



# What is Racial Harassment and Microaggression?

## Racial Harassment

In the Indian context, racial harassment involves any unwelcome behavior that discriminates against an individual based on their race, ethnicity, or cultural identity, violating their dignity or creating a hostile environment. While India doesn't have a specific racial harassment law, Article 15 of the **Constitution of India** prohibits discrimination based on race, caste, or religion, and provisions in workplace harassment policies address such behavior indirectly.

Unwanted behavior constitutes racial harassment if:

- It violates the individual's dignity, or
- Creates an intimidating, hostile, degrading, humiliating, or offensive environment.

The following factors are considered to determine harassment:

1. The victim's perception of the behavior.
2. The circumstances surrounding the incident.
3. Whether it is reasonable for the behavior to have that effect.

## Racial Microaggressions

Racial microaggressions, often subtle and insidious, involve everyday comments or actions that communicate derogatory or negative messages to individuals based on their racial or ethnic identity. Though microaggressions may not always meet the legal threshold for harassment, their cumulative effect can lead to a hostile or toxic environment.

Microaggressions are not explicitly addressed in Indian law but may escalate into actionable harassment under workplace policies or anti-discrimination provisions in the **Indian Penal Code (IPC)** and **POSH Act, 2013**, depending on the circumstances and intent.

## Key Examples of Microaggressions

- Overlooking or dismissing someone's contributions.
- Repeatedly offering criticism without constructive feedback.

- Assuming intellectual inferiority based on racial or ethnic background.
- Making stereotypical or derogatory comments about religion or culture.
- Casual use of racial or ethnic slurs, even as a joke.

### **The Importance of Impact over Intent**

In cases of microaggressions, the perpetrator may not intend harm. However, it is the *impact* on the victim that matters. Words or actions, even casual or offhand remarks, can leave lasting impressions, causing confusion, frustration, or distress.

### **A Shared Responsibility**

Creating an inclusive and respectful environment requires all individuals to reflect on their behavior. It is everyone's responsibility to consider how their words or actions might affect others, fostering a community that upholds dignity and mutual respect.