



Ramani Judgment

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This article is based on **“The right to her testimony”** which was published in The Indian Express on 20/02/2021. It talks about the recent judgment by the Delhi High court in MJ Akbar vs Priya Ramani case.

Recently, the Delhi High court in MJ Akbar vs Priya Ramani case gave an empowering judgment that can act as a landmark in India’s **#MeToo movement** and women’s rights. The court acquitted journalist Priya Ramani in a **criminal defamation case** brought against her by former Union minister and editor M J Akbar.

Men from privileged classes, when accused of sexual violence, are quick to accuse women of injuring their reputation and status. This makes sexual harassment invisible, and silences and discredits women’s voices.

In this context, the court held that the right of reputation cannot be protected at the cost of the right of life and dignity of a woman. Further, the judgment highlighted many other points that can treat the asymmetry of patriarchal power in society.

Significance of Judgement

Women speaking up against sexual harassment are often disbelieved, often asked questions that intend to silence the women and undermine their dignity. The verdict tries to answer these types of questions.

- **Why did not speak up immediately after it happened?:** The verdict urged society to “understand that sometimes a victim may for years not speak up due to mental trauma,” and underlined that a woman has a right to speak up about the abuse, even after decades.

It pointed out that a woman’s right to speak up about her violations was not restricted by the passage of time.

- **Why took media or social media, instead of filing a criminal case?:** The verdict reasoned that the Institutional mechanisms have systematically failed to protect women or provide justice
Therefore, survivors are justified in sharing their testimonies on media or social media platforms as a form of self-defense.
- **What is the proof?:** It pointed out that since sexual harassment typically takes place in private, women's testimonies cannot be dismissed as untrue or defamatory simply because they are unable to provide other witnesses to back their allegations.
- **What about the man's reputation?:** When women professionals seek justice against powerful men, generally there is the cry of outrage and injures the reputations of such men.
The Ramani verdict notes that a woman cannot be punished for raising voice against sex abuse on the pretext of criminal complaint of defamation as the right of reputation cannot be protected at the cost of the right of life and dignity as guaranteed under Article 21 of the Constitution.

Will the Judgment Be Able To Make An Impact?

The Ramani verdict is a huge moral victory of the #MeToo movement, and will, hopefully, serve to deter powerful men from using the defamation law to silence survivors. However, sexual harassment at the workplace is a **problem of institutions rather than of individuals alone.**

- **Sexual Harassment a Means To Control Women:** The world over, employers deploy sexual harassment as a means to control women workers. According to many reports, in India and Bangladesh, at least 60% of garment factory workers experience harassment at work.
In India, it has been much harder to call impunity to account. In the entertainment industry, women have faced a backlash for speaking up, while men accused of grievous abuse have been reinstated.
- **Vulnerable Section Are Voiceless:** For factory workers, domestic workers, street vendors, sanitation and waste workers, construction workers, sex workers, labour laws or laws against sexual harassment exist only on paper.
Calling out their boss as a perpetrator means an instant loss of job and pay.
- **New Difficulty to Unionize:** Under the new Labour Codes, the government envisages improving ease of doing business. In this context, the **new labour codes** now discourage workers to unionize.
Thereby, women workers fighting sexual harassment, who stand to be silenced by these codes, need more support and attention.

Conclusion

The Ramani verdict is a huge moral vindication of the #MeToo movement, and will, hopefully, serve to deter powerful men from using the defamation law to silence survivors. However, sexual harassment at the workplace is more of a social problem whose roots lie in the patriarchal mindset of society.

Therefore, apart from judgment like this, society needs a cultural revolution where women are treated with equality, equity, and respect.

Drishti Mains Question

The Delhi High Court's judgment in MJ Akbar vs Priya Ramani case can act as a landmark in India's #MeToo movement and women's rights. Analyze.



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This editorial is based on **“Dizzying climb: On retail inflation”** published in The Hindu on February 19th, 2020. Now watch this on our Youtube channel.
