



A DEMAND FOR A NATIONAL COMMISSION FOR MEN IN INDIA: A RATIONALE AND ITS POSSIBLE CONSEQUENCES

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ABSTRACT

There are instances where women have misused anti-dowry or violence against women laws to maliciously implicate and harass men and their family members. Despite being innocent, families are lagging behind bars in prison for years. The men and their family members believe that they do not have adequate legal provision or protection. They are demanding to constitute a separate commission for men, where they can share their concerns, defend themselves, and safeguard the interests of their family members. Will the constitution of separate commission for men be able to stop women from doing atrocities on men and their families?

Keywords: men's rights, gender, violence against men, dowry harassment, crime against men, national commission for men, India

In recent years, men have been demanding that a National Commission for Men be created. This demand has been steadily growing across many cities like Delhi, Mumbai, Lucknow, Jaipur, Surat, Bhubaneswar and Ranchi, especially by those institutions or individuals who are fighting for men's rights or those who are being oppressed by women and their families. Organizations such as the All India Men's Welfare Association, the Save Indian Family Foundation, and the Samaj Suraksha Manch believe that dowry harassment, domestic violence and other laws are being misused by women who wish to harass males or their family members. They believe that these laws favour women who have often misused anti-dowry or violence-against-women laws to harass men or their family members. Despite being innocent, many have been imprisoned. They have been implicated in false cases of dowry demand and its associated oppression, particularly under the anti-dowry Act (Section 498-A) and domestic violence act (Protection of Women from Domestic Violence Act, 2005). The National Crime Record Bureau (2016) reports 24,620 false cases of crime against women, which includes 6,745 false cases of cruelty by husband of his relatives, 8,623 false cases of kidnapping and abduction of women, 2,839 false cases of rape, and 254 false cases of dowry death. From time to time, the courts have also taken cognizance of these false cases. The Supreme Court of India, expressing its concerns over them, has directed that family welfare committee be set up in each district to examine the authenticity of dowry harassment complaints; the Supreme Court of India has also mentioned that no arrest or coercive action should be taken on such complaints without ascertaining the veracity of such allegations (Choudhary, 2017).

Although the above-mentioned organizations are conscious of the atrocities done on women, they believe that the protection of women's interests should not be at the cost of men. They believe that men are also victims of domestic violence but lack adequate legal provision or protection. Many men have lost the best years of their lives and even their careers fighting false dowry harassment and domestic-violence allegations made by their spouses who take advantage of the loopholes in the laws intended to protect women—most commonly, Section 498A of the IPC (Mukherjee, 2016). There is no commission that protects men's interests, no government body where men can share their concerns, defend themselves, and safeguard the interests of their family members and atrocities against them. These organizations have been talking to various

forums and political parties, urging that the National Commission for Men be constituted so that the interests of the oppressed men and their families can be protected. In this regard, these institutions have written to the President, to the Prime Minister and to Members of Parliament and gave the memorandum. They have also approached MPs about submitting a private member bill in the parliament to enact a law for the protection of men from domestic violence and other atrocities and abuses (Nanjappa, 2015).

In such a situation, it is reasonable to ask whether the solution of these problems is possible through the constitution of the National Commission for Men. Will the National Commission for Men be able to stop women from doing atrocities to men and their families? The Crime Record Bureau statistics show that despite the establishment of the National Commission for Women and their tireless efforts, laws and interventions, the number of atrocities to women has increased. Even today, women feel insecure. As far as misuse of these laws by women against men and their families and colleagues, are concerned, requisite amendments should be made to those laws to prevent such misuse.

Violence against men and their families by women is not a new phenomenon. Men have been victims of physical violence; domestic violence; intimidation; hurtful, controlling words and behaviours; workplace harassment; and financial extortion. Due to recent educational- and job-opportunities, women-empowerment programmes, and other government and non-government social and economic interventions; women's control over resources within household has increased. In addition, their consciousness concerning their rights has increased (Kaur, 2015). Power struggles and conflicts over resources have consequently arisen between men and women. In these cases, the powerful win, and the powerless are defeated and exploited, irrespective of their gender and class caste. This change in power relations has affected men and women relations. While women are excited about their increasing power and position, men are scared and worried (Kumar, 2012). Under these circumstances, striving to develop a power equal society based on equality, equity and mutual respect seems to be the only reasonable solution to the problem.

Given their serious consequences, atrocities on men by women cannot be denied, pushed aside or ignored. However, at the same time, one must realize that the constitution of a National Commission for Men might not be the only solution to this problem. The possibility cannot be ruled out that this commission might increase the confrontation between itself and the National Commission for Women, a result that would benefit neither men nor women. To prevent such an outcome, the Government could restructure and rename the National Commission for Women, making it gender neutral and allow it to address issues raised by both men and women and to advocate for necessary changes in laws to prevent its misuse. At present, the National Commission for Women has only one male member. Ideally, the commission should have equal representation of all genders including the third gender. It is necessary to understand that the relations among the community, the family, men and women and the spouse go with mutual trust, respect for each other and social capital. In the process of negotiating gender equality, equity, and mutual respect, the courts, laws, and commissions have their own limitations.

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