



"Breaking The Silence: Unmasking Sexual Harassment In Sports Through The Eyes Of Victims"

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Abstract:

"The culture of silence is what enables sexual harassment to thrive. We must break the silence and create safe spaces for victims to speak out"

How safe are sports events for athletes, participants, and fans? As the alarming rate of sexual harassment incidents is reported in sports events, the question has emerged as one of the forefronts of discussions in connection with athletes' welfare and event safety. This study aims to explore the dynamic of sexual harassment in sports more importantly the experiences and perspectives of victims. It further looks at the complex power structure, gender dynamics, and culture which all play a role in the prevalence of sexual harassment in sports settings. This paper outlines the case studies and legal frameworks. It reveals the psychological, emotional, and career implications of the act to the victims most of which remain silent and unreported since anticipate being fired, stigmatized, or lack support. This research reveals the inadequacy of current protective measures and response protocols, highlighting that more effective preventive strategies and awareness programs should be provided to sports organizations. Where possible, the focus has been shifted to amplify victims' voices to draw attention to the changes in the global sports events that are much needed for safety, and inclusiveness.

Index Terms – Sexual harassment in Sports, victim perspective, Case studies, Measures, Legal framework, Sports events

I.INTRODUCTION

Sexual harassment can be observed as a social problem and it remains a deeply troubling issue across various sectors. Sport is a platform where athletes and participants celebrate talents, skills, and determination. Sports have been mostly male-dominated cultures where it can be seen different forms of discrimination against female athletes especially sexual harassment from the coaches or male athletes. The problem here in sports is often 'normalized' through a culture of silence; hence, the victims are helpless and hopeless. The main causes

of prevailing sexual harassment are the coaches being powerful hands, this prevents the athletes from complaining about their issues to any authority as their career might get into trouble.

A few examples of Sexual Harassment include: Jokes or comments that are degrading or have sexual connotations, Non-verbal acts like whistling, Sexual staring, or making comments about one's body, clothes, or private life, or any communication of a sexual nature, being shown or given private object pictures with sexual connotations

II. METHODOLOGY

To understand the dynamics of sexual harassment in sports, this study uses a multi-method approach as follows:

Literature Review: Conducting a theoretical review to develop a theoretical framework based on analyzing research articles, books, and reports on sexual harassment in sports.

Case Studies: Exploring individual cases of sexual harassment in sports, in India and cross-culturally, to discuss real-life consequences and measures.

Legal Framework Analysis: The steps involve general guidelines for exposing existing legal provisions and regulations concerning sexual harassment in sports to assess current effectiveness and discover deficiencies.

III. LEGAL IMPLICATIONS

- Bhartiya Nyaya Sanhita, 2023 Sec 75(1) defines “Sexual Harassment” as a man committing any act that involves “Unwanted sexual advances, demands for sexual Favors, showing pornography against a woman's consent, or making sexually charged remarks.” Shall be held guilty.
- According to the Prevention of Sexual Harassment at Workplace Act, 2013 POSH, Sec 2(0)(iv), “any sports institute, sports complex, game venue, or stadium whether residential or not used for training, sports, or any other purposes is a workplace.”
- The relationship between the ‘employer’ which is defined in Section 2(g) and the ‘employee’ which is defined in Section 2(f) is also conceptualized. An employer is the person who is responsible for the function of the management, supervision, and control of the workplace. It is the responsibility of the employer to establish an Internal Committee (IC) for the place of work.
- The constitution of India outlines guaranteed articles like Articles 14 to 18 right to equality, 15 prohibitions of discrimination on various grounds, and the protection of the dignity of any individuals

Institutions including the Sports Authority of India (SAI), The Indian Olympic Association (IOA), and The International Cricket Council (ICC) have drafted various sets of regulations concerning the prevention of sexual harassment and the establishment of committees to handle complaints and take necessary strict actions after a throw inquiry.

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IV. HISTORICAL CONTEXT AND RECENT TRENDS

Sexual harassment as a serious problem has risen and expanded more in recent years in the sports industry though its roots were from history. Sexual harassment has always been a problem, however, acknowledged, and the attempts to document it in the sphere of the sports industry changed over the past few decades. Historically, sports were male-dominated, are some of the institutions where issues of power and dominance fettered gender relations enabled sexual harassment. Yet, the phenomenon took high-profile scandals in the last quarter of the 20th and the first decade of the 21st century to gain much-needed visibility. Sexual harassment is not only common but also institutionalized as per the recent news and reports. As per the survey, the 2021 report by the Athletes Commission revealed that 50% of athletes have encountered this experience. 2022 Human Rights Watch reports state that the same result was found, and there was less participation of females.

V. DYNAMICS OF SEXUAL HARASSMENT

In other areas of work, sexual harassment in the sports sector is a multi-faced phenomenon that depends on power differences, gender, and cultural norms that exist in sports competitions. It is significant to understand the drivers of sexual harassment because of its high-rising incidents in sports sectors to ensure that all the involved personnel, coaching staff members, athletes, etc. Here is an example of these dynamics

- Coach-Athlete relationships
- Hierarchical powers bodies
- Male-dominated environment
- Stereotyping & objectification
- The culture of silence
- Inadequate reporting mechanism
- Lack of legal protection

As highlighting these dynamics, we need to look for a better approach that may be through reforms and policies and ensuring a secure safe place from any sort of harassment to the sports persons.

VI. VICTIM PERSPECTIVE & IMPACT

The views of victims of sexual harassment in sports are multifaceted and subjective in terms of experiences, the context in which harassment occurred, and the reaction of the environment. The effects that the abuse has on the victim are extreme, it has the potential to hurt the victim emotionally, psychologically, and even professionally.

Victim Perspective includes

1. The powerlessness of those who became sexual harassment targets in the sphere of sports is usually felt on a very deep level. The relation of power in which trainers, managers, and other senior members control juniors makes victims feel powerless.
2. Victims are often left to feel that they are the only ones in the world to have undergone those experiences. There is a culture in sports that is not to speak up at least one be seen as a nuisance to the team or as a

'complain' thus making victims keep quiet even in extreme circumstances. They may fear that their teammates, coaches, or even family will not believe them or will turn around and accuse them of being responsible for the harassment.

3. Emotional and psychological liability can reach a great extent. The harassment affects the victims' mental health through anxiety, and depression among other symptoms. Such effects can include low self-esteem and loss of confidence.
4. Sexual harassment victims feel stigmatized to report the harassment because if they report the harassment they will be sidelined.
5. Thus, many victims apprehend that they do not receive support from their institutions or peers. Some of the time, when harassment is escalated, the reaction may be incomprehensible, unresponsive, or even threatening. Further, the victim is judged or told that somehow, they triggered the harasser to act rather than the other way around.

Impact on Victims

Sexual harassment leaves a deep impact on victims which makes them suffer often anxiety, stress, and trauma. Some of them develop post-trauma stress disorders from flashbacks of their experiences and nightmares of harassment. sexual harassment induced life changes like loss of income, the trauma of court cases, etc.

Work-life and career impact would be changes in jobs, decreased job satisfaction, and damage the interpersonal relations at the workplace.

In sports, it reduces the level of self-esteem of women athletes and limits their ability to develop their potential in sports and fitness activities. It further erodes the professionalism of the coach and the educational role of the athletic program. Often sometimes due to the reporting cases of harassment involved might create a reputational damage fear in the victims. The victims isolate themselves from the social interactions. Thus, this impact might last for a long-term period and could create a problem in their future relationships with their spouses.

VII. CASE STUDIES

Indian Case Studies

1. President of Wrestling Federation of India Case 2023

Here is Jan 2023, 30 Indian wrestlers, including an Olympic Medalist arranged a sitting against the president of WFI and its coaches for harassment. Later the protest was called off when the government assured a fair investigation of the case and an FIR was registered with a Writ petition filed before the Apex Court.

2. RK. Sharma- National Team Chief Coach for Cycling 2022

In June 2022, the allegations against RK Sharma turned out to be true, and SAI terminated his contract. A complaint was lodged against him by a senior female for his inappropriate behavior. This incident created a thought-provoking on safety for athletes in the sports sector

3. Gymnast Aruna Budda Reddy Case 2022

Aruna Budda, the first Indian gymnast who bagged a medal at the Gymnast World Cup has made allegations against her coach for making videography without her consent. A panel was appointed and investigated against his charges

4. Alex Ambrose- India U17 Women's Football Team Assistant Coach 2022

All India Football Federation AIFF took action against Alex Ambrose after a complaint was filed against him due to Sexual Misconduct and he was sent back from a preparatory Europe tour.

International Case Studies

5. Chinese Tennis Star sexual assault claims against Chinese official 2021

Peng accused Zhang of pressuring her into a sexual relationship, this formed the basis for why she had to come out with such accusations. It has also drawn attention to concerns of censorship in China: Peng's post was deleted shortly after and discussion of the case was erased online. However, there has been an international concern for Peng's safety, and people have called for an investigation into her accusations.

6. Haitian Female Footballers Case 2020

In 2020, numerous allegations of sexual assault went public where several female footballers accused Haitian Football Federation president Yves Jean-Bart of the practice as well as other footballers including minors.

7. Scandal in South Korean Speed Skating Case 2019

In this case, the allegations involved the coach for physical and sexual abuse of other athletes came out about his abusive behavior and thus, leading to the investigation

8. Afghanistan women's soccer Team Case 2018

Earlier this year, the Afghanistan national women's cricket team members complained that the men from the Afghanistan Football Federation, and the federation's president, Kera muddin Karim, sexually and physically assaulted them. Allegedly, in 2019, after investigating the case, FIFA abetted Karim a life ban from football. He had a warrant out for his arrest, but he escaped with special forces trying to arrest him and thus he is still 'on the loose'.

9. USA Gymnastics Scandal 2016

This case resulted in changes within USA Gymnastics where the entire board of directors was forced to resign and how the organization deals with cases of sexual assault was addressed.

VIII. BARRIERS TO REPORTING

In sports reporting sexual harassment is very challenging and the victim's face is coming forward to report the vice. The following are the key barriers to reporting sexual harassment in sports:

- The fear of career consequences like the athletes feel reporting a case against the coach would bring their career in trouble as they might be cut from the team their scholarships and sponsorships will be taken away
- The perpetrator is in a position of having more authority like a sports senior or team manager uses their vast power to control the victim and fulfill their desires of harassing them and threatening them for not to disclose otherwise she might face the consequences later
- The nature of dependence on the harasser where the athlete relies on her coach for selection to competitions or any financial support could lead to an environment that is likely to force the victim to continue suffering
- Most sports organizations have not developed an adequate structure for reporting cases in a confidential channel. The victim of sexual harassment struggles to cope with shame and self-blame wondering whether they contributed to provoking such harassment.

Thus, these are the barriers that enable the sportspersons to not report, and to overcome this we need to establish a clear mechanism and accountability to help and provide a safer environment for the athletes.

IX. STEPS TO ELIMINATE OR INITIATIVE

Addressing and eradicating sexual harassment in sports means that it requires many strategies and perspectives. Some of these include the promulgation of strict zero-tolerance policies that can easily be understood and followed; and the provision of channels where victims can safely report violence. It is necessary to introduce obligatory education and training in the culture of sexual and racial etiquette for all the members of sports organizations. Doubling up support services for the victims includes counseling and legal aid guarantees that the victims receive all the necessary assistance. From the experience of the groups, it can be concluded that improving legal accountability and supporting independent oversight are also necessary for people's reports to be credible and respond to non-partisan. The last thing is to establish various committees that can be a good initiative to tackle this harassment like

SAHAS

A committee for 'Safeguarding Athletes from Harassment & Abuse in Sports' has taken the initiative to address the issues faced by the women athletes of this country by bringing a policy that talks about complaint mechanisms, inquiry processes, filing of reports, punishments, etc. The committee also provides guidelines for the Athletics Federation of India (AFI) and Affiliated Units along with athletes, coaches, supporting staff, volunteers, and officials. To successfully implement this policy, components of cooperation, networking, and partnership with law enforcement agencies are essential.

ICC under POSH ACT, 2013

The POSH Act mandates the establishment of an Internal complaints committee in every organization to provide a safe environment for the working employees. Through this commitment, they should ensure free and fair investigation in case of any reported harassment. This could be applied to the same under the sports industry as well. **Aureliano Fernandes vs state of Goa and others 2023 court** outlined that successful implementation of the act would depend on the establishment of ICC at the workplace by the employer and appropriate government. The NHRC has issued notice to 16 to 30 NSF in India for failing to comply with the requirements of the ICC.

X. COUNTRIES LEGISLATION CONCERNING SEXUAL HARASSMENT

The legislation of the United States of America and Canada and **what India can adopt from them:**

- About gender discrimination, the Title IX legislation of the United States has been efficient in promoting gender equality in educational institutions. A similar kind of provision has to be included for providing equal opportunities and resources to female athletes by which gender discrimination can be curbed.
- The U.S. Centre for SafeSport is an independent body that aims to stop abuse, bullying, and harassment in both Olympic and Paralympic sports. To address such issues of sexual harassment, the Indian sports industry must adopt a similar structure.
- India's sports industry should implement a similar policy as that of Canada's comprehensive sport policy where guidelines are established to prevent such issues.
- The Ombudsman in India, popularly known as Lokpal and Lokayukta, is responsible for dealing with corruption matters, and maladministration complaints made by the general public are constituted for a quicker redressal of public grievances. In the same way, an athlete ombudsman model must be adopted in India as done by Canada. This independent body will provide advice, support, and dispute resolution services.

XI. DISCUSSIONS

The evaluation of the presented information shows that the actions being taken to fight against sexual harassment in the sphere of sports at the present stage are insufficient. While there are legal measures in the countries of the region, these measures are not very effective because of the absence of adequate compliance and awareness. The power relations in the sports organization culture and the prevailing silence when it comes to harassment foster the promotion of harassment. A comparison with similar models implemented in other countries, the American U. S. Centre for SafeSport, and the generally comprehensive Canadian sports policy indicate that India could also follow the same approach.

XII. CONCLUSION & RESULTS

The problems of reporting sexual harassment in the sports sector are many and well-rooted in the social norms of the sports fraternity. They not only prevent victims from speaking out but also make harassment go unnoticed, which negates the well-being of athletes as they are subjected to health-damaging practices. To overcome these barriers, there is a need to encourage accountability by instating reporting systems and making them easily accessible or having adequate support for victims.

- ❖ The cases like the President of the Wrestling Federation of India and the USA Gymnastics scandal show the systemic nature and the problem that victims face in pursuing the case.
- ❖ Although structures that may be followed are contained in the Bhartiya Nyaya Sanhita, 2023, and the Prevention of Sexual Harassment at Workplace Act, 2013 (POSH) the practice has not fully emerged in sports organizations.
- ❖ The individuals who are affected post the incident may suffer from psychological, and in particular, emotional trauma such as anxiety, depression, and job losses. The following are some of the reasons why they do not report harassment cases.

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