



"Navigating the Legal Landscape: A Comprehensive Study of Men's Mental Health"

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Abstract

This research paper delves into the intricate interplay between Indian legal frameworks and the mental well-being of men. Through a meticulous examination of relevant statutes, case law, and social implications, the paper aims to shed light on the nuanced ways in which the legal system can either support or impede men's mental health. By addressing issues such as gender roles, family law, and societal expectations, this study seeks to contribute valuable insights to the ongoing discourse surrounding mental health in the context of Indian jurisprudence. The findings presented herein are crucial for policymakers, mental health professionals, and legal practitioners to foster a holistic understanding of the subject and promote positive reforms that prioritize the mental well-being of men within the Indian legal framework.

Key Words: Gender-based Legal Misuse, False Allegations, Men's Mental Health, Legal Reforms

I. Introduction:

The research shows most of the males who have committed suicide was due to mental trauma which they suffered from false allegations. Most of them were traced back due false allegations charged by their female counterparts rather than work load or any other reasons. These legislations were made by the parliament to protect women from exploitation but recent cases have shown many women have started misusing these laws for their own benefit, disregarding the fact that it could lead to grave consequences in the defendant's life. In the cases where men were subjected to false allegations it has been seen that they had to face many negative consequences in the social, psychological as well as in the financial perspective.

Men's Mental Health and its consequences

Legal Implications: Anyone enduring lengthy legal proceedings, in particular as a defendant or

individuals at risk of losing a loved one (e.g. child custody disputes), will complain that long drawn-out legal proceedings have seriously affected their health.

Although research has primarily focused on the victim's mental health (i.e. the issue of deteriorating mental health has been studied in criminal proceedings, when an aggressor attacks a victim; in general, these are studies of the victims' sequelae, mainly due to post-traumatic stress disorder), and the impact of the legal proceedings themselves has been overlooked. Moreover, as considered from the victim's perspective, the term secondary victimization has been coined and has prompted research by Gutiérrez de Piñeres-Botero, Coronel, and Andrés-Pérez (2009).

Victims of an offense often become victims of the justice system and endure traumatic experiences that are a product of the system itself (Pearson, 2007). This phenomenon has been found to affect victims, families, friends, communities, carers and aggressors (Palacio, 2001). From the aggressor's point of view, role theory as proposed by symbolic interactionism claims that individuals who commit an offense are branded delinquents or aggressors by the justice system, which significantly increases the probability of further conviction, even when no further offences are committed. This leads to serious mental health issues.

However, not all legal proceedings are confined to criminal law, and child custody disputes are a good example of the difficulty of distinguishing the victim from the aggressor. Likewise, neither should the term plaintiff be used as synonymous to victim, nor the term defendant to refer to the aggressor. This ambiguity has spurred studies such as Gardner's (1985), parental alienation syndrome (PAS), which asserts that the plaintiff is the aggressor, a claim that lacks any scientific empirical support.



Psychological Impact: People engage in legal tussles which may become psychologically injurious. Two main legal systems exist worldwide: inquisitorial and adversarial systems, of which the latter has been found to be more stressful. Gutheil (2000) noted that the harms caused to either plaintiffs or defendants could include emotional harms. This type of harm has received less attention in the literature. Gutheil in 2000 used the term 'critogenesis' to denote intrinsic and sometimes inescapable harms resulting from the process of litigation itself, even when the process is operating as it should. Gutheil proposed that there are critogenic benefits where one could accrue some gains from litigation. These benefits might not necessarily be winning a suit, but emotional benefits that result from bringing the case to court. These may include a sense of being heard, making an individual aware of having injured or wronged you, calling attention to a civil or social problem requiring remedy, and being pleased with overcoming another person's denial .

Social Stigma and Stereotyping- This assumed belief leads to disappointments, that courts are places where innocents get harassed, so the only way to get justice is to harass the opponents and thereby that harassment will force them to come to the bargaining table and close the cases.

The only way to stop false cases is to work towards rigorous prosecution of all false cases and false pieces of evidence, including the wrong investigation by police. Our society till this day laughs at a man who says that he has been raped. Society ridicules any complaint about male rape.

Mental trauma related to male rape can be profound and complex, often compounded by societal attitudes and stereotypes surrounding masculinity, sexuality, and victimhood. Male rape survivors may experience a range of psychological and emotional effects similar to those experienced by female survivors, including but not limited to: Post-Traumatic Stress Disorder (PTSD), Depression, Anxiety, Shame, Guilt, Low self-esteem, Difficulty trusting others, Intimacy issues, Flashbacks and nightmares.

The trauma of sexual assault can disrupt a survivor's sense of safety, trust, and self-worth, leading to long-term psychological struggles if not properly addressed.

Societal attitudes often contribute to the underreporting of male rape and the

marginalization of male survivors. Myths and stereotypes about masculinity, such as the idea that men should always be strong and in control, can lead to feelings of shame and emasculation for male survivors.

There is often a lack of awareness and understanding surrounding male rape, which can result in disbelief, victim-blaming, and minimization of the survivor's experience. The pervasive notion that men cannot be victims of sexual assault or that being victimized makes them less masculine can deter male survivors from seeking help and support. Legal and support services may not be adequately equipped to address the needs of male survivors, further isolating them and exacerbating their trauma.

Male survivors may face unique barriers to accessing support services, such as a lack of specialized resources, fear of judgment or ridicule, and concerns about disclosing their sexual orientation or gender identity.

Traditional gender roles and expectations may discourage male survivors from expressing vulnerability or seeking help, leading to social withdrawal and untreated trauma.

Without proper support and validation, male survivors may internalize societal stigma and struggle to process their trauma, hindering their recovery journey.

Addressing the mental trauma related to male rape requires a multifaceted approach that includes raising awareness, challenging harmful stereotypes, providing specialized support services, and promoting gender-inclusive approaches to sexual violence prevention and survivor advocacy. It's crucial to create safe and supportive environments where all survivors, regardless of gender, feel empowered to seek help and heal from their experiences.

In the context of Indian Law: The provision of the husband's right to claim maintenance from their wife is provided under the Hindu Marriage Act, of 1955.

"Section 24 of the Hindu Marriage Act provides for the maintenance of Pendente Lite and the expenses of the proceeding to the husband, and Section 25 provides the husband with the right to get permanent alimony and maintenance."

Issues in Mental Health of Men

In 2021, the suicidal death rate (SDR) among men stood at 34.6%, compared to women's 13.1%. This



was revealed in a recent study by The Lancet, titled “Changing Pattern of Suicide Deaths in India,” which studied Indian suicide rates using sociodemographic datasets. This data itself is quite alarming and brings in the necessity to focus more and more on issues related to mental health.

Male suicide:

Men’s suicide has been termed as a ‘ Silent Epidemic’, by a leading researcher. There is very low public awareness regarding the magnitude of this problem. And it is very surprising that there is no substantial research about the same along with very few preventive measures targeted for male suicide.

Furthermore, Indian society like other societies male suicide is not given much importance or highlight as compared to female suicides, although the data shows that male depression and suicide are much more vital than females in the same age range. The most vulnerable age is found to be teenage to their thirties and this has been rooted from education, anger/bullying related issues and later on caused due to various reasons.

Male Depression: The statistics show that there are only 0.3 psychiatrists, 0.12 psychologists, and 0.07 social workers available per 100,000 Indians. This shortage of mental health professionals means that even individuals who have overcome societal stigma and are actively seeking mental healthcare often find themselves struggling without adequate support.

The prevalence of stigma surrounding mental health remains troublingly widespread. Dr. Madhusudan Singh Solanki highlighted last year that due to this stigma, along with a lack of awareness and accessibility to adequate mental healthcare, individuals suffering from conditions like schizophrenia and psychosis often wait anywhere from one year to fourteen years or longer before seeking treatment. Regrettably, this pattern appears to hold true for most, if not all, mental health disorders.

Men and Substance Abuse: In the Indian context, the issue of substance abuse among men stemming from stress and depression is a complex and pressing concern. Traditionally, Indian society places significant emphasis on the role of men as providers and upholders of familial honor, often leading to immense pressure and stress. Economic uncertainties, familial expectations, and societal norms contribute to the burden felt by men, exacerbating their vulnerability to mental health

challenges like stress and depression. In a culture where seeking mental health support is stigmatized, men often turn to substance abuse as a coping mechanism, whether it's alcohol, tobacco, or illicit drugs. The lack of accessible and culturally sensitive mental health services further compounds this issue. Additionally, the competitive nature of Indian society fosters a culture of silence around mental health struggles, perpetuating the cycle of substance abuse. To address this multifaceted problem, there is an urgent need for widespread awareness campaigns, destigmatization efforts, and the establishment of more accessible mental health resources tailored to the unique needs and cultural context of Indian men. Breaking the silence and providing support networks can help mitigate the destructive impact of substance abuse fueled by stress and depression in Indian communities.

In India, gender advantage laws are legislative measures designed to address historical disparities and promote gender equality by providing specific benefits and protections to women. These laws acknowledge the systemic discrimination and social inequalities faced by women and aim to empower them economically, socially, and politically. Examples of gender advantage laws in India include provisions for reservations in educational institutions and government jobs through affirmative action policies, such as the reservation of seats for women in local governance bodies like Panchayats and Municipalities. Additionally, laws like the Maternity Benefit Act, 1961, mandate paid maternity leave for female employees to support their reproductive rights and ensure their economic security during childbirth and childcare responsibilities. The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013, offers protection against sexual harassment in the workplace, safeguarding women's dignity and safety. Moreover, initiatives like the Beti Bachao, Beti Padhao (Save the Daughter, Educate the Daughter) scheme aim to combat gender-based discrimination and promote the education and welfare of girls. These laws and policies represent crucial steps towards fostering gender parity and dismantling patriarchal structures in Indian society, ultimately contributing to the advancement and empowerment of women. But it is a question sometimes in the eye of fairness whether these laws are used in the correct form and whether any innocent male is getting punished in the course of action.



Overview of Gender-Related Legal Provisions in India: In India, gender-related legal provisions have undergone significant evolution, particularly from an LGBTQ perspective. Historically, the legal landscape has been influenced by colonial-era laws criminalizing same-sex relationships. However, in a landmark ruling in 2018, the Supreme Court of India decriminalized consensual same-sex relationships, marking a crucial step towards LGBTQ rights. Despite this milestone, comprehensive legal protections for LGBTQ individuals remain limited. While there are constitutional guarantees of equality and non-discrimination, specific legislation addressing issues such as discrimination based on sexual orientation and gender identity is lacking. The Transgender Persons (Protection of Rights) Act, passed in 2019, aimed to protect the rights of transgender individuals, including recognition of their gender identity. However, the Act faced criticism for inadequate provisions and failure to fully address the concerns of the transgender community. Additionally, legal recognition of same-sex marriage and adoption rights for LGBTQ couples remains absent, denying them fundamental rights enjoyed by heterosexual couples. Moving forward, there is a pressing need for inclusive legal reforms that afford full recognition and protection to LGBTQ individuals, ensuring their rights are upheld in all aspects of Indian society.

Indian Laws which are misused:

Many laws were enacted in the past to safeguard the rights of women in society, guided by Article 15(3) of the Indian Constitution, which grants Parliament the authority to establish special provisions for women's protection. However, some women are now exploiting these very laws, leading to their misuse.

1. The Domestic Violence Act of 2005 was introduced to protect women from marital violence. While it initially served its purpose, some women have misused it by filing false cases against their husbands and in-laws. These cases often stem from extramarital affairs or property disputes. While the law remains crucial for genuine cases of domestic violence, false allegations tarnish innocent men's reputations, leading to societal repercussions such as job loss. Balancing the need for women's safety with preventing misuse of the law is imperative.

2. False promise to marry is covered under Section 375 of the Indian Penal Code (IPC) in

relation to rape. If a man has sexual intercourse with a woman under the false promise of marriage and obtains her consent by deceiving her, it can be considered rape under certain circumstances outlined in the law. This provision aims to protect individuals from being exploited or deceived into engaging in sexual activity under false pretenses of marriage. However, it's important to note that the specifics of such cases can vary, and legal interpretation may differ based on various factors.

3. Section 90 of the Indian Penal Code (IPC) deals with situations where consent given under fear or misconception is not valid. It states that consent obtained under fear, misconception, intoxication, or from a person who is unable to understand the nature and consequences of the act is not considered valid consent under the law.

Mitigation Strategies and Reforms

Importance of Legal reforms: The Joseph Shine vs. Union of India case resulted in a significant constitutional change when the Supreme Court of India struck down Section 497 of the Indian Penal Code in 2018. This decision decriminalized adultery and upheld the principles of equality and dignity enshrined in the Indian Constitution. The ruling recognized the autonomy and agency of individuals in marital relationships, marking a crucial step towards gender equality. It underscored the need for progressive reforms in laws governing personal freedoms and highlighted the judiciary's role in ensuring constitutional principles prevail in the evolving social landscape of India.

Addressing the issue of women misusing Indian laws requires a balanced approach that protects the rights of genuine victims while preventing misuse, like:

Legal Awareness Campaigns: Implement widespread awareness programs to educate the public, particularly women, about the consequences of misusing laws. Promote understanding of legal provisions and emphasize the importance of truthful accusations. Launch public awareness campaigns to combat societal attitudes that condone or encourage the misuse of laws. Promote ethical behavior and emphasize the importance of seeking justice through truthful means.

Stricter Penalties for False Accusations: Enforce stringent penalties for those found guilty of filing false cases. This could include fines, community



service, or even imprisonment, depending on the severity of the offense.

Fast-Track Courts: Establish specialized fast-track courts to expedite cases related to misuse of laws. Swift resolution of such cases can discourage frivolous litigation and prevent prolonged harassment of the accused.

Legal Aid for Accused: Provide legal aid and support services for individuals accused of false allegations. Ensure they have access to competent legal representation to defend themselves effectively in court.

Gender-Neutral Laws: Advocate for the amendment of laws to make them gender-neutral, ensuring equal protection for both men and women. This can help prevent discriminatory application and misuse of gender-specific laws.

Pre-Litigation Mediation: Encourage mediation and reconciliation efforts before cases are filed in court. Mediation can help resolve disputes amicably without resorting to legal action, reducing the likelihood of false accusations.

Data Collection and Research: Conduct comprehensive research and data collection to understand the extent of misuse of laws and its underlying causes. Use evidence-based findings to inform policy decisions and interventions. By implementing these policy recommendations, policymakers can work towards creating a fair and just legal system that protects the rights of all individuals while minimizing the risk of misuse of laws.

II. Conclusion:

In conclusion, this research paper has shed light on the complex issue of misusing Indian laws, particularly through false allegations that adversely affect men. Through an examination of legal provisions, case studies, and societal implications, it is evident that misuse of laws intended to protect women's rights can lead to grave consequences for innocent individuals. The findings underscore the importance of implementing policy reforms and mitigation strategies to address the root causes of misuse while safeguarding the rights of genuine victims. Legal reforms, such as making laws more gender-neutral and imposing stricter penalties for false accusations, are crucial steps towards ensuring a fair and just legal system. Moreover, awareness campaigns and pre-litigation mediation

can play a significant role in preventing frivolous litigation and promoting ethical behavior in seeking justice. Furthermore, the paper highlights the urgent need to address the mental health implications of false allegations, emphasizing the importance of providing support services and creating safe spaces for survivors to heal. By advocating for these policy recommendations and fostering a culture of accountability and fairness within the legal system, we can work towards creating a society where the rights of all individuals are respected and protected, regardless of gender. Only through collective efforts and commitment to justice can we ensure a more equitable and inclusive society for future generations.

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