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**SLUT SHAMING: A PROBLEM, INDIA NEEDS TO ADDRESS URGENTLY.**

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**I. ABSTRACT:**

*The length of a woman's cloth, her lifestyle, her relationship status, her job profile, her educational qualification, or her ambitious or carefree being have always been the parameter to judge her character. All the achievements of women, starting from being a class topper to being the best employee or any other achievements can be undermined or taken away in just one second, by uttering and spreading just one single sentence – "she is a SLUT !" what is more shocking is, in many cases the abusers are also women themselves. Be it online or offline, be it in school, college, office, public transport, neighbourhood or public space, Slut shaming has become a tool everywhere for silencing women with opinions and voice, for limiting their participation in educational and professional fields, to undervalue their skills and achievements, to destroy their reputation and most importantly to control them and punish them for not following a certain behaviour. The emotional, psychological and physical impacts of slut-shaming on women are real, severe and irreparable and the scars remain embedded for years. Unfortunately, even though there are some laws in India relating to Defamation and crimes against women under the Indian Penal Code, 1860 but none of these laws directly addresses character assassination or slut-shaming of women. In fact, even the somewhat related existing laws are silent on many aspects and sadly their competency to fight these social evils, are highly questionable. So, it becomes the duty of the state even more than ever now, to provide a properly functional mechanism, clear policy framework and legal remedies against slut-shaming. The state should ensure that the reasonable restrictions on freedom of speech and expression restrict such speech or any other form of communication that will hamper the development, personality or growth of individuals, especially of women.*

**II. VIOLATION OF RIGHT TO REPUTATION (ARTICLE-21) AND  
"REASONABLE RESTRICTIONS" ON FREEDOM OF SPEECH AND  
EXPRESSION (ARTICLE-19(2)) OF THE INDIAN CONSTITUTION:**

“I object! Every time you think of any girl as a sex object, I object and will object! Every time you label her as a “slut” or “whore” or comment nasty or filthy on her bold avatar, I will break my silence! Every time people with perverted psychological problems point a finger on the character of any women, I will hold those people legally accountable for that! ”, until and unless this is the take of Indian Judiciary on slut-shaming, whore-bashing, character assassination and sexualized harassment, women empowerment is practically impossible in our country. Slut-shaming or character assassination is a “bloodless murder” of a human life. In fact even worse than murder, for “bad reputation” of a woman sustains even after her death.

The inaction of the government and judiciary regarding slut-shaming is often regarded as a silent encouragement to it by the abusers. The only way to stop the ever-increasing incidents of rape and sexual abuse and “blame and shame women” culture is: making it loud and clear to the abusers that, forget the body of women, even her reputation is not a toy for you to play with. Slut-shaming is a social disease that needs prevention, intervention and treatment. We, the Indians often fail to realize that just because we got Freedom of Speech and Expression, doesn't mean we can say anything about anyone and practically destroy their reputation and self-esteem. Mostly, the people of India are aware of the Right to Freedom of Speech and Expression enshrined under Article-19(1) of the Constitution only, but hardly anyone (except the lawyers and law students) knows about the “reasonable restrictions” provided against it under article- 19(2). From “very little” to “no protection” or recourse at all, is available to women against slut-shaming in India even today.

There is no expressed provision for “sexualized harassments” like slut-shaming or whore bashing in India, yet! Honestly, what exactly then is the purpose of Article-19(2) if the reasonable restrictions are not able to curb the humiliating, degrading and defaming speeches of people? Every person has a Right to Reputation under Article-21 of the constitution and the moment someone passes a derogatory comment about someone (whether in the presence or absence of that person); he/she encroaches upon that person's Right to Reputation. Our

constitution clearly says: *The liberty of one person, can't offend the liberty of another.* Patanjali Shastri, J. In A.K.Gopalan's case<sup>1</sup>, observed:

“Man as a rational being desires to do many things, but in a civil society his desires will have to be controlled with the exercise of similar desires by other individuals.”

### **III. LEADING INCIDENTS OF SLUT-SHAMING IN INDIA:**

- 1.** Many emerging and young female politicians in India have alleged on several occasions that slut-shaming is a common tactic used against women in politics. Some female politicians were slut-shamed so viciously, that it brought an end to their career in politics.
- 2.** Many actresses like - Esha Gupta<sup>2</sup>, Fatima Sana Shaikh<sup>3</sup>, Nargis Fakhri<sup>4</sup>, Priyanka Chopra<sup>5</sup>, Nia Sharma<sup>6</sup>, Anusha Dandekar<sup>7</sup>, Lisa Haydon<sup>8</sup>, Sunny Leone<sup>9</sup>, Disha Patani<sup>10</sup>, (a few names to begin with) are targeted with slut-shaming and sexist hate speeches on various occasions by bloggers, journalists and even commoners for posting bold pictures or doing bold roles, or simply for making some bold statements. The verbal abusers don't even mind giving rape threats and death threats as well.
- 3.** Sports person like Sania Mirza or Mithali Raj was also targeted and slut-shamed on various occasions. Mithali Raj was slut-shamed for wearing a spaghetti top! Even sounds so absurd!<sup>11</sup>
- 4.** Not very long ago, a premier institute of legal studies in India made it to the headlines for moral policing like a “khap panchayat”, when they slut-shamed female students wearing shorts.<sup>12</sup> Not just one college/university/school, the majority of them resort to bashing and

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<sup>1</sup> 1950 A.I.R. 27, 1950 S.C.R. 88 (India).

<sup>2</sup> Anjali Bisaria, *11 Women Who Were Mercilessly Shamed On Social Media For Choosing To Wear, Well Clothes*, (Nov. 26, 2018, 10:00 AM), <https://www.indiatimes.com/news/india/11-women-who-were-mercilessly-shamed-on-social-media-for-choosing-to-wear-well-clothes-329342.html>.

<sup>3</sup> *Ibid.*

<sup>4</sup> *Ibid.*

<sup>5</sup> *Ibid.*

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*

<sup>8</sup> *Ibid.*

<sup>9</sup> *Ibid.*

<sup>10</sup> *Ibid.*

<sup>11</sup> *Ibid.*

<sup>12</sup> Jason Keith Fernandes, *NLS Prof Slut-Shaming Student In Shorts Is Not Surprising: It Shows How India's Premier Law School Behaves Like A Khap Panchayat*, (Nov. 26, 2018, 10:10 AM), <https://www.firstpost.com/india/nls-prof-slut-shaming-student-in-shorts-is-not-surprising-it-shows-how-indias-premier-law-school-behaves-like-a-khap-panchayat-2720450.html> visited on 1-12-18.

shaming if they find female students wearing something that is not “appropriate” or “proper” according to them. The shorter the cloth, the “sluttier” the woman in question!

5. There have been many reported incidents of slut-shaming of women by the police when they went to lodge a complaint or F.I.R!
6. From the aunt’s of the neighbourhood to the landlord, from Uber-driver to liftman, from absolute strangers to own in-laws, slut-shaming has become a CULTURE in India!

#### **IV. EFFECTS OF SLUT-SHAMING (PHYSICAL AND PSYCHOLOGICAL):**

1. Slut-shaming results in social isolation and personality disorders. It interferes with an individual’s ability to interact with people. Interacting with people triggers their consciousness and anxiety level even more.
2. Many women resign from jobs or drop out of schools and colleges because they were so severely affected by slut-shaming and it becomes nerve-wracking for them to socialize.
3. They have a trouble concentrating or focusing on their work and academics. Their work efficiency is highly affected.
4. They start being doubtful and guilty about their own choices and tastes.
5. They start considering themselves as a shame to the family.
6. Many women who are unable to handle that kind of negativity, commits suicide or attempts to do so.
7. Many women start considering themselves unworthy of love and respect.
8. Rejected by and treated as an outsider by family, members of the work environment and community.

The emotional, psychological and physical impacts of slut-shaming on women are real, severe and irreparable and the scars remain embedded for years.

#### **V. THE PSYCHOLOGY BEHIND SLUT-SHAMING AND PATTERN OF IT:**

The length of a woman’s cloth, her lifestyle, her relationship status, her job profile, her educational qualification, or her ambitious or carefree being can never ever be the parameter to judge her character. In fact, no one’s character can be, should be and must be judged unnecessarily. It is a fully personal choice as to what an individual chooses to do or opt for. In fact, Irrespective of sexes, no one’s character deserves to be judged and nothing can be a

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parameter to judge it! Just because we dislike someone or got personal grudges against them, doesn't mean we have absolutely any right to decide their character or label them as anything we want. Some insecure and judgemental adults and youths need to understand that even Slut-shaming, moral policing; hate speeches, sexualized harassment or character assassination has a traumatic impact on the victim. Slut-shaming is often treated as a harmless and non-serious issue in our country and women are explicitly or implicitly told to bear with it. The society somewhat made slut-shaming permissible and also acceptable impliedly. Abusers think they can talk any amount of shit about any woman and can get away so easily with it. And why wouldn't they? After all, they are not "raping" them! people actually have a hard time understanding and respecting the fact that every woman come from different places, different financial, educational and family backgrounds and their standards of morals or lifestyle are never going to meet that of some judgemental and jobless people, and it's probably high time that the law of the land comes into play and make them understand so!

We can't term any women as "slut", "whore" or "characterless" according to our will and desire, just because we want to or feel like so! In this era, every woman is a victim of slut-shaming and whore-bashing, or is a potential target of slut-shaming or whore-bashing and that too merely only on the ground of being a woman! However absurd or funny it may sound, but the only requirement for any woman to be subjected to slut-shaming these days - owes boobs and vagina and that's all. Especially The women of our generation being expressive and sexually active are subject to more scrutiny and judgement about their character than any other generation before us. It's disgusting that women are still eternally blamed for everything they do and don't.

All the achievements of women, starting from being a class topper to being the best employee or any other achievements can be undermined or taken away in just one second, by uttering and spreading just one single sentence: "she is a SLUT !" what is more shocking is, in many cases the abusers are also women themselves ! They demand dignity and respect for themselves but many double standards end up labelling other women as "sluts"! Frankly, it is not at all surprising that in a country where people don't even bats an eyelid about the on-going sexual harassments and rapes every day, sexualized harassments like- slut-shaming or character assassination is not even considered as offensive or an offence by people anymore. When people fail to realize that they don't have any right to violate a person physically,

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maybe it's a little too much to expect them not to violate a person's reputation and destroy them socially and emotionally. Turning an eye blind to the problem of slut-shaming, won't change the fact that it is the most common form of sexual and sexualized harassment that every woman faces every day! Shockingly, the women now themselves find it really hard to believe, that every woman deserves a life free from slut-shaming and hate speeches! Don't know it's more sad or shameful but in this age of neck-to-neck competition, so many women are being victims of slut-shaming not only just by men but their fellow-women as well.

Today, slut-shaming has become such a prevalent thing in our culture that people don't even realize that they are slut-shaming someone and just do it! Most of the time the perpetrators or victim of slut-shaming are not even aware that they are participating in it! Whenever anyone doesn't like any women or girl, they straight away label that person as "slut" for no absolute reasons at all. And Women are getting so accustomed with it every passing day that many of them have even forgotten to react to it! They mostly became indifferent now!

Be it online or offline, be it in school, college, office, public transport, neighbourhood or public space, Slut shaming has become a tool everywhere for silencing women with opinions and voice, for limiting their participation in educational and professional fields, to undervalue their skills and achievements, to destroy their reputation and most importantly to control them and punish them for not following a certain behaviour. Be it the jealous colleagues or classmates, an ex-lover or one-sided lover or someone from the neighbourhood or relative or even strangers, everyone thinks it's absolutely okay to pass this kind of cheap comments about a person for whatsoever reasons of theirs or even without any reason.

The "mudslinging" or soiling of the character of a targeted person is done with the objective of spoiling his reputation by mis-portraying, manipulating or completely falsifying the facts about a person for him/her to appear as a negative element. Be it in social media or in real life girls, often ridiculed and bullied and made unwelcome sexual comments, jokes or gestures about. When a woman crosses the boundaries of "don'ts", her character becomes agenda of the society to throw cheap and derogatory comments upon. Victims are further blamed and made responsible for whatever happened to them. "Freedom of Speech and Expression" is being used as a weapon and also as a shield in the most disgusting way possible to degrade, disgrace and destroy women and girls. And the greater problem is, if any girl wants to discuss the harms that slut-shaming imposes or tries to fight against it, that girl is labelled as yet another "slut".

## **VI. THE MUCH NEEDED CODIFIED LEGISLATION AGAINST SLUT-SHAMING AND OTHER SEXUALIZED HARASSMENT IN INDIA:**

It's high time for Indians to respect individual choices and tastes and not shame/blame people for it. Unfortunately, even though there are some laws in India relating to Defamation and crimes against women under the Indian Penal Code, 1860 but none of these laws directly addresses character assassination or slut-shaming of women. Even though there are provisions for "sexual harassment" or "eve-teasing", there is no expressed provision for so many uncovered areas of sexualized harassment that Indian women face every day. In fact, even the somewhat related existing laws are silent on many aspects and sadly their competency to fight these social evils, are highly questionable. So, it becomes the duty of the state even more than ever now, to provide a properly functional mechanism, clear policy framework and legal remedies against slut-shaming. The state should ensure that the reasonable restrictions on freedom of speech and expression restrict such speech or any other form of communication that will hamper the development, personality or growth of individuals, especially of women. There should be a strict penal provision in India for sexualized harassment. "Sexualized harassment" includes a variety of sexualized act that impacts a person's personal choices and boundaries and emotional well-being" based on their sexual orientation or gender. There are many reported and unreported incidents of suicide, attempted suicides, school and college dropout, resignation from jobs, chronic mental issues and honour killing because of slut shaming.

## **VII. CONCLUSION:**

The problem of slut-shaming is severe, real and ever-increasing in number every day. Hence, it needs to be addressed immediately. And it can be addressed, only with expressed and codified provision and legislation against slut-shaming. The groups of professionals, women's organisation and service agencies along with every individual need to address this problem united and collectively, if they want the daughters of India to be safe and stress-free. A civil society initiative needs to be promoted in this area. Fortunately, women worldwide now are rebelling against slut-shaming and whore-bashing. The slut walks, originated in Canada refusing to allow the label to silence or control women, are slowly spreading too many parts of the world including India. It's high time that Indian women refuse to be

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objectified and bullied sexually and fight back. The society and some individuals need to be told that they don't have any right to comment or even to be concerned about any woman's character, lifestyle, choices, sexual urges or "supposed purity". It's high time for women to look into every abuser's eyes and say, "why do you have an issue, rather who are you to even have an issue with my life or lifestyle for no absolute reasons?" And it's only possible if the law comes in support of every slut-shamed victim and hold the abusers accountable by law for every wrong word of theirs, and not just actions!