

A Reflection on Gender Harassment and Ethics: Can Ethics Solve the Problem of Gender Harassment?

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Abstract

Despite the existence of various laws and constitutional provisions for the protection of women, child and underprivileged class of people, violence and harassment against women, exploitation on the weaker people and oppression against the under privileged class of people are constantly happening in the society. We often read news of violence and harassment in daily newspapers. There is no doubt that gender harassment is a huge problem in present days. Can ethics provide a solution to this problem? Ethics, especially virtue ethics teaches us about the perfection of human beings. It teaches us about the path which leads us to the realm of peace, togetherness and happiness. By inculcating the good things like wisdom, justice, temperance, courage, friendship etc. one can develop his own potential as well as help other fellow beings to become good. And this theory also gives the message to live with love and respect to fellow citizens.

Keywords: *Ethics, Gender, Wisdom, Love, Respect Friendship and Happiness etc.*

Introduction

The term Gender refers to the socially constructed behavior of woman, man and boy or girl. It includes social or cultural norms, roles of man and woman in the social structure and their relationships within the society. Gender based harassment can take place in three forms viz. Verbal or written, physical and visual. It is a behavior of discrimination and the reason behind this discrimination is gender or sex identification. To show or say something forcefully, or making any insinuation that the opposite person feels humiliated, or forced to do something which the other person does not like. Such types of actions based on gender can be called gender based harassment. Trying to touch inappropriately, demanding hugs, inappropriate staring, abusing, threatening, taunting someone based on gender, sex related comments or asking sexual questions or activities etc. are some examples of gender based harassment. Now the question is can ethics solve the problems of gender harassment? The term ethics is derived from the Greek *ethos* which means the customs, habits or

relating to someone's character and moral nature. It is a branch of philosophy which deals with the rightness and wrongness of behavior, defending and recommending the concept of right and wrong or good and evil. It also tries to seek and resolve the question of right and wrong or good and evil by the concept of virtue and justice. In this paper I shall try to elaborate the concept of virtue ethics and will try to investigate whether virtue ethics can remedy the problem of gender based harassment which is a one of the burning issues in our society.

Some causes of gender based harassment are as follows: She is a woman, she/he is weak, and so she can be tortured, because no one can do anything to me even if I torture her/him - these kinds of thinking and attitude are the main reasons of oppression on women or men. Any kind of tyranny, oppression, harassment etc. take place when the society flows through inequality, absence of freedom and lack of friendship. Gender based harassment can happen if someone holds a position of greater power in a society or in the workplace. Gender inequality is

another cause for gender harassment. This gender inequality occurs because our society is a patriarchal society where men are given more priority. Sons are desired and given more privileges than daughters in the family as well as society. When opportunities and resources are not shared equally in the society, then such harassment occurs in the society. Lack of awareness among the people especially the people who belong to weaker sections about their rights and ability to gain equality. Cultural attitudes, prejudices, beliefs, customs and normative expectations from men and women are also the cause of gender based harassment. Still today women laborers do not pay equal wages as men, because they cannot do equal work at the same time. Social, political and economic – if these three rights are not enjoyed equally by all, and then it leads to gender based harassment. Dowry, subjugation and the lack of job rights etc. create inferiority feelings among women and these things give rise to gender based violence.

A number of articles have been added to the Indian Constitution to bring and maintain gender equality and to protect women rights. They are -

- Article 14: ensures equality between men and women through equal rights and opportunities in the political, economic and social spheres.
- Article 15: forbids discrimination on grounds of sex, ethnicity, color, caste, etc. against any person.
- Article 16 is concerned with equal opportunities.
- Article 39: includes the governance principles to be implemented by the State in order to ensure economic justice.
- Article 42: allows the State to make provision for equal and humane working and maternity relief conditions.
- Article 51: imposes on every person a constitutional obligation to renounce activities derogating from the dignity of women.

- Article 325: guarantees women's political equality.

The Government of India has also enacted various laws and legislations to protect women rights and bring gender equality. Some of these are: The Immoral Traffic (Prevention) Act (1956), Maternity Benefit Act (1961), Dowry Prohibition Act (1961), Commission of Sati (Prevention) Act, (1987), Protection of Women from Domestic Violence Act (2005), Equal Remuneration Act, (1976), Medical Termination of Pregnancy Act, (1971), Child Marriage Restraint Act, (1929), Hindu Marriage Act, (1955), Hindu Succession Act, 1956 (and revised in 2005), Indian Divorce Act, 1969, Maternity Benefit Act, 1961, National Commission for Women Act, 1992, Law on Pre-Natal Diagnostic Technique (Misuse Regulation and Prevention), 1994 etc. Despite these constitutional provisions and various laws, gender based violence continues to occur in our society, which is very disturbing and creates uncomfortable circumstances. It is very surprising that as per the Annual Report 2020-21 of Tripura Commission for Women has registered a total 133 nos. *suo-moto* cases on the basis of paper clipping. The types of complaints are – un-natural death, Domestic violence, Rape, Molestation, Burn, Kidnap, Witch hunting etc.

Generally, modern ethics has been divided into three kinds namely, Consequentialism or Utilitarianism of Jeremy Bentham and John Stuart Mill, Deontological ethics of Immanuel Kant and Virtue Ethics mainly propounded by Aristotle. Consequentialism suggests that an action is good if its result is good and beneficial for the greatest number of people. This theory is more concerned with the result of the action than the agent of that action. According to Deontological ethics one has to perform duty and obligation as per his/her supreme moral principle – the Categorical Imperative. 'Duty for the duty's sake' and 'Ought implies can' is the ethical

expression of this ethics. Aristotle's virtue ethics teaches us that happiness is the ultimate end of life and all people strive to achieve it, consciously or unconsciously. The highest human faculty according to Aristotle is reason, so our duty is to act reasonably so that we can live a good life. Virtue ethics is an agent-centric ethics which appeals to a virtuous human. The main concern and the vital question of virtue ethics is how to become a good human being so that one can live a good life and can achieve happiness by doing virtuous actions. Virtue is the best thing and the best thing resides between excess and defect. Virtue is a mean and this mean is relative, it can differ from person to person. One person suppresses hunger by eating a small amount of food, while another needs to eat a large amount of food. So a person needs to know how much he should eat. That is why knowledge of virtues, especially practical wisdom is required in order to live a good and peaceful life. Aristotle mentioned many different kinds of virtues in his *Nicomachean Ethics*, the main key virtues are – Prudence or Practical Wisdom, Justice, Temperance, Courage, Friendship etc. and these virtues are interrelated. Practical wisdom is a guiding principle to determine the correct or good action in a given circumstances. It helps to choose the correct means to handle any situation. It is like a light that shows us the correct path which leads us to the realm of happiness.

The second virtue is Justice which directs us to do the right and fair action. Justice has a purpose and the purpose is to behave equally with fellow citizens, since a human being is a political animal and he has to live in a society to attain a good life. Justice, in other words means to establish equality is the prime purpose of justice. It is a kind of reciprocity. A just person always gives nothing less than what is due. Temperance is the third cardinal virtue which is concerned with only pleasures and pains those occur

by touch and taste. Temperance is the mean between intemperance and insensibility to physical pleasures i.e. eat, drink, sex etc. it is not that the temperate person does not enjoy the physical pleasure, but enjoy appropriately and legitimately at the right time and in the right way. Courage is the fourth cardinal virtue. Courage is something to do the right one with the help of his reason and one who acts bravely whether any one present or not present under the circumstances of fear and confidence. One who has a rational impulse to do the right action being free from fear is called courageous. The courageous man feels fear, but he faces the situation for the sake of goodness. If a person bears one virtue, he thereby bears others virtue also because virtues are ultimately one and single. Aristotle accepts the unity of virtues. A virtuous human can control his emotion and he never can act non-virtuous or evil. Virtue is a knowledge which directs human beings to do good work. One can be virtuous human beings by knowledge and habitual and continuous practice of that knowledge. According to virtue ethics a good action can come from a good person. An ethically right or good action presupposes that the agent is ethically good character. We have to accept that good actions can only come from good people.

Conclusion

Virtue ethics teaches us to be a good person, and when a man becomes good he can never do the wrong action. A good person can never hurt or harass others. If every person in the society works towards the same goal i.e. to live a good life, and acts accordingly by inculcating the virtues like wisdom, justice, temperance, courage, friendship etc. in his character. And if every member of the society is accustomed to love, affection and friendly behavior, then no abuse or oppression or harassment will take place in the society. By imparting moral education and

practice, we can instill the virtues in our character and can make the society clean and peaceful.

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