for votes, media for sensationalizing news items and people need some issues to crib about.

If you don't believe me pick up any newspaper or news website you will only see cases about how a woman is tortured for dowry and how unsafe is the workplace. Rarely you will read a case where man is being sexually harassed or a false dowry case is been filed against him. We don't come across such cases doesn't mean that they do not exist. Perhaps they are opaqued by strong solid society who refuses to accept the fact that men do face such problems.

Men too movement reaction of Me too movement

Recently we all know Tanushree Dutta case brought a strong wave of change where women who has been sexually harassed came forward and raised their voice against the abusers. Many unknown cases came forward. This movement would have been proved revolutionary but then more than using it as a protective shield it was used as a sharp-edged sword, numerous fake accusations and allegations were filed maligning not only innocent men whose personal and professional life were affected to a great extent.

One such famous case is of Karan Oberoi who was arrested on the false charges of rape and extortion. Later evidences revealed that the charges were frivolous. He was lucky and fortunate enough that the truth came out but other men are not fortunate enough and is often

presumed to be the culprit even before the case is decided. They often have to undergo unfair, partial and unjust media trials.

Men too movement – object

Men too movement is not a movement against the Me too movement. It in fact compliments it. Women too suffer when men who are close to them, are implicated in false allegations and cases.

It is necessary that not only now men raise their voices but also the society try to understand the issue properly and not ignore or laugh it out like they normally do.

Misuse of Section 498A

While the law was introduced to protect vulnerable and innocent women from domestic violence, extortions and dowry deaths. But many courts including Supreme Court are concerned that it's unfortunately been misused by some women to intimidate, threatened or extort money from their husbands, or ex-husbands.

Former Additional Advocate General of Punjab and Haryana High Court, Rajinder Goyal, had observed that **“false cases are clogging up India’s legal system.**

Justices CK Prasad and PC Ghose, Supreme Court of India, July 2014 had also observed that **“The fact that Section 498A is a cognisable and non-bailable offence has lent it a dubious place of pride amongst the provisions that are used as weapons rather than shield by disgruntled wives,” “A number of false complaints are registered whereby all the family members including the sister-in-law, the brother-in-law, the old parents and the married sisters, they are all being implicated,”** he says.

Section 498A does not require women to provide evidence of abuse, and there’s a presumption of guilt until innocence can be proven. Those found guilty face up to three years in jail and the trial can take many years. The vast majority, says Rajinder Goyal, end up being acquitted by the courts. “In India, I can say that after the case is put to trial under Section 498A, 80 per cent is the acquittal rate. That means, it is found that the case is not proved.”

The latest figures released by India’s National Crime Records Bureau (NCRB), show that while the number of cases registered under Section 498A is increasing each year, the conviction rate is falling.

Deepika Bharadwaj – gender biased law

Deepika Bharadwaj a journalist and an activist for men right had observed that “The moment a marriage breaks down charges of dowry and harassment are levelled on the groom. I have seen cases of incompatibility,.....

.....
.....
.....
.....
.....



PenAcclaims

(Multi-disciplinary National Journal)

Email: editor.penacclaims@gmail.com

Website: www.penacclaims.com