

OPINION

Relevant for: Indian Society | Topic: Role of Women and Women's Organization

The Indian media and entertainment industry's moment of reckoning has been a long time coming. The numerous accounts of sexual harassment by women on social media over the past few days have named men of accomplishment and power, from journalists and actors to comedians and advertising professionals. They have shown with painful clarity the culture of impunity and entitlement that has enabled such men. It is tempting, if cynical, to say that those surprised by this have chosen to be so.

There is a reason the #MeToo campaign, started in the US last year with the *New York Times*' exposure of Harvey Weinstein, has been driven by social media. Workplace sexual harassment and abuse are offences that often don't leave a trail of evidence. 'He said, she said' scenarios are stacked against the victim to begin with. When legal and workplace systems of grievance and redressal are weak, it skews the balance of power further. The cases where there is, in fact, evidence often don't fare much better. Whisper networks and social media campaigns are logical responses by women. They are end-runs around patriarchal institutions and systems. They also raise messy questions about proof and public shaming. But that makes understanding why formal mechanisms have failed women all the more important.

That they have done so is apparent from the allegations over the past few days. Many of these allegations have at least one of three elements in common. First, women who were harassed did not speak out at the time because of a misogynistic environment that normalized such behaviour or made the cost of speaking up too great to bear. Second, they wished to take action but could not due to a lack of institutional infrastructure and support. Third, they did speak out but their complaints were dismissed, or worse, boomeranged. Taken together, this shows a profoundly broken system.

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, built on the Vishaka Guidelines issued by the Supreme Court in 1997, was aimed at fixing this. There has been some progress. According to annual reports and anti-sexual harassment advisory Complykaro.com, the number of cases reported has risen year on year among the 50 largest companies by market valuation. This is a good thing. It shows that the internal complaints committees (ICCs) mandated by the Act are allowing more targets of sexual harassment to come forward.

But this comes with plenty of caveats. The bulk of the complaints are concentrated in the IT and finance sectors. In fact, four companies account for more than half the complaints. This is a minuscule fraction of Indian employers. Other companies and sectors have a distance to go in creating similarly robust systems. Public sector units (PSUs) and government departments are among the worst offenders save for a few exceptions like the Brihanmumbai Municipal Corporation. Their ICC mechanisms don't do nearly enough to empower targets of sexual harassment to come forward. Little wonder that of the nine PSUs in the Nifty index, most didn't report any cases in FY18.

These failures trammel women's socioeconomic choices and freedom. This is an affront to human dignity and justice for reasons that are too obvious and numerous to need recounting. It is also an economic ill for women and for the economy at large. The foundation of a market economy is free and fair competition. When half of a country's population can arbitrarily face conditions that make it difficult for them to compete on equal footing, that foundation is weakened. Employers lose out on potential employees. Women who do enter the labour force

but are subjected to sexual harassment see a rise in stress levels and a drop in productivity. Some may be compelled to drop out of the workforce entirely. This makes an already economically vulnerable segment of the population more so. Meanwhile, the company suffers a reputational loss that can have financial costs—see Uber. Male employees who don't have to contend with female competition are likewise less productive than they could be.

It goes further. In a 2003 paper, *The economics and law of sexual harassment in the workplace*, Kaushik Basu argued that sexual harassment affected targets in ways that were similar to exposure to excessive health hazards. This has a public health cost. It intersects with caste and class as well. The past few days have shown how vulnerable to sexual assault relatively empowered women in the formal economy can be. The informal economy is far worse. Dalit women doing daily wage work, for instance, are prime targets. This is deeply damaging to socioeconomic mobility and the reduction of inequality.

More women in the workplace and in positions of authority would go some way toward fixing the skewed balance of power. But achieving that is difficult when women face the barriers they currently do. This is a catch-22 situation that must be beaten. Ill-considered reactions to the social media campaign of the past few days—circling the wagons or considering female employees a risk—would make that more difficult. Having the right debates now is important.

What can be done to reduce workplace sexual harassment? Tell us at views@livemint.com

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