



DIPLOMA IN RURAL DEVELOPMENT

DRD-03

Rural Social Problems

Block

4

RURAL SOCIAL PROBLEMS

Unit – 1

Domestic Violence on Women

Unit – 2

**Other Social Problems like Casteism, Dowry Problem,
Alcoholism, Crime, Corruption, Indebtedness, etc.**



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DIPLOMA IN RURAL DEVELOPMENT

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Unit-1

Domestic Violence on Women

Learning Objectives:

After completion of this unit, you should be able to:

- *Explain the concept of domestic violence*
- *Understand the consequences of domestic violence*
- *Describe the strategies and interventions to combat domestic violence*

Structure:

- 1.1 Introduction
- 1.2 Concept of Domestic Violence
- 1.3 Types of Violence
- 1.4 Factors that perpetuate Domestic Violence
- 1.5 Consequences of Domestic Violence
- 1.6 Combating Domestic Violence
- 1.7 Strategies and Interventions
- 1.8 Let Us Sum Up
- 1.9 Key Words
- 1.10 References

1.1 Introduction:

“Violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women.”

Violence against women and girls continues to be a global epidemic that kills, tortures, and maims – physically, psychologically, sexually and economically. It is one of the



most pervasive of human rights violations, denying women and girls' equality, security, dignity, self-worth, and their right to enjoy fundamental freedoms. Violence against women is present in every country, cutting across boundaries of culture, class, education, income, ethnicity and age. Even though most societies proscribe violence against women, the reality is that violations against women's human rights are often sanctioned under the garb of cultural practices and norms, or through misinterpretation of religious tenets. Moreover, when the violation takes place within the home, as is very often the case, the abuse is effectively condoned by the tacit silence and the passivity displayed by the state and the law-enforcing machinery.

Domestic violence is a form of oppression that occurs within a social context that makes violence against an oppressed group, possible even acceptable, women are considered on oppressed group. We live in the world where women do not have equal rights and do not have adequate institutional power. They are exploited, marginalized rendered powerless and suffers from cultural imperialism. This provides the social conflict in which domestic violence exists and sometimes thrives.

1.2 Concept of Domestic Violence:

Domestic violence that is any act of physical, sexual, or psychological abuse, or the threat of such abuse, inflicted against a woman by a person intimately connected to her through marriage, family relation, or acquaintanceship is universal and has its root in the socio-cultural set up of the society. The perpetrators of domestic violence have often been found to be the males and the victims, their sexual partners. Internationally, one in three women have been beaten, coerced into sex or abused in their lifetime by a member of her own family (Heise et al. 1999). Looking at the domestic front, starting from Vedic age to twenty first century, women in India perhaps have never experienced equal rights and freedom compared to their male counterparts.

The concept of '*Ardhangini*' (half of the body) seems to be restricted only in literatures and have never implemented in practical life. In addition to this, extracts from Ramcharitamanas of Tulsi Das like '*Dhol, Gauwnaar, Shudra, Pashu aur Nari; Sakal Tadan ka Adhikari*' [drums, uncivilized illiterates, lower castes, animals and women are



all fit to be beaten] besides other indicators like *Pardaha* System [hiding the face in veils], *Sati* system [self immersion of the lady in husband's pyre that are subject to women only; is a reflection of the history of women's subordinate status. In short, it is always the women who have to be in the tight rope, subject to inequality and looked down as an inferior sex. Staring from childhood to the end of her life she has to be under the control of father or husband or the son. The subordinate status of women combined with socio- cultural norms that are inclined towards patriarchy and masculinity can be considered as an important factor determining the domestic violence.

Domestic violence is most common of all. One of the reasons for it being so prevalent is the orthodox and idiotic mindset of the society that women are physically and emotionally weaker than the males. Though women today have proved themselves in almost every field of life affirming that they are no less than men, the reports of violence against them are much larger in number than against men. The possible reasons are many and are diversified over the length and breadth of the country

In view of the prevalence as well as the pervasiveness of domestic violence, many researchers in the past have attempted to assess the situation besides exploring its possible cause and subsequent consequences for society in general and women in particular. INCLIN (2000), found it as a problem that cuts across age, education, social class and religion in India. The same study is of the view that 40 percent women had experienced at least one form of physical violence in their married life. Murthy et al. (2004) is of the view that numbers of family members, type of marriage and husband's education besides menstrual problems have significant influence on domestic violence. While many researchers come out with findings that lifestyle of men such as smoking, alcoholism and drugs promote men to commit domestic violence (Leonard, 1992; McKenry et al., 1995; Rao, 1997 and Bhatt, 1998), some are of the view that masculinity and domestic violence are closely interlinked (Duvvury and Nayak, 2003 and Hamberger et al., 1997).

Again, persons with lower socialization and responsibility are found to be the enhancers of the problem (Barnett and Hamberger, 1992). Studies have also revealed that sons of violent parents (Straus et al., 1980 and Martin et al, 2002), men raised in



patriarchal family structure that encourages traditional gender role (Fagot et al., 1998 and Malamuth et al., 1995) are more likely to abuse their intimate partners. Gendered socialization process is what mainly responsible for domestic violence (Sahu, 2003). Another study among Uttar Pradesh men by Gerstein (2000) is of the view that low educational level and poverty are important reasons for domestic violence. Further, marriage at a younger age makes women vulnerable to domestic violence (Mishra, 2000; Hindin, 2002 and Rao, 1997). Besides this, the role of inter spousal relationship, sex of the children, ownership of property, dowry, working status, autonomy, religion and caste of the person can't be ignored (Sahu, 2003; Swain, 2002 and Jejeebhoy, 1998).

Many studies are of the view that violence by intimate partner most likely undermines the sexual and reproductive health of the women. This extensive violence has significant harmful effects like unwanted pregnancy (Khan et al., 1996), gynecological disorders (Golding and Taylor 1996) and physical injuries to private parts (Starck et al., 1979) besides large-scale mental health impacts (UNICEF, 2000). Again, many of the commonly associated disorders/problems are found to be inadequately addressed (Mitra, 1999; Visaria, 1999; Dave and Solanki, 2000 and Jaswal, 2000). Further, as Freedman has written, violence by husbands against wife should not be seen as a break down in the social order rather than an affirmation to patriarchal social order (Travers, 1997). Similarly, Jejeebhoy (1998) is of the view that not only wife beating is deeply entrenched, but also people justify it. Thus, domestic violence is simply not a personal abnormality but rather it roots in the cultural norms of the family and the society. Again, looking from another angle, it is found that many of the victims of domestic violence has either refused to name the perpetrator of the assault or attributed the injuries to other reasons (Daga et al., 1999).

Violence against women is present in every country, cutting across boundaries of culture, class, education, income, ethnicity and age. Even though most societies proscribe violence against women, the reality is that violations against women's human rights are often sanctioned under the garb of cultural practices and norms, or through misinterpretation of religious tenets. Moreover, when the violation takes place within the home, as is very often the case, the abuse is effectively condoned by the tacit silence



and the passivity displayed by the state and the law-enforcing machinery. The global dimensions of this violence are alarming, as highlighted by studies on its incidence and prevalence. No society can claim to be free of such violence; the only variation is in the patterns and trends that exist in countries and regions. Specific groups of women are more vulnerable, including minority groups, indigenous and migrant women, refugee women and those in situations of armed conflict, women in institutions and detention, women with disabilities, female children, and elderly women.

Violence in the domestic sphere is usually perpetrated by males who are, or who have been, in positions of trust and intimacy and power – husbands, boyfriends, fathers, fathers-in-law, stepfathers, brothers, uncles, sons, or other relatives. Domestic violence is in most cases violence perpetrated by men against women. Women can also be violent, but their actions account for a small percentage of domestic violence. Violence against women is often a cycle of abuse that manifests itself in many forms throughout their lives. Even at the very beginning of her life, a girl may be the target of sex-selective abortion or female infanticide in cultures where son preference is prevalent. During childhood, violence against girls may include enforced malnutrition, lack of access to medical care and education, incest, female genital mutilation early marriage, and forced prostitution or bonded labour.

1.3 Types of Violence:

(1) Physical Abuse

Physical abuse is abuse involving contact intended to cause feelings of intimidation, pain, injury, or other physical suffering or bodily harm. Physical abuse includes hitting, slapping, punching, choking, pushing, burning and other types of contact that result in physical injury to the victim. Physical abuse can also include behaviors such as denying the victim of medical care when needed, depriving the victim of sleep or other functions necessary to live, or forcing the victim to engage in drug/alcohol use against his/her will. If a person is suffering from any physical harm then they are experiencing physical abuse. This pain can be experienced on any level. It can also include inflicting physical injury onto other targets, such as children or pets, in order to cause psychological harm to the victim.



(2) Sexual Abuse:

Sexual abuse is unwanted sexual activity, with perpetrators using force, making threats or taking advantage of victims not able to give consent. Most victims and perpetrators know each other. Immediate reactions to sexual abuse include shock, fear or disbelief. Long-term symptoms include anxiety, fear or post-traumatic stress disorder. While efforts to treat sex offenders remain unpromising, psychological interventions for survivors — especially group therapy — appears effective. Forced prostitution" refers to conditions of control over a person who is coerced by another to engage in sexual activity.

Sexual violence is defined by World Health Organization as: “Any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed, against a person’s sexuality using coercion, by any person regardless of their relationship to the victim, in any setting, including but not limited to home and work”.

Categories of sexual abuse include:

1. Use of physical force to compel a person to engage in a sexual act against his or her will, whether or not the act is completed;
2. Attempted or completed sex act involving a person who is unable to understand the nature or condition of the act, unable to decline participation, or unable to communicate unwillingness to engage in the sexual act, e.g., because of underage immaturity, illness, disability, or the influence of alcohol or other drugs, or because of intimidation or pressure.

(3) Psychological/Emotional Abuse:

Emotional or psychological abuse is any action which has an adverse effect on an individual's mental well-being, causes suffering and effects their quality of life and ability to function to their full potential. Emotional abuse (also called psychological abuse or mental abuse) can include humiliating the victim privately or publicly, controlling what the victim can and cannot do, withholding information from the victim, deliberately doing something to make the victim feel diminished or embarrassed,

isolating the victim from friends and family, implicitly blackmailing the victim by harming others when the victim expresses independence or happiness, or denying the victim access to money or other basic resources and necessities. Degradation in any form can be considered psychological abuse.



Emotional abuse can include verbal abuse and is defined as any behavior that threatens, intimidates, undermines the victim's self-worth or self-esteem, or controls the victim's freedom. This can include threatening the victim with injury or harm, telling the victim that they will be killed if they ever leave the relationship, and public humiliation. Constant criticism, name-calling, and making statements that damage the victim's self-esteem are also common verbal forms of emotional abuse.

Emotional abuse includes conflicting actions or statements which are designed to confuse and create insecurity in the victim. These behaviors also lead the victim to question themselves, causing them to believe that they are making up the abuse or that the abuse is their fault. Emotional abuse includes forceful efforts to isolate the victim, keeping them from contacting friends or family. This is intended to eliminate those who might try to help the victim leave the relationship and to create a lack of resources for them to rely on if they were to leave. Isolation results in damaging the victim's sense of internal strength, leaving them feeling helpless and unable to escape from the situation.

(4) Verbal Abuse:

Verbal abuse is a form of emotionally abusive behavior involving the use of language. Verbal abuse can also be referred to as the act of threatening. Through threatening a person can blatantly say they will harm you in any way and will also be considered as abuse. Verbal abuse may include aggressive actions such as name-calling, blaming, ridicule, disrespect, and criticism, but there are also less obviously aggressive forms of verbal abuse.



(5) Economic Abuse: Economic abuse is a form of abuse when one intimate partner has control over the other partner's access to economic resources. Economic abuse may involve preventing a spouse from resource acquisition, limiting the amount of resources to use by the victim, or by exploiting economic resources of the victim. The motive behind preventing a spouse from acquiring resources is to diminish victim's capacity to support himself/herself, thus forcing him/her to depend on the perpetrator financially, which includes preventing the victim from obtaining education, finding employment, maintaining or advancing their careers, and acquiring assets. In addition, the abuser may also put the victim on an allowance, closely monitor how the victim spends money, spend victim's money without his/her consent and creating debt, or completely spend victim's savings to limit available resources.

(6) Forced Prostitution: Forced prostitution or other kinds of commercial exploitation by male partners or Parents are another form of violence against women and children reported worldwide. Destitute families, unable to support their children, often hire out or sell their children, who may then be forced into prostitution. Very often the young girl is sent as a domestic worker, in which case she may be physically and sexually exploited by her employers. Women and girls are tricked or forced by their husbands and relatives into being trafficked to India for prostitution. In the poor rural areas of India, where poverty has given rise to the phenomenon of debt bondage, it is believed that it is the daughter's duty to sacrifice herself for the well-being of her family. Traffickers buy the "labour" of young women and girls in exchange for money. The high incidence of HIV/AIDS in the country has been attributed to this trafficking in young girls.

There is no one single factor to account for violence perpetrated against women. Increasingly, research has focused on the inter-relatedness of various factors that should improve our understanding of the problem within different cultural contexts. Several complex and interconnected institutionalized social and cultural factors have kept women particularly vulnerable to the violence directed at them, all of them manifestations of historically unequal power relations between men and women. Factors contributing to these unequal power relations include: socioeconomic forces, the family

institution where power relations are enforced, fear of and control over female sexuality, belief in the inherent superiority of males, and legislation and cultural sanctions that have traditionally denied women and children an independent legal and social status.



1.4 Factors that perpetuate Domestic Violence:

The following points as factors of violence are as follows:

(1) Cultural Factors:

(a) Gender-specific socialization: Due to gender specific socialization, women are subjugated by the male members in the family. From the beginning of the socialization process, the parents teach the gender specific role of both the boy and girl. For example a boy is expected to have mastery over the external business. He should be the bread owner of the family. He should be treated as the karta of the family. He provides socio- economic security to the family members. Girls should manage domestic affairs. This creates gender inequality.

(b) Cultural definitions of appropriate sex roles: Due to physical differences both the boys and girls are assigned with different sex role. For example a girl is expected to learn different art of domestic work like kitchen work, looking after or nurturing new born baby and learn other qualities from the mother through the process of socialization.

(c) Expectations of roles within relationships: Every human being is expected to perform multiple roles during his long span of life .Role playing is the most important duty of a man within the social group. The women has to play major social role within the sphere of the family. But they are tortured by their mother – in-law, husband and other members off family.

(d) Belief in the inherent superiority of males: Indian society is dominated by patriarchy (male member is the head of the family). The female member has to obey the rules and regulation of her husband. She considers her husband ass god. In modern society, women are economically independent and socially advanced. They do not obey the traditional rules and regulation of the family. In this case they are not appreciated by their in- laws family and they become subject to torture and



oppression.

(e) Values that give men proprietary rights over women and girls: There is a great amount of power has been assigned to the male members of the society. As per the statement of Manu “a woman should be looked after by her parents in her childhood, by the husband in her youth and by the son in her old age. This statement shows the dominant role of the male member in the society. Due to modern education and high industrialization women do not like to be a burden on their family and they prefer to maintain a free and fair life. But this style is not liked by their in-laws family members and they react to it which caused in domestic violence.

(f) Customs of marriage (bride price/dowry): Marriage has been regarded as a religious sacrament in Hindu society. The principal goal of marriage is to perform dharma. But in modern society kama is given higher priority and dowry/ bride price are playing very important role. Due to the evil custom of dowry, many innocent girls are subject to inhuman torture by their in-laws family members. After marriage the husband or the mother-in-laws demand further dowry which is not possible on the part of bride family. It ultimately results in domestic violence.

(g) Acceptability of violence as a means to resolve conflict: In modern society many young bride are facing problem in their domestic front due to multiple social roles within the society. Due to frequent violence and torture within the framework of in-laws family and other reasons they have to accept it as their fate. Some of the brides do not report the incidence of violence because this will damage their social reputation. They love to live with their own world and they support the violence silently to resolve the conflict.

(2) Economic Factors:

(a) Women’s economic dependence on men: In our traditional social structure, women are economically dependent on their husband, son or father. Due to economic dependence, they are subject to different forms of abuse and they lead a very miserable life and they become frustrated and commit suicide. The male members don’t provide proper medical care to the female member of the family. They restrain them to enjoy the basic necessities of their life.



(b) Limited access to cash and credit: The female members do not have sufficient right over their family purse. They have to completely depend on the purse of their husband. They have limited access to the cash and credit because they have to depend on the earnings of their husband. A woman cannot buy or spend money according to her own wish. Here her economic freedom is curtailed. Sometimes she is deprived of basic necessity of life . When she demands to purchase something for herself, the husband rejects the demand and this may be resulted in domestic conflict.

(c) Discriminatory laws regarding inheritance, property rights, use of communal lands, and maintenance after divorce or widowhood: In our society, male are sanctioned high status and respect within the society. They enjoy absolute control over parental property. Property was inherited from father to son. The wife does not enjoy due right over the father- in laws property. Presently the daughter has right over her parental property. But majority of the married women do not claim any right over parental property because they know that if she demands over her father property, the relation will be bitter with her brothers and other family members. And at the time of crisis, the brother will not by her sister. For this reason they do not claim any property right over the parental property.

(d) Limited access to employment in formal and informal sectors: In rural areas women are involved with different kind of informal work for which they are not paid anything. Most of the informal works are managed by the male members. Because the female members cannot do any strenuous work like the male one .For this they do not have sufficient opportunity to get an employment in the informal sector. Majority numbers of the workforce in organized sector are male because the typical traditional cultural values do not allow the female members to go out of the domestic sphere and work outside according to their own wish.

(e) Limited access to education and training for women: Due to lack of proper education and training women do not get opportunity to get an employment in organized sector. The age old customs and traditions do not allow the women receive education. Even the in- laws family do not give permission to the new bride to continue their education and she ultimately fully involve herself in the domestic

sphere. Due to poor education and lack of training they do not get job in industries and factories and they face different socio-economic problem during their life time.

(3) Legal Factors:

(a) Lesser legal status of women either by written law and/or by practice: In past society the relationship between husband and wife was very religious. They had deep sense of love and affection. Violence was very less. There are many written laws for the protection of women in 21st century. But in practice the laws are not properly implemented due to the authority lies in the hand of the male members of the society. Majority numbers of police officers who belong to the higher echelon of the society are male. They do not like to register any case against the male person whole heartedly. I can boldly say that the law is very stringent to protect the women from atrocity and violence but the implementing agency is very weak.

(b) Low levels of legal literacy among women: If we look at the scenario of literacy percentage of female in comparison to male is very depressing. The female in rural area is basically confined to the domestic work. They do not go to attend the school due to poverty or lack of interest of the parents. Rural India constitutes the 80 percent of the total population of India. Majority of women are illiterate in rural area. They do not have any legal consciousness to protect them from any violence, harassment, socio-economic, mental and physical torture.

(4) Political Factors:

Political leaders like M.L.As and M.Ps are playing very important role in making laws for various community. They represent the whole population of their own area and make necessary welfare plan for all round development of the community. But it is found that the representation of the rural women is very negligible in different political parties. Majority number of the male person is power centric and do not like to hand over power to female members. The representation of women in the field of media, law and medicine is very negligible. Even the husband does not allow her wife to participate in the election process. They cast their vote not by their own choice but by the choice of her husband.



1.5 Consequences of Domestic Violence:

Domestic violence is a complicated crime in which the offender targets those intimately closest to them and a crime in which the victim is oftentimes unwilling to report to law enforcement. Domestic violence offenders differ from other violent offenders in that they target those persons most intimate with them. In many cases, the domestic violence abuser may be normal by all public appearances, but within the confines of their own residence, seek to physically and psychologically terrorize and control others. By examining the history of domestic violence, incidents of domestic violence, and the response by the criminal justice system to domestic violence, several theories relating to domestic violence, involving both causation and victimization, were discussed. These theories lead to several implications for the criminal justice system.

These are the consequences of domestic violence stated below:

(1) Denial of fundamental rights:

Perhaps the most crucial consequence of violence against women and girls is the denial of fundamental human rights to women and girls. International human rights instruments such as the Universal Declaration of Human Rights (UDHR), adopted in 1948, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted in 1979, and the Convention on the Rights of the Child (CRC), adopted in 1989, affirm the principles of fundamental rights and freedoms of every human being.

(2) Human Development Goals Undermined:

There is a growing recognition that countries cannot reach their full potential as long as women's potential to participate fully in their society is denied. Violence against women undermines progress towards human and economic development. Women's participation has become key in all social development programmes, be they environmental, for poverty alleviation, or for good governance. By hampering the full involvement and participation of women, countries are eroding the human capital of

half their populations. True indicators of a country's commitment to gender equality lie in its actions to eliminate violence against women in all its forms and in all areas of life.

(3) Health Hazard:

Girls who have been sexually abused in their childhood are more likely to engage in risky behavior such as early sexual intercourse, and are at greater risk of unwanted and early pregnancies. Women in violent situations are less able to use contraception or negotiate safer sex, and therefore run a high risk of contracting sexually transmitted diseases and HIV/AIDS. The impact of violence on women's mental health leads to severe and fatal consequences. Battered women have a high incidence of stress and stress-related illnesses such as post-traumatic stress syndrome, panic attacks, depression, sleeping and eating disturbances, elevated blood pressure, alcoholism, drug abuse, and low self-esteem. For some women, fatally depressed and demeaned by their abuser, there seems to be no escape from a violent relationship except suicide.

(4) Impact on Children:

Children, who have witnessed domestic violence or have themselves been abused, exhibit health and behaviour problems, including problems with their weight, their eating and their sleep. They may have difficulty at school and find it hard to develop close and positive friendships. They may try to run away or even display suicidal tendencies. While many children from violent homes do not grow up to be violent, those who have witnessed violence in childhood are more likely to become adults who engage in violent behavior both inside and outside the home.

(5) Violence against Olds:

The elderly abuse is one of the most unfortunate happening for the elderly class in their lives. They would rather like to be more at ease and calm in this phase of their life than being prone to such kind of shameful treatment by the family or society. Ironically elderly class itself also indulges in harming each other. Many of the elderly men continue to beat and harass their wives throughout their lives.

Some of the olds are ousted from home by their children, some are beaten until death and some are exploited socially. A sense of insecurity move away them all the time. They are isolated and cut off from society in some cases where son and daughter-in-law



do not let them interact and move around freely in the society. The old people are not looked after properly and their health problems are neglected. Due to the abuse and mental trauma they suffer, some of them leave home and stay in old age homes like Help Age India, Senior Citizen Home Complex Welfare Society (SCHCWS) and many others.



1.6 Combating Domestic Violence:

According to UNICEF, domestic violence is a form of torture and should be dealt with accordingly. The argument is that, depending on the severity and the circumstances giving rise to state responsibility, domestic violence can constitute torture or cruel, inhuman and degrading treatment or punishment under the International Covenant on Civil and Political Rights, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The key factors playing important role in combating domestic violence are given below:

(1) Legislation:

Legislation with regard to domestic violence is a modern phenomenon. There is an increasing belief that special laws should be drafted, having special remedies and procedures. The first problem that arises with regard to legislation is to allow for prosecution of men who beat their spouses even if the latter, under pressure, want to withdraw their claims. In response some countries have instructed police and Prosecutors to proceed with cases even in situations where women indicated that they would rather not proceed. In addition, since the spouse will be the main witness, some jurisdictions have introduced legislation making the woman a “compellable witness” except in certain situations.

(2) Police Action:

In most jurisdictions the power of the police to enter private premises is limited. In the context of domestic violence this can protect the violent man at the expense of the woman. Some legislations allow the police to enter if requested to do so by a person who apparently resides on the premises or where the officer has reason to believe that a person on the premises is under attack or imminent attack.⁹ In many cases of domestic

violence, immediate release of the offender on bail may be dangerous for the woman and, certainly, release without prior warning may have serious consequences for her. A number of Australian jurisdictions attempt to strike a balance between the interests of the offender and the woman by specifying conditions designed to protect her to be attached to the release of the offender.



(3) Training and Community Support Services:

Most police, prosecutors, magistrates, judges and doctors adhere to traditional values that support the family as an institution and the dominance of the male party within it. It is therefore necessary to train law enforcers and medical and legal professionals who come in contact with those experiencing violence to understand gender violence, to appreciate the trauma of those suffering and to take proper evidence for criminal proceedings. Professionals in law and medicine are often resistant to this type of training and to learning from anyone outside their specialty. It would therefore be more effective to involve other professionals in the training programme.

(4) Cooperation at all Levels:

Overwhelmingly, governments lack the necessary expertise to develop and implement policy relating to violence against women. Therefore, a more cooperative relationship between governments and civil Society should be built to combat violence against women. An integrated, multidisciplinary approach with lawyers, psychologists, social workers, doctors and others working together to gain a holistic Understanding of each particular case and the needs of the individual is the best option. Giving attention to the real-life context of the battered woman, her hopelessness, dependency, restricted options, and her consequent need for empowerment, should underpin every approach. The goal is to work with her to develop her capacity to decide her own future.

1.7 Strategies and Interventions:

Domestic violence is a complex problem and there is no one strategy that will work in all situations. To begin with, violence may take place within very different societal

contexts, and the degree to which it is sanctioned by a community will naturally influence the kind of strategy needed. Domestic violence is a health, legal, economic, educational, developmental and human rights problem. These areas are not mutually exclusive; interventions may touch upon several areas at once.



(1) Local Community

In traditional societies, families have relied upon community-based support mechanisms to resolve issues of conflict. The local community therefore needs to be mobilized to oppose domestic violence in its midst. Actions taken by local people may include greater surveillance of domestic violence situations, offering support for victim-survivors, and challenging men to stop the violence. Complacency needs to be replaced with active intervention and education. Community information and education programmes regarding the nature and unacceptability of domestic violence should be developed. Such programmes should address cultural forms of behavior that uphold male aggression, beating, punishment and abuse of women as acceptable. Traditional cultural practices, such as FGM, that violates women's integrity need to be re-examined and challenged. Culture is not static, and newer forms of cultural norms need to be developed that respect women and promote their dignity and safety.

Creating awareness about the impact of domestic violence on communities conveys the importance of preventing such violence against women and children. Developing integrated responses to domestic violence through involvement of local community groups, community health workers and women serves to create sustainability and accountability, which in itself is a significant step. However, since adapting to change is difficult, protection should be provided to activists, human rights advocates and community workers. Ultimately, human and financial resources are key to any programme development and delivery.

(2) Civil Society:

For nearly a quarter of a century, women's organizations have provided leadership in boosting the visibility of violence against women; giving victim-survivors a voice through tribunals and personal testimonies; providing innovative forms of support to victims of violence; and forcing governments and the international community to recognize their own failure to protect women. From local, collective Women's



advocacy has prompted the formal sectors (legal and judicial system, criminal justice system, and the health sector) to begin to respond to the needs of women who suffer violence. Women have pushed for policy change and institutional mechanisms to be set up – be it legal reform, training of police, or providing shelter to women and their children. In attempting to address the structural causes of such violence, women’s organizations have sought to empower women through human rights education, credit programmes, and linking women to larger networks. It is crucial that women’s advocates continue to lead the process, particularly in playing a monitoring and accountability role, and that governments increase partnerships with them.

(3) Professional Associations:

Professional Associations for doctors, lawyers, psychologists, nurses, social workers, welfare workers and other professionals are key players in opposing violence against women. Their members may come into contact with situations of domestic violence on a regular basis, but may not recognize the signs because of their own biases, background or lack of training. It is critical that such organizations build domestic violence and human rights curricula into their professional training and those professionals in the field receive regular training on these areas. Such associations need to develop protocols for identifying and referring cases of domestic violence to appropriate bodies, and screening measures for detection and early intervention. These protocols must be developed in collaboration with experts in the domestic violence field..

(4) Non-Governmental Organizations

(NGOs), like women’s organizations, have worked in partnership with government agencies and international organizations to provide a diversity of services. NGOs continue to spread awareness amongst people regarding the legal rights they have in hand for fighting against the atrocities they are subjected to. They are encouraging more and more people to report any case of domestic violence so that proper action may be taken against the culprits.

(5) The Private Sector :

The Private Sector has a vested interest in addressing this problem since the costs of domestic violence to society, and industry in particular, are phenomenal in terms of low



productivity, absenteeism, and staff turnover. The private sector would benefit by identifying and supporting staff suffering from, or perpetrating, domestic violence. It should build gender and domestic violence awareness into corporate training, and develop organizational cultures free of abuse, including sexual harassment, in the workplace. The private sector should also be encouraged to finance preventive and support services in the local community.

(6) The Media:

The media plays a pivotal role in both influencing and changing social norms and behaviour. Repeated exposure to violence in the media has been associated with increased incidence of aggression, especially in children. In the area of domestic violence, media campaigns can help to reverse social attitudes that tolerate violence against women by questioning patterns of violent behaviour accepted by families and societies. Collaboration with the media needs to focus on creating new messages and new responses to reduce domestic violence. Hence a conscious effort to make media professionals aware of the issues can play an important role in addressing violence against women. Alternative media channels such as theatre groups, puppeteers, community radio stations, musicians and performers of all sorts have a role to play in raising public awareness of the issue, and creating role models for men and young people in the community.

(7) Academia and Research Organizations:

Academia and research organizations should address the chronic lack of statistics on domestic violence that acts as a barrier to policy change on this issue. The lack of adequate data and documentation about violence against women, and domestic violence in particular, reinforces governments' silence. In the absence of concrete data, governments have been able to deny the fact of, and their responsibility to address, such violence. In the area of research, there are several priorities. Reliable data on the magnitude, consequences, and the economic and health costs of gender-based violence will help to place the issue on the policymakers' radar screen. Researchers need to identify best practices in prevention and treatment, and evaluate them for effectiveness and replicability.

(8) Legal Reform :



It is the responsibility of governments who have ratified international conventions and human rights instruments to harmonize their national laws in line with these instruments. One step towards upholding the right of women to equal protection under the law is to enact domestic violence legislation that specifically prohibits violence against women. Under this legislation, a woman should have protection from threats and acts of violence, safety and security for herself, her dependents and property, and assistance in continuing her life without further disruption.

(9) The Judiciary

The judiciary can strongly reinforce the message that violence is a serious criminal matter for which the abuser will be held accountable. The judge sets the tone in the courtroom and makes the most critical decisions affecting the lives of the victim, perpetrator, and children, and must therefore be sensitive to the dynamics of domestic violence in order to pass equitable verdicts. Sensitization of the judiciary to gender issues is, therefore, critical and law schools should include relevant courses in their programmes.

(10) The Health Care System:

The health care system is well-placed to identify women who have been abused and refer them to other services, as the vast majority of women visit a health facility at some point in their lives – during pregnancy, for example, or to get treatment for themselves or their children. The reality, however, is that far from playing a proactive role, the health care system has usually been unresponsive to women suffering from domestic abuse. Training for health care providers is necessary to guide them on the early screening and identification of women who are suffering domestic violence. Such training, as far as possible, should be integrated into existing training programmes rather than be created as separate programmes. WHO has identified the following issues that need to be addressed in sensitizing health care providers: their possible negative feelings, including inadequacy, powerlessness, and isolation, particularly in areas with few referral services, some cultural beliefs, including the idea that domestic violence is a private matter, possible misconceptions about victim survivors, including the belief that women provoke violence. Training should be supplemented with protocols to guide health care providers to implement standards. Protocols should include procedures for

documentation for legal, medical and statistical purposes; legal, ethical and privacy issues; and up to- date information on local referral services. Protocols need to be culture-specific with special attention paid to respecting the rights of women.

(11)Education:

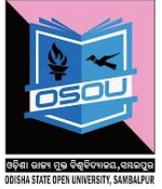
Curricula that teach non-violence, conflict resolution, human rights and gender issues should be included in elementary and secondary schools, universities, professional colleges, and other training settings. Violence against women can be prevented and eliminated only when the underlying causes of violence are addressed and cultural norms and attitudes are challenged. Curriculum reform that works towards eliminating the gender stereotyping in schools (teaching about women’s contributions in history class, eliminating sex stereotypes in textbooks, Promoting girls’ participation in sports) are important steps in achieving gender equality.



1.8 Let Us Sum Up:

Violence against women is present in every country, cutting across boundaries of culture, class, education, income, ethnicity and age. Even though most societies proscribe violence against women, the reality is that violations against women’s human rights are often sanctioned under the garb of cultural practices and norms, or through misinterpretation of religious tenets. Moreover, when the violation takes place within the home, as is very often the case, the abuse is effectively condoned by the tacit silence and the passivity displayed by the state and the law-enforcing machinery. The global dimensions of this violence are alarming, as highlighted by studies on its incidence and prevalence. No society can claim to be free of such violence; the only variation is in the patterns and trends that exist in countries and regions. Specific groups of women are more vulnerable, including minority groups, indigenous and migrant women, refugee women and those in situations of armed conflict, women in institutions and detention, women with disabilities, female children, and elderly women. Domestic violence is a health, legal, economic, educational, developmental and human rights problem. Strategies should be designed to operate across a broad range of areas depending upon the context in which they are delivered. Key areas for intervention include: _ advocacy

and awareness raising education for building a culture of nonviolence training resource development direct service provision to victim survivors and perpetrators networking and community mobilization direct intervention to help victim survivors rebuild their lives legal reform monitoring interventions and measures data collection and analysis early identification of ‘at risk’ families, communities, groups, and individuals.



SELF ASSESSMENT QUESTIONS

- (1) Write down the factors responsible for perpetuating domestic violence in India.
- (2) Write down the consequences of domestic violence in India
- (3) Explain the important factors combating domestic violence in India.
- (4) Explain different strategies and interventions to stop domestic violence in India
- (5) Write short note:
 - (a) Types of violence
 - (b) concept of domestic violence

Unit-2

Other Social Problems like Casteism, Dowry Problem, Alcoholism, Crime, Corruption, Indebtedness, etc.

Learning Objectives:

After completion of this unit, you should be able to:

- *Explain the concept of other social problems like casteism, dowry, etc.*
- *Understand the consequences of social problems in our day to day life*
- *Distinguish solution measures to combat social problems*

- 2.1 Introduction
- 2.2 Concept of Casteism
- 2.3 Key Features of Casteism
- 2.4 Caste related violence
- 2.5 Reasons of Casteism
- 2.6 Consequences of Casteism
- 2.7 Measures to stop the practice Casteism
- 2.8 Factors responsible for changes in Casteism
- 2.9 Let Us Sum Up
- 2.10 Key Words
- 2.11 References

2.1 Introduction:

Casteism means when a person develops blind loyalty towards his own caste or caste community without considering others caste position. In this, a person is very much conscious about his or her caste situation. He develops a strong feeling to protect the



interest of his own caste community. Here he does not bother about others caste interest.

Casteism is another evil that stands in the way of complete national unity. The most shameful feature of the caste system is the existence untouchability, practiced against the people of the Scheduled Castes. Our constitution abolished untouchability and untouchability offences Act was passed in 1955, making the practice of untouchability a panel offence. But this practice still persists in our society in several shapes and forms but coming down in number games. Casteism has practically killed Vedic society and has brought about the numerous divisions and social quarrels in India. It has cropped up unequal feelings among the people. It has certainly hindered democratic rules and regulations. Even the Hindus are also fighting among each other in the name of casteism. For example there is a strong fight between Harijan and Girijans. It has certainly killed the rich ethos of Indian society.

2.2 Concept of Casteism:

According to Kaka Kalelkar, “Casteism is an over-riding blind and supreme group loyalty that ignores the healthy social standards of justice, fair play, equity and universal brotherhood.” In the words of K. M. Panikkar, “Casteism is the loyalty to the sub caste translated into political.

The casteism is the materialistic form of designation that has become a way of oppressing the lower social orders of people. It says that if you are born in a family of a certain classification, then you are of the same class with little possibility of changing. In casteism, birth is now the major factor in determining one’s social standing. It dictates that one’s social order, occupational potential and characteristics are the same as your parents, which is a label that may have been placed on a family hundreds of years ago.

In the Vedic system, there were four basic classifications. There were the Brahmanas (priests and intellectuals, those who practiced and preserved the Vedic



rituals and processes of spiritual realization), the Kshatriyas (warriors, military, government administrators), Vaishyas (the merchants, bankers, farmers, etc.), and the Shudras (common laborers, musicians, dancers, etc.). Casteism says that if you are born of a Brahmana family, then you are a Brahmana, no matter whether you truly exhibit the genuine characteristics of a Brahmana or not. And if you are also born in a Kshatriya family, or a Vaishya or Shudra family, then that is what you must be. It is as if when one is born in a doctor's family, the child is also considered a doctor. However, anyone knows that to become a doctor requires the proper training and perception to see if the child will be a qualified doctor or not. Just being born in the family of a doctor does not mean that the children will also be doctors, although this may help. But they surely are not doctors merely by birth. Training and intelligence must be there. And before training, there also must be the proclivity, tendency, and attraction to even be a doctor. Without that, no amount of training will be of much use because the student will still not want to be, or qualify to be a doctor. Therefore, this form of modern day casteism is useless.

The original Vedic system called *varnashrama* was legitimate and virtuous. It was meant for the progressive organization of society. *Varnashrama* is the Vedic system that divides society into four natural groups depending on individual characteristics and dispositions. Everyone has certain tendencies by their own natural inclinations and choice. These inclinations are also seen in one's occupational preferences. These activities are divided into four basic divisions called *varnas*. *Varna* literally means color, relating to the color or disposition of one's consciousness, and, thus, one's likelihood of preferring or showing various tendencies for a particular set of occupations. This would be determined not by one's birth, but by one's proclivities as observed by the teachers in the school that the student was attending.

For example, there are people who prefer to offer service to society through physical labor or working for others, or through various forms of expressions like dance and music (called Shudras); those who serve through agriculture, trade, commerce, business, and banking or administrative work (Vaishyas); those who have the talents of leaders, government administration, police or military, and the protection of society

(Kshatriyas); and those who are by nature intellectuals, contemplative, and inspired by acquiring spiritual and philosophical knowledge, and motivated to work in this way for the rest of society (the Brahmanas). It was never a factor of whether a person had a certain ancestry or birth that determined which class was most appropriate for him or her, although being born in a particular family or tribe would give a natural likelihood to continue in the same line of activity.

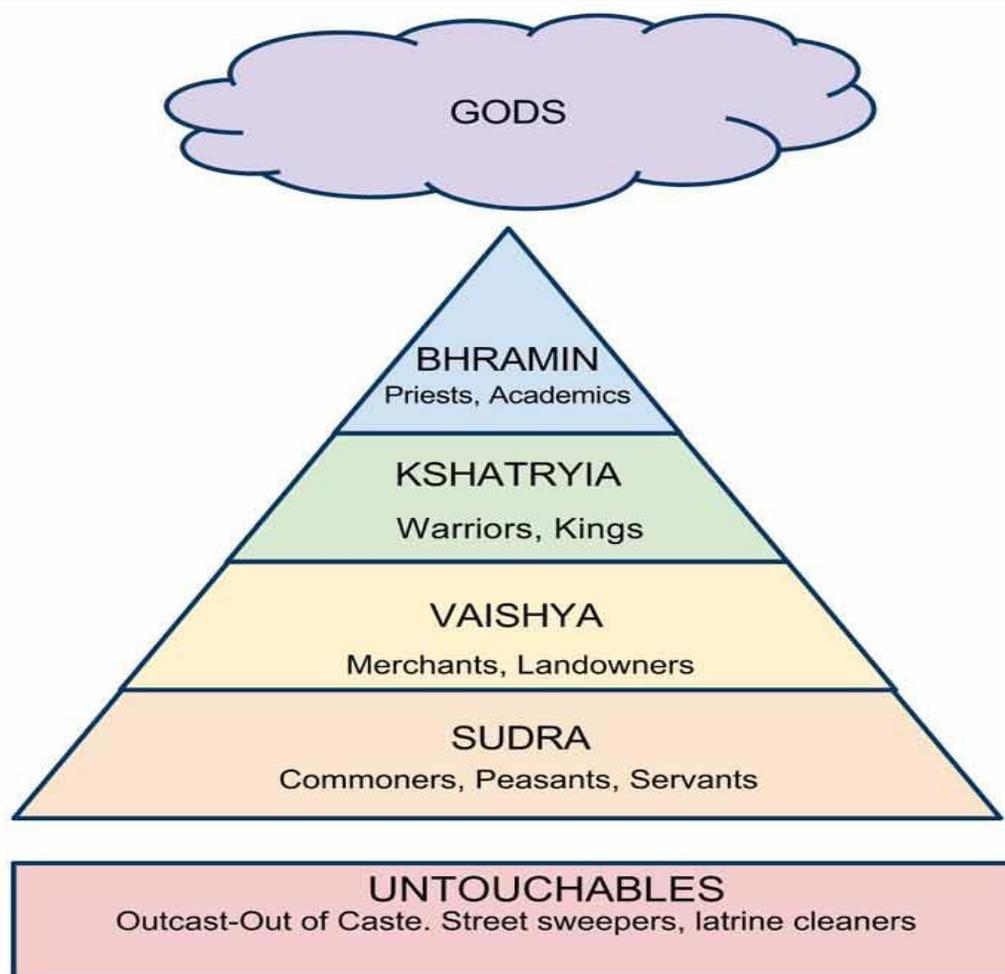


In this way, the system of *varnashrama* came into existence according to the natural tendencies of people, and to direct them so that everyone could work together according to the needs of society. The *ashramas* divided an individual's life so that a person could fulfill all of one's basic desires as well as accomplish the spiritual goals of life. Only according to one's qualities, tendencies, and traits, usually as one grew up in school, was it determined which *varna* was best for that person. And then he would be trained accordingly to do the most suited work that fit his qualities, much like the way counselors work with students in schools today. Thus, he or she would have a suitable occupation which he would enjoy, and make a respectable contribution to society.

To explain further, in *Bhagavad-gita* Lord Krishna says, "According to the three modes of material nature and the work ascribed to them, the four divisions of human society were created by Me." Then He continues, "Brahmanas, Kshatriyas, Vaishyas and Shudras are distinguished by their qualities of work in accordance with the modes of nature." Herein we can see that there is no mention of birth as a determining factor for one's *varna* or classification.

According to D.N. Prasad, "Casteism is a loyalty to the caste translated into politics. In general, Casteism may be defined as a phenomenon by virtue of which persons belonging to a certain caste group are either discriminated against or shown favour regardless of their merits and demerits, just on the basis of their caste.

The below diagram represents the traditional hierarchy of caste system



2.3 Key Features of Casteism:

Pooja Mandal has explained the following characteristics of casteism

(d) inter-caste conflicts increase in society. 1. Casteism signifies blind caste or sub-caste loyalty. It either ignores or does not care for the interests of other castes.

2. For a casteist “My caste man and my caste only, right or wrong” is the principle.

3. Casteism goes against the spirit of democracy.

4. It submits one’s sense of justice, fair play and humanity to the interest of his own caste.

5. It is against the lofty ideal of the constitution.

6. Casteism is a big hurdle in the way of nation-building and national integration.



7. Casteism creates caste solidarity to the extent that:

- (a) one caste seeks to dominate over others,
- (b) higher castes exploit the lower castes,
- (c) elections are contested and won on caste basis, and

8. Casteism is essentially a rural phenomenon. Its role in the urban areas is negligible.

2.4 Caste-related violence:

Phoolan Devi (1963 – 2001) was an Indian dacoit (bandit), who later turned politician. Born in a lower-caste *Mallaah* family, she was mistreated and abandoned by her husband. She was later kidnapped by a gang of dacoits. The upper-caste Thakur leader of the gang tried to rape her, but she was protected by the deputy leader Vikram, who belonged to her caste. Later, an upper-caste Thakur friend of Vikram killed him, abducted Phoolan, and locked her up in the Behmai village. Phoolan was raped in the village by Thakur men, until she managed to escape after three weeks.

Phoolan Devi then formed a gang of Mallahs, which carried out a series of violent robberies in north and central India, mainly targeting upper-caste people. Some say that Phoolan Devi targeted only the upper-caste people and shared the loot with the lower-caste people, but the Indian authorities insist this is a myth. Seventeen months after her escape from Behmai, Phoolan returned to the village, to take her revenge. On February 14, 1981, her gang massacred twenty-two Thakur men in the village, only two of which were involved in her kidnapping or rape. Phoolan Devi later surrendered and served eleven years in prison, after which she became a politician. During her election campaign, she was criticized by the women widowed in the Behmai massacre. Kshatriya Swabhimaan Andolan Samanvay Committee (KSASC), a Kshatriya organization, held a statewide campaign to protest against her. She was elected a Member of Parliament twice.

On July 25, 2001, Phoolan Devi was shot dead by unknown assassins. Later, a man called Sher Singh Rana confessed to the murder, saying he was avenging the deaths of 22 Kshatriyas at Behmai. Although the police were skeptical of his claims, he was



arrested. Rana escaped from Tihar Jail in 2004. In 2006, KSASC decided to honor Rana for "upholding the dignity of the Thakur community" and "drying the tears of the widows of Behmai.

The state of Tamil Nadu has witnessed several caste-based incidents both against Dalits and Brahmins. In 2000, three young men belonging to the Dalit undercaste were killed in the Cuddalore district of Tamil Nadu. This fuelled some localized violence in the caste-sensitive region, which has seen numerous caste-related incidents in which the majority of the victims have been Dalits. Six of the killings have been registered as murders under the Indian Penal Code and others as "Deaths under suspicious circumstances. No arrests have been made in these cases.

In January, 1999 four members of the village panchayat of Bhungar Khera village in Abohar paraded a handicapped Dalit woman, Ramvati devi naked through the village. No action was taken by the police, despite local Dalit protests. It was only on July 20 that the four panchayat members and the head Ramesh Lal were arrested, after the State Home Department was compelled to order an inquiry into the incident.

On the evening of January 5, 2006 Bant Singh, a poor Mazhabi, Dalit Sikh, was attacked by unknown assailants. His injuries necessitated medical amputation. He alleges that this was in retaliation for actively working to secure justice for his daughter, who was gang raped by upper caste members of his village in Punjab five years earlier.

A 55-year-old Dalit Sikh woman, Sawinder Kaur has been tortured, stripped and tied to a tree in Ram Duali village of Punjab because her nephew eloped with a girl from the same community. The police arrested four persons for allegedly committing the crime on 9 September 2007.

On September 29, 2006, four members of the Bhotmange family belonging to the Mahar Dalit underclass were slaughtered in Kherlanji, a small village in Bhandara district of Maharashtra. The women of the family, Surekha and Priyanka, were paraded naked in public, then allegedly gang-raped before being murdered. Although initially ascribed by the media and by the Human Rights Watch to upper castes, the criminal act was actually carried out by Kunbi^[9] caste (classified as Other Backward Classes by Government of India) farmers for having opposed the requisition of the Dalit land to

have a road built over it.

On November 23, 2006, some members of the Dalit community in the nearby district of Chandrapur staged a protest regarding this incident. The protesters allegedly turned violent and threw stones. The police resorted to baton-charging the protestors to control the situation. Dalit leaders, however, denied that they had first resorted to violence and stated that they had been "protesting in peace".



Caste Related Violence in Odisha: Case Studies

Dalit women are more burdened and discriminated on the basis of caste, class and gender. Dalits were considered to be lower class people and therefore Dalit women are even further deprived not only by upper class but also by Dalit males. They had been discriminated many times on the basis of gender and were used by almost all class of people including Dalits itself.

Kendrapada: The tropical rain lashes Upendra Naik's face as he sits on the veranda of a two-room asbestos house in Chauriberhampore village on the outskirts of Kendrapada town. The 32-year-old Dalit would have moved out of the rain, only if he could. For two years, he has been fettered there, his legs put in chains by villagers who believe he is insane. Naik is a victim of the collective conscience of his village. In July 2003, a village committee ruled him insane and eager vigilantes tied up the man in the veranda. The darker irony is that the state government and the police all know about Upendra, but aren't doing anything to unshackle him from his plight. Appeals by his wife, 27-year-old Suparna, for mercy and clemency have fallen on deaf and insensitive ears. "All my pleadings have gone in vain. The committee refuses to hear me," she said. Frustrated, Suparna left Upendra four months ago and moved back to her father's home, said Ananda Naik, Upendra's father. The old man in his seventies now cooks meals and brings them to his son three times a day. Upendra himself is tired of telling his story and tears well up before his lips can form words. "I am an innocent person. But some unscrupulous villagers have chained my legs."

Members of the barber community at Bhubanpati, a coastal village in Puri district of Orissa, are scared of returning to their houses. Four women were beaten up and another was paraded naked allegedly by a group of "upper caste" men in the village on



September 19, 2005. "We are not sure when we will be able to return to our homes. We have lost everything," Sabitri Barik, one of the victims, said here on Friday. The women and their family members are here to organise a dharna outside the Raj Bhavan and submit a memorandum to Governor Rameshwar Thakur on Saturday. The women were abused by large number of men, allegedly from the Khandayat community, because their husbands refused to wash the feet of the groom and guests during marriage ceremonies as per custom. The women were later locked up in a room and their houses looted when the male members were away. "I was dragged out of my house and beaten up. They also looted our house and took away all that we had saved for our daughter's marriage," Pratima Barik said. Her husband, Hadibandhu Barik (51), has not set foot in the village since March after two men, including a 75-year-old, were beaten up and tortured for not agreeing to wash the feet of the groom and the guests during a marriage, she said. "I am scared to go to my village because the Khandayats will surely attack me," said Hadibandhu Barik. "Our children are educated and they are not willing to do the customary job of washing the feet of upper caste men, clear the left-overs after the marriage feast and wash the utensils."

Casteism is playing havoc with Orissa's hinterland. Less than two months after a Dalit girl was reprimanded by caste Hindus for riding a bicycle on a village road on the outskirts of Bhubaneswar, five women from the barber community were harassed by caste Hindus in a village of Puri district. On September 19, in Bhubanapati village, men of the Khandayat community beat up four women and paraded one naked. They were "punished" because their husbands had refused to wash the feet of a bridegroom and his guests, as per custom, during a caste Hindu marriage ceremony a few months ago.

In the first case of inhuman treatment of members of the barber community in Puri, in 1988, Jalandhar's father, Bhramarbar Barik, was made to walk on his knees and hands on the village road, while an upper-caste man sat on his back and beat him. "My father suffered from mental trauma after this physical torture and public humiliation and died a few months after the incident," said Jalandhar. The organisations supporting the cause of the barbers organised a protest dharna in front of the Puri Collector's residence in 2003. The dharna continued for 271 days and an agreement was reached that no

member of the community could be compelled to wash the feet of caste Hindus and nobody should dissuade any barber from doing such jobs if he volunteered his services. But the problem persisted. The caste Hindus hired barbers from distant places to perform the rituals, and the harassment of local barbers continued.



Swati Sucharita, convener of the Odisha Gotimukti Andolan, said that the Puri district administration should first ensure that all those accused in the Bhubanpati case were brought to book. "The administration is trying for a patch-up after the plight of the barbers was widely reported in the media. We want a permanent solution to the problem," Over the years, incidents of caste-related violence have been reported from other parts of the State as well. In March 2000, caste Hindu men of Gadarodhanga village in Brahmagiri pulled down the tents put up for the marriage of a youth belonging to the washerman community. In 2004, Beda Nayak, a Dalit, was beaten up in Dhenkanal district for offering water to the Nandi inside a Shiva temple compound. "I have come across full spectrum of caste violence. The women have particularly been at the receiving end in Odisha in the last 10 days. To my utter shock, I have met survivors and victims of every type of violence, including kidnap, rape, murder, sexual assault, stripping, beating, verbal abuse, untouchability and discrimination," said Asha Kowtal, General Secretary of AIDMAM, addressing a press conference here.

Ms Kowtal said, "In a recent chilling and inhuman crime, no headway has been made to apprehend perpetrators of the alleged rape and murder of a 15-year-old girl in Sargipally village of Bolangir district. The rape was as barbaric as the Nirbhaya case in New Delhi. But the police are silent and soft on perpetrators of caste-based violence

Bhubaneswar, Dec. 16 2005: Dalit women continue to suffer at the hands of upper caste people in Orissa. In a recent case, a few dalit women of Jenasahi, in coastal Kendrapara district, were punished for entering a Hindu temple in violation of the age-old tradition. According to an inquiry report submitted by Rajnagar tehsildar Laxmi Narayan Sethy to the district authorities on Thursday, some dalit women were fined Rs 1,001 by the upper caste people and temple servitors for entering the Jagannath temple at Keredagarh to worship the Goddess on Karthik Purnima, despite a "ban" on their entry by the royal

families. The district collector had asked the tehsildar to conduct an inquiry after some dalit women submitted a petition stating that they were fined for entering the Jagannath temple by the upper caste people. The report said some dalit women of Jenasahi had entered the sanctum sanctorum of the Jagannath temple, managed by the royal family of Kanika. When the upper caste people and the servitors came to know about the incident, they summoned the dalit women and imposed a fine of Rs 1,001 each for violating the tradition which banned the entry of dalits into the temple.

2.5 Reasons of Casteism:

Casteism is a serious problem of rural India which has multiple causes. The following causes are mainly responsible for the growth of growth of casteism in India.

(1) Social Inequality: Social inequality is the hate fullest expression of Caste System. Under Caste System, the whole Hindu society is divided into two broad groups, higher and lower castes. In a caste ridden society the higher caste people enjoy all the privileges while the people of lower caste suffer from all kinds of disabilities. It leads to social inequality between the two caste groups. This caste inequality is the root cause of casteism.

(2) Social Distance: Every Indian caste is basically known as closed group. Because it lacks mobility among the members. In every sphere, there is a great social distance between the castes. Caste System imposes certain restrictions on occupation, marriage, food, drink, social intercourse and so on. Therefore, one caste is socially different from the other caste in Rural India. The members of own caste cannot touch the culture, religion, norms and values of other casts. Their outlook is only concentrated within their own caste boundary. As a result of which a strong caste feeling develops among them. This feeling gradually converted to casteism.

(3) Illiteracy and Conservatism: Rural people are so illiterate and ignorant that they are very conservative and deeply motivated by narrow thought and superstition. They believe deeply in old customs, traditions, folkways, mores, norms and so on. The rural people are very orthodox in their nature. They oppose strongly to any change in society. Being influenced by the rigid customs and traditions, the rural people consider their own

caste as superior. It gives birth to casteism.

(4) Industrialization and Urbanization: Industrialisation and urbanisation are the two process of modernization. These two processes encourage casteism in India to great extent. Due to the industrialization, different types of factories and industries set up in different parts of the country. As a result of which the people of different castes work there and form various organisations on the basis of caste which results casteism. On the other hand, urbanisation drove the people from rural areas to the urban areas. People belonging to a particular caste got an opportunity to unite in large numbers in towns. As a consequence the people of different castes formed different associations to seek maximum benefits of the caste members and its leads to casteism in urban India.

(5) Development of Transport and Communication: In the past, lack of the means of communication hindered the growth of casteism in India to a great extent. But now-a-days, with the growth of transport, the members of a particular caste could easily assimilate each other and the bondage of caste between them grew stronger. Similarly, due to the development of mass media communication like post, telegraph, radio, television, and newspaper and so on, the people of one caste could easily communicate with each other and strengthen their caste organisation. All these lead to casteism.

(6) Sense of Caste Prestige: One of the important causes attributing to the growth of casteism in Rural India is the strong desire of the people belonging to a particular caste to enhance the prestige of their, own caste. But the prestige of caste can be maintained only when every opportunity is availed in order to improve the social statue of its member. In order to achieve this objective every caste provides its members with all possible privileges in order to raise their social status. This tends to increase casteism.

(7) Marriage Restrictions: Every Indian caste is basically known as endogamous group. By endogamy, we generally mean, marriage within the caste. Traditionally, Caste System imposes certain restrictions on the institution of marriage. Due to this restriction, the members of a particular caste are forced to marry within its own caste. Moreover, the members of one caste are linked in matrimonial relations; a strong caste feeling develops among them which lead to casteism.

(8) Reservation Policy: Some special privileges which constitutionally provided to the members of a particular caste expedite casteism in modern Rural India to some extent.





Due to the reservation policy of the government, the people of lower caste are getting maximum benefits in the fields of education, job and other occupational sectors. But in actual practice, it is found that the lower caste people who have not adequate skill are posted in different posts. On the other hand, the people of higher caste having the adequate skill and capacity are deprived of such facilities. As a consequence a cold war started between the members of higher and lower castes. This war is the root cause of casteism.

(9) Hereditary Occupation: In caste system, occupation is fixed by birth .A lower caste is not allowed to choose the occupation of the upper caste. Each member of the caste is compelled to follow their traditional occupation. This certainly creates ghetto culture feeling among the people of the same region, language and same religion.

(10) Purity and Pollution: The concept purity and pollution is the key principles of caste system. The upper castes do not interact with the lower caste. They do not touch the body of lower caste .The body and work of the Sudras is profile. If any upper caste touches the body of lower one he or she will be polluted. This conception certainly develops casteism in the country.

2.6 Consequence of Casteism:

Casteism though has certain benefits to the members of the caste on the individual basis, it has several harmful effects on the society as a whole. Some of the major harmful consequences of casteism can be noted here.

1. Hindrance to the Development of National Feeling: Members of the caste imbued with the spirit of casteism are more prone to show their loyalty to the caste rather than to the community at large. Casteism divides people in the name of caste and encourages intolerance, jealousy, rivalry and conflicts among members of the caste. Caste clashes and tensions that arise in society for one reason or another wrecks the unity of society and damages social harmony.



2. Dangerous to Democracy: Strictly speaking, caste and democracy cannot go together. Caste is based on inequality, whereas democracy assures equality and equal opportunities to one and all. Since democracy and caste system are co-existing in India clashes between them are inevitable. Indian politics has become very much complicated because of the caste interference. Caste plays its role in the processes of selection of candidates to the elections, electioneering, formation of cabinet, distribution of portfolios, and so on. It means at every stage in politics caste creates tensions, misunderstandings, in fights, rivalries, etc. It is in this way national interests are undermined and national unity is understood.

K.M. Pannikar says, “Democracy and caste are totally opposed. One is based on equality and other on inequality of birth. The one is based on the principles of social inclusion, the other by the principle of social exclusion. Democracy tries to break down the barriers of class and caste seeks to perpetuate them”. So casteism possesses a serious obstacle in the functioning of democracy.

3. Encourages Moral Degeneration: Casteism contributes to the moral deprivation and degradation.. It encourages nepotism. It makes one go out of the way to help and favour people of one’s own caste. People of the same caste also look to the caste leaders to favour them in all the situations. This kind of favour damages the moral values and encourages corruption.

4. Casteism leads to the Negligence of Talents and Efficiency : If candidates are selected and appointments are made on the basis of caste it definitely damages talents, abilities, and efficiencies of the people. When unwanted and inefficient people are selected for high offices in the name of caste, honesty, efficiency and duty consciousness becomes the first casualty.

5. Casteism leads to Brain-Drain: It has been observed that some of the most efficient and talented persons have left India and gone abroad for the simple reason that their merits and talents are not properly recognized. Casteism comes in the way of the recognition of merit and efficiency indirectly promotes brain-drain.



6. Casteism Hinders Economic growth:

Casteism hinders economic as well as social progress. If appointments or recruitments will be made on caste basis then it may lead to lower rate of production in social and economic sphere. So ultimately, it hinders economic progress. There will be a great obstacle placed in the path of the nation's Industrial and technological advancement.

7 Encourages Corruption: People inspired by the sense of casteism try to provide all kinds of facilities to people who belong to their own castes and in doing so they resort to all kinds of immoral and improper activities. In this way, extreme corruption in the society is increasing.

Co-education should to be introduced at the primary level and both boys and girls should be given opportunity to come together. This will lead to improvement of behavior between different sexes and simultaneously with it Casteism will be actively refuted. Inter caste marriage will be encouraged and the individuals are marrying of their own castes will be instrumental in creating an atmosphere that will be fundamentally opposed to the caste system.

Prof. M. N. Srinivas holds the view that the removal of Casteism depends, for the most part, on adult franchise, spread of education, and constant progress of the backward classes and the influence of the culture of higher castes on the living standards of the lower castes. Mrs Irawati Karve suggests for the creation of economic and cultural equality as a means to do away with Casteism. P. N. H. Prabhu holds the view that Casteism can receive a jolt only when new attitudes in the people are developed. The cinema and other media can do much towards the creation of these attitudes.

2.7 Measures to stop the practice the Casteism:

Some measures are prescribed to stop the practice of casteism from the soil of India. These measures are given below:

(1)Broad Outlook: The narrow feeling of casteism creates a sense of parochialism among the people and it divides the society into higher and lower position. They

should broaden their outlook to stop the practice of casteism. They have to forget the feeling of purity and pollution.

(2) Value Based Education: Education is the best method for the removal of castesim. It upgrades one's level of thinking and helps in cleaning the misconceptions of one's mind. Therefore, necessary steps should be taken for the spread of education. It must be the prime duty of all educational institutions to check the feeling of casteism from the heart and mind of the children. The educational institutions should be directed to create such an atmosphere where caste feelings are discouraged and the students are taught to resist this feeling whether they face it in their day to day social life. At the same time, the Government should also undertake the duty of developing a strong mass feeling against the casteism through proper education.

Education helps a person to understand his culture and wipes out all sorts of dogmatic restrictions in the society. Proper education should be imparted to all sections of society to kill the germ of casteism. The practice of casteism in urban area is very less in comparison to rural area owing to high literacy percentage in urban area.

(3)Exogamy: Another measure of combating the casteism is the encouragement to inter caste marriage. By inter caste marriage as we generally mean marriage between different castes. Inter caste marriage not only two persons belonging to different castes but also their families shall be united for life long period. Inter caste marriage provides an opportunity for two persons of different castes to come together and understand each other.

As a consequence, the gulf of casteism between various castes can be minimized. To minimize age old prejudices it should be the policy of Government to provide some preferences to the people who have followed the practice of inter caste marriage. Inter Caste Marriage is necessary to discourage the caste system in Indian society. The upper caste should be encouraged to marry a lower caste to bridge the gap between the upper caste and the lower caste.

(4) Socio-Economic Equality: Socio- economic inequality among the different castes





certainly creates caste division in the society. The government of India should provide equal socio-economic opportunity to different castes. Establishment of socio-economic equality among the castes would help to grow democratic and national spirit among the people of India. Inequality in the economic life of the people of different castes is the root cause of casteism. It creates the superiority and inferiority feeling among the members of different caste groups. Thus, for the removal of casteism the economic equality should be given to the people of all castes. If the economic disparity could be smoothed out and at the same time lower castes should be given equal economic privileges then casteism can be removed.

(5) Ban on Political Party: Some political parties misuse the caste banner for their vested political interest. They easily manipulate the illiterate lower caste to aggravate the political tension within their locality. So it is high time to detect the caste oriented political parties and put a ban on them immediately to save the nation from division on the basis of caste.

(6) Abolition of Reservation Policy: Reservation policy of the government in job, education and other sectors is another root cause of casteism. It creates conflicting attitude among the members of two different castes. When the people of higher castes having adequate educational qualification are deprived of all facilities, they revolt against the lower caste people. It expedites the problem of casteism to great extent. Thus for the removal of casteism the reservation policy should be abolished and equal facilities should be provided to the people of all castes.

(7) Enforcing the Existing Laws. There have been laws passed against the practice of untouchability and discrimination toward those considered to be of lower caste, some of which have already been enacted. India's Constitution has a specific Article forbidding untouchability (Article 17), along with Article 25(2b) to throw open Hindu religious institutions to all sections of Hindus, and Article 15 (4) to permit the state to make special provisions for Scheduled Castes, Scheduled Tribes and Other Backward Classes. However, this has only made the caste system more ingrained in society, making it more difficult to fix or do away with. It also has a host of other Articles in Part III to ensure Right to Equality. After all, India is a democracy with freedom for anyone regardless of



race, religion or sex. And under a democracy, everyone should follow the same set of laws--a uniform code for all Indians. However, these laws need to be monitored in a way to make sure that they are implemented to see to it that this caste prejudice is not only outlawed, but stopped. After all, India still receives much criticism for this from the global community.

(8) Scope to Enter into All Hindu Temples. All people, no matter whether they are Dalits, other low-caste Hindus, or people like Westerners who have converted to Hinduism, should have the means and freedom which enable them to enter all Hindu temples and participate in the Vedic process of spiritual development. This again is merely a practice that expands and protects the rights of those who are already privileged, without showing the concern for others. It is another example of how the upper-castes suppress those of lower status. It is another example of how it is causing the disintegration of the noble standards that were once found in the traditional Vedic culture.

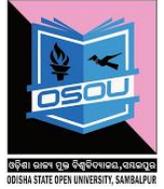
The point is that if everyone can equally participate in the worship and traditions that you find in the Vedic temples, which is indeed possible in most temples in India, it helps preserve, protect, and promote Sanatana-dharma, the Vedic traditions. And everyone has a right to follow and participate.

(9) Stop All Bonded Labor. Furthermore, the practice of bonded labor should be not only outlawed, but with stiff fines and penalties for those who still utilize it. Bonded labor is the practice of using poor villagers for cheap labor, often giving them low wages and shambles for dwellings. It is not only time for the government to get involved to make sure that this practice comes to an end once and for all, and see to it that all financial obligations are nullified, but make sure that all who continue this practice are penalized severely enough. It is another example of how the rich and privileged suppress and control the lower classes.

(10) Promoting the Ideals of Equality and Fraternity: More and more emphasis should be laid on the high ideals of equality and fraternity both by our great leaders, social reformers as well as by the government.

(11) By Upgrading the Position of the Low-Caste People: Every effort should be made to upgrade the position of the down-trodden both socially and economically. More

and more jobs should be provided to them and some seats should be reserved for them.



2.8 Factors responsible for Changes in Casteism:

(1)Modern education:

Modern liberal education introduced into the country by the British has played a crucial role in undermining the importance of caste in Indian social life. Modern education is based on such democratic values like equality, liberty and fraternity. It is also grounded on such scientific values like reason and observation. Hence it is quite natural that with the spread of modern education, the people's belief in the divine origin of caste, Karma and Karmaphala has received a severe setback. As modern education is usually imparted in co-educational institutions, it encourages inter-caste marriage and inter-caste mixing. Moreover, it acts as a powerful force towards the removal of untouchability.

(2)Industrialization:

The process of industrialization has affected caste structure to a remarkable extent. Industrial growth has provided new sources of livelihood to people and made occupational mobility possible. Factories, mills and offices are agog with activity. In the midst of all this, the people belonging to various castes consider it mediaevalistic to go into the question of one's caste. In a factory a Brahmin works side by side with a Shudra. He cannot avoid his touch or shadow.

(3)Urbanization:

Industrialization has given rise to the process of urbanization. New townships have emerged. The ruralites migrate to these towns in order to avail better employment opportunities. With the coming up of big hotels, restaurants, theatres, clubs and educational institutions it is not at all possible to observe communal inhibitions and taboos against food-sharing. Kingsley Davis rightly observes that the anonymity,



congestion, mobility, secularism and changeability of the city make the operation of the caste virtually impossible.

(4) Modern means of transport and communication:

Modern means of transport and communication are instrumental in increasing spatial mobility of the people and thereby put an end to the caste system. Means of transport like train, bus, tram, airplane etc. cannot provide for distinctions between castes, and a leveling effect has been brought into the society. It is absurd for any transport authority to reserve berths for Brahmins to the exclusion of the Shudras. During travel, too, one must of necessity take his meals without questioning the propriety of doing so in the company of low-caste persons.

(5) Increase in the importance of wealth:

Under the caste system, birth was taken as the basis of social prestige. But today, wealth has replaced birth as the basis of social prestige. Occupations are now no longer caste-based. People while choosing their occupations attach greater importance to income rather than anything else. It is because of this reason a high-born may be ill-placed in society while a man of low caste with ample wealth at his disposal has a room at the top. With this change of emphasis, the Indian caste system is in the process of being replaced by the system of social classification as prevails in western countries.

(6) The new legal system:

The new legal system, introduced by the British Government, has given a severe blow to the caste system in India. Equality before law irrespective of castes has been firmly instituted. Consequently, the age old discrimination against the lower castes has been removed. Further, with the establishment of law courts, the traditional castes Panchayats have lost their power and effectiveness to punish the deviants. Not only that a number of Acts like the Untouchability Offences Act of 1955 and the Hindu Marriage Act of 1955



have abnegated the evil effects of the caste system.

(7) Sanskritization:

Srinivas defines sanskritization as “the process by which a low Hindu caste or tribal or any other group changes its customs, rituals, ideology and way of life in the direction of a high and frequently ‘twice-born’ caste”. The members of the lower castes leave their own traditional ideals and behaviour patterns and accept the ideals and standards of higher castes.

The caste system being a closed one, sanskritization does not entail structural change. It entails positional change. Hence through sanskritization the lower caste people move up slightly in the scale of “Jatis’ within a particular varna.

(8) Westernization:

The term ‘Westernization’ was coined by Srinivas to signify the changes in the Indian society during the British rule. By promoting education, egalitarianism, rationalism, humanism and above all a critical outlook towards various social issues and problems, westernization has gone a long way in undermining the influence of the caste system. It has given severe blow to practices like child marriage, purity and pollution, commensality, untouchability etc. The effects of westernization are prominently visible in the form of inter-caste marriages, intercommunity marriages, inter-religious marriages, occupational changes etc. In this way westernization has brought about profound changes in the Indian society.

(9) Secularization:

The role of secularization in weakening the caste system is great. By legitimizing secular ideologies and formal legal doctrines and promoting rationality, scientific attitude and differentiation, secularization has affected certain characteristics of the caste system especially the concept of purity and pollution, commensality, fixity of



occupation etc.

(10) Socialistic ideas:

Caste system is based on the ideas of high birth and low birth. On the other hand, socialists say, “the differences between human beings have been created by society; hence the society only can remove them.” As a result of such socialist thought, caste system is breaking.

(11) New social movements:

Some social movements have also attacked the caste system. The Brahma Samaj movement led by Raja Ram Mohan Roy rejected the barriers of caste divisions and stood for universalisation and brotherhood of man. The Prarthana Sabha movement supported by Justice Ranade brought about certain social reforms like inter-caste marriage, interdining and remarriage of widows, etc.

The Arya Samaj movement founded by Swami Dayananda Saraswati and Ramakrishna Mission movement raised voice against the hereditary caste system based on birth and stood for its abolition. In this way all these social movements succeeded, in no small measure, in affecting some of the structural features of the caste system.

(12) Rise of new social classes:

Industrialization has given rise to the emergence of new social classes. These social classes are replacing the traditional castes. Trade Unions, Merchants’ Associations and Political Parties are replacing the old caste loyalties. An increase in class consciousness leads to a decrease in caste consciousness.

(13) Influence of Indian Constitution:

Indian Constitution bestows some fundamental rights on the citizens irrespective of caste, creed, colour or sex. It offers equal opportunities to all. Para 15(2) of the Constitution, which declares all citizens as equal, directly attacks the Hindu social order



based on inherited inequality. No wonder that caste system is withering away.

The caste system has undergone many changes and occasionally shown considerable adaptability, and its survival even to this date is in no small measure due to its partially flexible character. Speaking about modern trends in the caste system one can definitely say that the rigid distinctions are watering down. The process however is bound to be slow. The caste distinctions in so far they applied to food habits and occupational restrictions are rapidly disappearing and in the urban areas they have almost disappeared.

We can find a Brahmin taking to non-vegetarian food and we can also see a Brahmin running a cobbler's shop. Similarly there does not exist any bar for any person belonging to the lower caste to do the jobs of a Brahmins excepting a job of a priest. There is another distinguishing trend in modern times and that is the myth of religious sanction behind the caste system slowly exploding. Nobody takes it for granted that it is the laws of karma that decides his caste.

However, the essence of caste system (Endogamy) still persists. It is true that there are cases of inter-caste marriages but they are few and far between. An Indian, however, highly placed and advanced in education still prefers a bride from his own caste. Somehow or other the difference of cultural traits in different castes have not yet been destroyed. To some extent even social exclusiveness persists. For certain ceremonies one can find people of particular castes coming together. Even the so-called public associations, clubs, and charitable trusts show a tendency of caste-wise grouping even then the older type of rigidity is certainly disappearing.

In assessing the modern trends in caste system we have to make a difference between rural of India and urban India. It might be said that older pattern of caste system still survives however in weaker form in rural India; though in urban India it is fast losing its rigidity. British rule brought new ideas in India. And broadly speaking these new ideas of equality materially advance and the ideas of democracy and classless society were the factor responsible for slowly undermining the caste system in India. The first important factor nibbling at the root of the caste system was the spread of western



education. The reformist movements emphasizing the essential equality of men the growth of nationalism and the exigencies of modern life have all combined to undermine the basis of the institution of caste.

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The first important factor nibbling at the root of the caste system was the spread of western education. The reformist movements emphasizing the essential equality of men the growth of nationalism and the exigencies of modern life have all combined to undermine the basis of the institution of caste. Thus the basis principle of the caste-system the law of karma is challenged and many of its conventional restriction are disregarded 'social and religious privileges and disabilities born of caste are no longer recognized in law and only partially in custom.

The three distinguishing features of Indian caste system are occupation, inter-marriage and interlining restrictions. These restrictions are fast disappearing under the reformist movements and liberal education. It may be said that the growth of city life, the exigencies of office work, railway travelling, have forced people to ignore caste-restriction about food. The wide contacts in the other public institution are bringing

about inter caste marriages. The growth of nationalism has emphasized equality. Thus the change of ideas and ideals has worked towards the slow undermining of the caste system in India.



2.9 Let Us Sum Up:

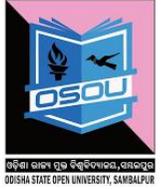
From the ancient period, Caste system divides the whole Hindu Society into a number of groups. The members of such groups are deeply motivated by a strong we feeling and blind caste loyalty. When the members of a particular caste-group want to secure their interests and blindly work against the interests of other castes, casteism originated. Therefore, casteism refers to emotional inclination towards a caste. But the existence of caste feeling in a society where it signifies a specific social status does not pertain to casteism. The sense of caste is converted to the casteism only when the members of a particular caste consider themselves as superior and want to secure the interests of their own caste contradiction to other castes.

Thus, casteism in a blind group loyalty towards one's own caste or sub caste which does not care for the interests of other caste and seeks to realise the social economic, political and other interests of its own group. It refers to snobbery, violence and hostility attitudes of a particular caste against the member of another caste. Casteism has crept every sphere of life. It has become an open fact that the strength of casteism is growing day by day.

SELF ASSESSMENT QUESTIONS:

- (1) Define casteism and discuss the various reasons of casteism?
- (2) Write down the various consequences of casteism in India?
- (3) Mention the factors lead to changes in casteism?
- (4) Explain the various solution measures to casteism?
- (4) Write Short Note:
 - (a) Caste related violence in India.
 - (b) Changes in casteism

DOWRY SYSTEM



INTRODUCTION

When Indian society is moving on a developing path, the dowry system seems to be a curse on the name of ceremonial marriage system. Marriage is a colorful event and it brings happiness and celebrations. Yet the whole environment of the ceremonial dais changes when the issue of dowry is raised as if it the most important aspect of the new relationship which is about to be established between the bride and bridegroom. Dowry is the money or assets which are presented by the bride's family to her groom to ascertain well-being and proper care of the bride and to establish that from now on, the groom will take all responsibilities of the bride. It is often considered as a token of good secured life for the bride.

Dowry (*dahej*) is one of the most ancient practices of India Indian society. The dowry system is a social evil. It is prevalent in all parts of India and almost in all the countries of the world. In India many of the rich traditional customs have been given up, but the custom of dowry has been continuing. It is the cash, precious jewellery and other important things given to the daughter in her marriage. This evil is found in almost every community. Now dowry is demanded by the groom's parents and marriage takes place only if a certain amount of dowry is paid by the bride's parents. Today dowry is given as compensation to the groom's and his greedy family. India is suffering from many social evils and superstitions. Dowry system is one of them.

Babu and Babu write that in 2007, the total number of dowry deaths and dowry-related suicides reported in India were 8093 and 3148, respectively. There was a 74% increase in dowry-related deaths from 1995 to 2007, while there was a 31% increase in the reporting of dowry-related suicides. Occurrence of dowry deaths has significant association with some demographic and socio-economic variables. The data reveal that the status of women is undesirable, and the burden of mortality and related morbidity is enormous.



Parents ask for the amount they have spent in educating and upbringing their son. It is also considered a status symbol. Many young women commit suicide because of dowry system. Their parents cannot collect the required fund. To fulfill the demands of the girl's in-laws they borrow money or even sometimes they put their property on mortgage. It has become truly difficult to find the suitable bridegroom for the girl without giving the demanded dowry. Nowadays, marriage has become a kind of business and misuse of girl's parents. The parents of those boys are highly educated and getting handsome package demand enormous dowry for marriage of their son. The demand of dowry is fixed to the qualification and job status of the boy. Marriages are no longer the combination of hearts; it is just the kind of business transaction. Even the rich parents of the boy do not feel the shame in begging dowry. The system of dowry in India is a very serious matter and a black spot on the Indian society. It is learnt that the girl who takes huge amount of dowry to the in-laws family, she does not care and respect them.

The Law Commission defines dowry death as follows: where the death of a women is caused by any burns or bodily injury or occurs otherwise under normal circumstances within five years of her marriage and it is shown that soon before her death she was subjected to cruelty or arassment by her husband or any relative of her husband, for, or in connection with, any demand for dowry, such death shall be called 'dowry death' and such husband or relative shall be deemed to have caused her death.

According to the dowry prohibition act, 1961 the term dowry means: Any property or valuable security given or agreed to be either directly or indirectly – (a) by one party to a marriage to the other party to marriage (b) by the parents of either party to a marriage or by any other person, to either party to the marriage or to any other person.

The New World Encyclopedia has defined that a dowry is a gift of money or valuables given by the bride's family to the groom and the newly formed household at the time of their marriage. It has been an ancient and widespread practice. Often, the dowry is reciprocated with a bride price given from the groom and his family to the bride. The original intent is to help with expenses in the creation of the new family, help bond the families of the new couple, and provide a support for the bride in case of future

problems such as widowhood or divorce.

Max Radin has defined dowry as the property, which a man receives from his wife or her family at the time of his marriage. Dowry may be broadly defined as gifts and valuables received in marriage by the bride, the bridegroom and his relatives. The amount of dowry is regulated by factors like boy's service and salary, social and economic status of the girl's father, the social prestige of the boy's family, educational qualifications of the girl and the boy, girl's working and her salary, girl's and boy's beauty and features, future prospects of economic security, size and the composition of the girl's and boy's family and factors like that. McKim Marriott holds that the feeling behind this is that one's daughter and sister at marriage become the helpless possession of an alien kinship group and to secure her good treatment, lavish hospitality must be offered to her in-laws from time to time.

Dowry helps in perpetrating these divisions over generations. Rao identified some fundamental patriarchal conditions that lie at the root of the problem in India; they include: (i) a woman's primary role as a mother and daughter with limited options outside marriage, (ii) a daughter who stays unmarried beyond a certain age whose parents face high social costs, (iii) divorce is practically non-existent, (iv) women are customarily denied inheritance rights and (v) marriages are arranged by the parents of brides and grooms to largely reflect the interests of parents. Though India possesses several communities which are discrete in their geography, language and culture, marriage is perceived as a universal obligation, customarily arranged by parents or relatives of the bride and groom and dowry became a major constituent in marriage negotiations.

The existence of dowry is that giving dowry is a social custom and it is very difficult to change customs all of a sudden. Many people give and take dowry only because their parents and ancestors had been practicing it. Custom has stereotyped the old dowry system and till some rebellious youth muster courage to abolish it and girls resist social pressures to give it, people will stick to it.





Amongst Hindus, marriage in the same caste and sub-caste has been prescribed by the social and religious practices with the result that choice of selecting a mate is always restricted. This results in the paucity of young boys who have high salaried jobs or promising careers in the profession. They become scarce commodities and their parents demand huge amount of money from the girl's parents to accept her as their daughter-in-law, as if girls and chattel for which the bargain has to be made. Nevertheless, their scarcity is exacerbated and aggravated by the custom of marriage in the same caste. A few people give more dowries just to exhibit their high social and economic status. Jains and Rajputs, for example, spend lakhs of rupees in the marriage of their daughters just to show their high status or keep their prestige in the society even if they have to borrow money.

The most important cause of accepting dowry by the grooms' parents is that they have to give dowry to their daughters and sisters. Naturally, they look to the dowry of their sons to meet their obligations in finding husbands for their daughters. For instance, an individual who may be against the dowry system is compelled to accept fifty to sixty thousand rupees in cash in dowry only because he has to spend an equal amount in his sister's or daughter's marriage. The vicious circle starts and the amount of dowry goes on increasing till it assumes a scandalous proportion.

Dowry included money, goods and property which a woman brings to her husband in marriage. Dowry is also termed marriage portion, maritagium and maritage. Dowry custom has been a case curse for India. Now it poses a challenge which seems difficult to meet. It has proved to be a greatest curse for the poor classes of India.

Strong legislation, laws and women's movements, every attempt to resist it has been thwarted by the wide social sanction accorded to this illegal practice. Social mental set up also works behind it such as in Indian society girls are considered a liability while boys as assets. Culturally sons are preferred. This accords a secondary social status to women. Nalini Singh says that woman has 'zero political statuses in family. They are considered of less productive value than man so dowry is considered to be a compensation for that 'worth deficiency'.



Several surveys reveal that dowry cases have risen drastically within last 10 to 15 years. It is considered that dowry system was facilitated by economic liberalization. Sudden rise in dowry cases is also linked to the rising consumerist culture and according to the report of AIDWA, the natural tendency of human to have easy access to the consumer goods which was prompted by the varied choices of consumer goods available in the market. Heightened incidents of dowry can be attributed to the changing economic structure of society consequent social polarization.

Dowry is not the only problem of Indian society, attached to it is the whole bunch of corresponding evils. International women's conference in Australia accepted that female feticide is directly related to dowry. Middle and lower middle income groups who are not able to fulfill the demand of dowry think it wise to nip in the bud. Domestic violence is another consequence of this evil.

Dowry System in Indian Marriages can be called the commercial aspect of the marriage. The practice of giving dowry was very common among all people of all nations. A girl gets all the domestic utensils that are necessary to set up a family. Dowry system in India was prevalent since the Vedic period. In Epic period gifts from parents, brothers and relatives and relatives were recognized as woman's property - stridhan. According to Kautilya "Means of subsistence or jewellery constitutes what is called the property of the woman. it is no guilt for a wife to make use of this property in maintaining her son her daughter-in-law or herself if her absent husband has made no provision for her maintenance"

ORIGIN OF DOWRY:

The system of dowry had its origin in the Vedic period which began only as a formal rite in the institution of marriage. Among the various types of Hindu marriages, 'Kanyadan' played a significant role in the evolution of the dowry system. During Kanyadan, a bride was given as a gift to a bridegroom by her father. As stipulated in the Dharmasasthra, Kanyadan is a meritorious act and it is not complete until a bridegroom is given a dakshina while performing and solemnizing the ceremony of Kanyadan.



In other words during Kanyadan form of marriage, the bridegroom has to be given something in cash or kind which constitute Varadakshina. Thus Kanyadan form of marriage became associated with Varadakshina, i.e. the cash or gifts in kind to be paid by the parents or guardian of the bride to the bridegroom. Thus Dakshina or Varadakshina was offered out of affection and did not constitute any kind of compulsion or obligation or consideration for the marriage. It was a voluntary act or practice followed in those days to comply with the stipulations enjoined in Dharmasasthra without any coercive overtones.

However, in the course of time, the voluntary element associated with Varadakshina during Kanyadan marriage has disappeared and the coercive element has crept in. It has taken deep roots not only in the marriage ceremony but also extended to the post-marital relationship. Thus what was originally intended as a token Dakshina for the bridegroom has now gone out of proportions and has assumed the modern nomenclature 'dowry'. Considering its ramifications and the impact it created in the society, the dowry system has grown into a greedy monster, which is constantly looking out for hapless preys especially from feminine gender.

The New World Encyclopedia has written that the origins of the dowry custom in India is lost in antiquity, although there is some evidence for it being practiced prior to 300 B.C.E. among what became the upper castes such as the Brahmins and Kshtriya. It is unknown if it was brought with the conquering armies and mass marriages of Alexander the great, or if it was practiced prior to that. The earliest dowries were usually of land. The advent of Buddhism in India, with Ashok the compassionate began a period of the influence of Buddhist law on a large part of India. Under Buddhist law, women had rights and could own property, therefore dowries served no purpose. When Muslims came to power in large parts of India in the eighth century, they did not approve the practice of dowry. They were not adamant, however, and as Hindu areas increased, the Brahmin castes increasingly isolated themselves and continued and popularized the practice of dowry once again.

The Indian dowry system became more widespread under the colonial rule of the British



Empire, and with the increased urbanisation that developed. Some poorer families were not prepared for the new expenses involved, and some social problems developed as they tried to cope with this new demand. Roots of dowry date back to the time when man started living a civilized life. Originally, it intended just to give a support and security to new couple who start their married life. It also signified an alternative to inheritance for woman. In periods it distorted its face and but its worst face comes to the fore in present society where parents pass their whole life under debt to pay dowry in the marriages of their daughters which also results in murders and suicides of the daughters. Rising dowry death toll in recent years reflects the grimness of the problem.

Originally, parents of the bride would give their daughters present, ornaments and other necessary articles of daily use. These things were meant to contribute, according to their status, to a happy family life. By and by the rich of our society whom we call pillars of society, gave this custom a design to fill pockets of the parents of the bridegroom. In due course of time demand for the dowry became most essential condition of the marriage settlement. The demand in cash that depends upon the merits of the boy and the status of the family become a terror for the society. Middle class people became main target of the attack. The devil of dowry has put an end to the happiness of several couples even after marriage. Reasons behind huge dowry demands are counted by experts mainly the lack of economic rights of woman, denial of property rights and basic civil rights such as right of marriage of own choice, land rights and education

According to S.J Tambiah (1989) dowry is the property given to the daughter to take with her into marriage. Technically, it is her property and in her own control though the husband usually has rights of management. Another definition to dowry is the property a woman brings to the marriage partnership. In this meaning, dowry can be the dowry a bride receives from her parents, property she previously inherited and brings to the marriage, or property she owns as a widow and brings when she remarries

Paul (1986) observed that the dynamic forces of socio-economic inequality have given rise to rationalization based on false ideas of prestige and status which sanction, justify or explain the phenomenon of dowry in a social milieu. He critically argued that money has become now an occasion where one strives to promote ones status and interests.

Sonal Shukla (1985) point out that dowry as a social phenomenon has aroused much public concern in contemporary Indian Society which is undergoing a transitional phase under the capitalist path of uneven development. Drez and Sen (1995) opined that the persistence of extraordinary high levels of gender inequality and female deprivation are among India's most serious social failures.

Violence and atrocities against women is not a new thing. Perhaps it is as old as mankind and has existed in all forms of society. Dowry dimension is creating serious problems for the society. The newspaper's reporting about the crime against women like bride burning, , sexual abuse of women under dowry demand, harassment to women at domestic place does not seem to create a fear of such crimes, but obviously it causes mental shock for a sensible person. In spite of all that is being said and done at non government as well as government level, the fact remains that the paths of women are still best with several difficulties. The dowry menace in the society has always perturbed the society. It has always hurt women to think about the mental condition of the poor parents who pay for their simplicity and honesty in terms of ill treatment and mental agony to their daughters in the inlaw's houses. The plight of poor women who are unable to digest the torture, yet not able to raise their voice against it, has always suffered a lot. A women placed in double jeopardy, firstly by the offenders for committing crime against them and secondly the society which makes the women responsible for all that happen.

REASONS OF DOWRY

Dowry is the desire and aspiration of every parent to marry his daughter in a higher and a rich family to keep up or to add to his prestige and also to prove comforts and security to the daughter. The high marriage- market values of the boys belonging to rich and high social status families have swelled the amount of dowry.

In modern times, however, dowry is a contemptible social evil. It reduces the sacred institution of marriage to a business transaction. It degrades a young maiden to the level of a saleable commodity. Poor people have to incur heavy debts to provide their daughter with a handsome dowry. This wrecks them financially. Some people resort to



unfair means to meet dowry demands, which pose a grave threat to the moral values of the society. The daughters of poor parents consider themselves a burden on their family and they either opt for a life of disgraceful spinsterhood or commit suicide. The dowry system is also an evil since it perpetuates the myth of male superiority. If a bride is harassed for more dowry, it may breed hatred in her mind for her husband and ruin the married life of the couple

Though India has host of problems to tackle today, yet the biggest which the country is facing is dowry. Dowry, in fact, has destroyed our economy. Today we fix dowry rates of boys of deferent categories – doctors, engineers, lecturers, business men, executives, administrative services, etc. Merit of the girl has nothing to do in the settlement of the marriage proposal. We generally see that ordinary parents find it difficult to select a boy, well settled in life, for their girl who is well qualified and well versed with household activities. It is very difficult to find a good boy for a girl without paying a high price for the same. Parents of highly educated boys try to demand a large amount of dowry both in cash and in kind. In a way, they fix the rate of dowry according to the education of a boy.

Raja Ram Mohan Roy, Ishwar Chander Vidya Sagar and Mahatma Gandhi, to name only a few, tried their best to mobilize public opinion against the system. Gandhiji unequivocally expressed his views against dowry when he said "Any Youngman who makes dowry a condition of marriage discredits his education and his country and dishonors womanhood."

McKim Marriott holds that the feeling behind this is that one's daughter and sister at marriage become the helpless possession of an alien kinship group and to secure her good treatment, lavish hospitality must be offered to her in-laws from time to time. One of the causes of dowry is the desire and aspiration of every parent to marry his daughter in a higher and a rich family to keep up or to add to his prestige and also to prove comforts and security to the daughter. The high marriage-market values of the boys belonging to rich and high social status families have swelled the amount of dowry. Other cause of the existence of dowry is that giving dowry is a social custom and it is

very difficult to change customs all of a sudden. The feeling is that practicing customs generates and strengthens solidarity and cohesiveness among people. Many people give and take dowry only because their parents and ancestors had been practicing it. Custom has stereotyped the old dowry system and till some rebellious youth muster courage to abolish it and girls resist social pressures to give it, people will stick to it. Amongst Hindus, marriage in the same caste and sub-caste has been prescribed by the social and religious practices with the result that choice of selecting a mate is always restricted. This results in the paucity of young boys who have high salaried jobs or promising careers in the profession. They become scarce commodities and their parents demand huge amount of money from the girl's parents to accept her as their daughter-in-law, as if girls and chattel for which the bargain has to be made. Nevertheless, their scarcity is exacerbated and aggravated by the custom of marriage in the same caste. A few people give more dowries just to exhibit their high social and economic status. Jains and Rajputs, for example, spend lakhs of rupees in the marriage of their daughters just to show their high status or keep their prestige in the society even if they have to borrow money. The most important cause of accepting the dowry by the groom's parents is that they have to give dowry to their daughters and sisters.

(1) Indian society continues to view women as a liability. People who take dowry believe that it is their right because they are taking on someone else's liability, and people who give dowry feel they need to pay compensation for passing on their liability to someone else. At the heart of this is the feeling that women are not breadwinners.

(2). People, who ask for dowry, are sure they can get away with it from the law and that there will be no societal sanctions imposed against them.

(3). People, who give dowry, do so because they don't want to be seen as rebelling against traditions or because they feel that it improves their social stature.

(4). People who see it happening will look the other way even if they disagree with the practice. This is because they don't realize that dowry is an externality for which they too are sharing the cost. Women have been subjected to such social as well as

economical deprivation that there is a lack of awareness for crimes against them. Women are reared in the environment where they slowly though positively starts feeling inferior to man. The mentality of the women changes so drastically that they don't find anything wrong in the crimes and cruelty committed against her.



The following are the key reasons of dowry system in India:

(1) Lack of awareness: In Hindu society women have been subjugated by their in-laws family since time immemorial. The general mentality and acceptance of women's inferiority to men in Indian society has certainly aggravated the evil of dowry system. Majority numbers of people in rural and tribal area are not aware about the negative consequence of dowry or bride price. It certainly destroys the human relationship and drags the family members into deep trouble. The greed of dowry creates a sense of misunderstanding between the husband and wife and between the members of the two families.

(2) Submissive Attitude of Women: Women are bound by their cultural conditions and social attitudes. They consider their husband is highly respectable and caring and sharing pain with him is a virtue. It is also seen that some women are tortured and beaten by their husband or in-laws, but they never complain at the parental house or lodge any complain before the local police station or Mahila Commission which encourages the groom to commit more and more violence without any fear.

(3) Male Dominance: Indian society is based on the principle of patriarchy where the male members rule the family and holds authority over all the female members. The male members torture their female counterparts for the sake of dowry. They demand dowry from the groom's family to lead a comfortable and easy life. The female member does not dare to raise her voice against the illegal demand of her in-laws family. If she raises her voice, she will be thrown out from the family then and there. She thinks that if her husband throws out then her whole life will be ruined and she will be in distress. She prefers to tolerate the suppression and torture of her in family.

(4) Denial of Violence by Women: Indian society is male dominated and women are



brought up to be submissive and never to oppose the authority. Religion has restricted instead of improving the status and rights of the women. The factor of egoism in men to be superior also plays a chief role in degrading status of women in the society. The women should not tolerate any form of violence by their in-laws family members and they should immediately report to the Mahila police station and punish the culprit.

(5) Illiteracy: Illiteracy is the main cause of the depth of this social evil. It is seen that illiterate women are subject to more torture and suppression in the society. They are not conscious about their rights and they never oppose any sorts of dowry torture made by the husband or his family members. Even they do not have any idea that asking for dowry is a crime and the bridegroom will be punished for demanding dowry. They silently support the oppression by the in-laws family. Education makes them aware about the anti- dowry law and provides them courage to fight against torture and exploitation of in-laws family in the name of dowry.

(6)Economic Dependence: Majority of women in India are economically dependent on their husband's purse. Even many husbands do not like the economic independence of the women due to the fear of losing control and authority over their wife. The wife has to completely depend on the husband to manage the household and children's education. In this case the husband demand dowry in the name of financial assistance from the bride family. If the bride fails to meet the demand of her husband, the husband non-cooperate the wife financially and tortures her emotionally till she brings dowry from her family. Once economic independence comes in women the evil of dowry will naturally die.

(7)Lack of Proper Execution of Legal System: It is seen that Indian states have made very powerful and strong laws for protecting women from the evil custom of dowry. But many authorities do not take the dowry torture case seriously. Due to poor implication of dowry law, many women are subject to dowry torture and exploitation by their in-laws family. Thus Ayn Rand quoted "Evil requires the sanction of Victim!" in her book Atlas Shrugged. Only a woman can stop any form of atrocity against her and she certainly doesn't need any discriminatory law from coercive government to save



herself. Her individual strength and understanding of her inalienable individual rights can provide her a sense of dignity and grace. No governmental law or societal tradition can save her against immoral atrocities but her own strength and virtue of self interest. The modern system of dowry is a problem of conformist culture which makes its almost impossible to uproot the evil. In 1961, the tradition of dowry was prohibited under Indian Civil Law by the Sections 304B and 498a of the Indian Penal Code. Yet, dowry is a consistent menace and government and the law abysmally failed to control crimes related with dowry.

(8)Poverty: It is seen that many poor parents who bring loan from the bank or from any money lender to provide financial support to their son to continue their technical education in either in India or in abroad. They have an expectation that the son will get a good job so that he will marry a rich girl who will help him t o repay the study loan. Secondly, due to poor financial background of the husband, the wife is compelled to ask for money and other essential good from her parental house. If she fails to get from her parental house she is either tortured or killed by the in-laws family members. Sometimes the son-in-laws family members go on scot free.

THE IMPACT

Dowry system has become a part and parcel of the institution of marriage. Without dowry no marriage is properly solemnized. In the caste ridden Hindu society, the top three castes and its sub-castes invariably follow the dowry system. In fact, before fixing a marriage or engagement, dowry is demanded as a precondition. When the demand for dowry is not accepted, a disagreement is reached and the marriage proposal gets foiled even at the preliminary stage. The personality of a bride or bridegroom, their willingness for the proposed marriage etc which are normally considered as the essential prerequisites of a marriage take the backstage.

Another salient feature of the dowry system is that it is always associated with the status of the parties to the marriage. In particular, in the arranged marriages, the bridegroom's parents demand a sum in cash or in kind, in the form of jewelry, material things like household articles, car and house etc. The irony is such demands are made befitting the

economic status of the bridegroom's family or the position held by the bridegroom or the actual amount that he earns as salary or in his business or profession. If the agreed amount of cash or kind is not paid before the marriage, it even leads to the termination of the contract of marriage and the marriage is not solemnized.



The system of dowry has also become a primary source of post-marital disputes. When the agreed amount of dowry is not paid or it is partly paid and partly promised, some times the marriage is solemnized and even consummated. When the bride's family is not able to fulfill the promise of dowry due to poverty, the strife begins at the marital home, in which the entire family members of the bridegroom is pitted against the bride. Going further, the bride, for no fault of her, is verbally abused in a vituperative language, assaulted or violently beaten by her husband, in extreme cases the bride is strangled to death or put to flame using petrol or kerosene. The bride is not spared even when she is pregnant or a mother of a baby.

Unable to fulfill the dowry demands of the marital home, the bride is mostly driven back to her parent's home. Somehow or other, the bride's parents should fulfill the demands for dowry, so as to ensure a better future for their daughters at their marital homes. In the result, the bride's parents become heavily indebted and wallow in poverty or struggle to have their both ends meet throughout their life.

In the modern days the Dowry Prohibition Act, specifically makes the act of demanding or taking as well as giving dowry during the marriage, a crime. Consequently, there is a long queue of hapless women standing before the women police stations as well as the courts to prefer a complaint against the members of their marital home. In some cases, harassment for dowry results in deaths of women leading to a protracted trail against the members of the marital home.

Sometimes, women misusing the provisions of Dowry Prohibition Act, preferring false complaints against their husbands, are harassing hapless men. Hence, courts have begun to consider such cases sympathetically and even issued instructions accordingly. If a woman prefers a complaint against her husband on the ground of harassment for dowry,



the police authorities need not automatically arrest him unless a prima facie case is made out on enquiry. Thus the dowry system creates a chaos in the society, by promoting violence and strife among the members of the families and thereby dismembering the families. Dowry system is against the law of equality between man and woman. Today dowry is considered as the crime, both giving and taking. Thousands of cases has being observed every year but only few of them put to court for not only continued, but flourished over the years. Even in the old age the dowry system was in vogue and dowry was used as means for striking a good match. In due course dowry became an integral part of the marriage institution and is generally accepted by the society as necessary evil. The custom of dowry has become widespread. Even before the marriage, the amount to be given as dowry is discussed and settled with the change of time. The contents of dowry have undergone a great change. The boy's parents openly demand money and other items which include car, scooter, fridge, colour T.V. etc. The rate of dowry changes according to the qualification of the boy. There are "rates" fixed for I.A.S.,I.P.S., P.C.S., I.E.S. officers and qualified engineers and doctors. In fact, a regular marriage cannot be held and a marriage without dowry is almost unthinkable. Official statistics show a steady rise in dowry crimes. More than 9, 5000 women are killed every year in India over dowry. Bihar and Uttar Pradesh still record the maximum number of dowry crimes, four women reportedly die every day because of dowry harassment and domestic violence. The cases of dowry torture are the highest accounting for 32.4% of crimes against women in the country.

POSITIVE CONSEQUENCES OF DOWRY:

Some dowry fed people believe that dowry has some positive consequence which are stated below

1. Dowry helps newly married couple to establish their family:

The advocates of the practice of dowry say that the dowry, money, utensils and other house hold articles that a bride brings at the time of marriage help the newly married

couple to establish their new home and also enables them to furnish their home with necessary accessories.



2. It makes marriage of ugly looking girl easy:

Practice of dowry makes the marriage of ugly looking, uneducated and aged girl easy as huge amount of dowry acts as effective and useful method for luring suitable bride groom for the bride.

3. Supports the Higher Education of poor boys:

The practice of dowry solves the financial problem of poor young bachelors and gives support for higher education to prospective bridegroom.

4. Raises the status of women in family:

Supporters of this system think that marriage is a girl's life insurance and the dowry is the premium. A girl entering with her huge amount of dowry feels confident while entering her in-laws house and is given greater attention and importance in-laws family where as a girl without dowry feels uneasy and apprehensive. Besides, it enables for a lower Class / Caste women to marry an upper class/ caste boy through which she can be able to raise her status in the society.

5. Promotes Inter-caste, inter religion and inter- state marriage:

Dowry helps to find a suitable bridegroom from other cast, religion or from other state. Dowry is practically helpful when in a particular caste we are not able to find a suitable and qualified boy for a suitable girl.

6. Acts as a provident fund:

Supporters of this practice put arguments that dowry acts as a provident fund for the girls to face many financial hazards in future as boys of other cast and religion easily allured by dowry and give their consent for inter-cast, inter- religion and inter-state marriage.

NEGATIVE CONSEQUENCE OF DOWRY:



The term dowry refers to the gifts or movable property which a girl brings to her husband at marriage. Dowry system is a very old system. Now- a- days it has become a curse to the society so much so that it is one of the greatest social evils in the country. The custom of dowry has caused a lot of sufferings to the weaker section of the society. The demand by the groom's parents for large sums of money and gifts and the harassment of the daughter-in-law to bring in more money even after the marriage has led to a heavy toll of female life in the form of bride burnings or suicides. Many young lives are lost for no faults of theirs. Day in and day out we read and hear reports of dowry deaths. Dowry, which once served as a token of love and affection, today is a bargain of business. In our country the parents are keen to marry off their daughter to a suitable boy at a right age. It is hard to find such a match without paying a high price for the same. The groom's parents try to take undue advantage of this helplessness of the bride's parents. Greed has no end but there is a necessity to eradicate this evil of dowry system. Both men and women must be educated and economic independence of women must be secured. Our men should develop a sense of fairness and justice.

Our Government should make Anti-dowry Act more stringent. It is said that time changes and so do the generation. So isn't it the major responsibility of the present generation to strive for a better society for their future generations?

Shuani narrates the following are the negative consequences of dowry system in India:

(1) Dowry causes great economic burden on bride's family:

Dowry has become a great economic burden to the middle and lower class families. These people live hand to mouth. They rarely save money. They spend their resources to meet their necessary wants, for children's education and in meeting various social obligations. Hence they have to borrow money or sell a piece of their property or mortgage valuable articles of the family to give dowry in daughter's marriage which becomes ultimately a great economic burden for parents to repay the borrowed amounts after marriage. Therefore Gandhiji has stated that one, who makes dowry a pre-



condition for his marriage, not only shows disrespect to women but also humiliates his own nation, education and womanhood and such young person's should be socially boycotted.

(2). Increases corrupt attitude of parents:

Many parents develop their corrupt attitude to collect money for paying dowry. They accept all sorts of briberies. They undertake unsocial activities like smuggling or earn by unfair means. Thus dowry practices forces some parents to be corrupt.

(3) Lowers the standard of living:

Each marriage of daughters leads the drainage of money from brides' side due to dowry practice and breaks the backbone of the family by lowering the standard of living, if of course the family earns by legal means.

(4). Dowry leads to some immoral practices:

In order to escape from the menace of dowry, some young girls prefer to undertake jobs to earn huge amount of money to meet the dowry expenses and thereby reduce the dowry tension of their parents. In the process some innocent girls are carried away by the false promises of the young boys and are often sexually cheated to be made pregnant. Subsequently such girls are socially defamed and finally they are forced to commit suicide finding no alternatives.

At times girls are bound to commit suicide when their in-laws forced them to bring more and more dowry form parents. Even the husband along with his parents or other family members do not hesitate to take away the life of bride on dowry issue if the dowry is not up to their satisfaction. This accounts for an explosive situation such as bride burning and many other atrocities activity against women in our society. Women are ill treated, disrespected, manhandled, tortured and subject to all sorts' cruelties in the



name of dowry. Newly married girls are always the victims of harassment, violence, murder and suicide. Dowry is demanded as though it is fundamental right of the bridegroom. Violence against women who bring less dowry or no dowry includes-physical battering, emotional neglect, torture, verbal abuse, refusal of sufficient food, imposition of heavy physical work and so on. In spite of the varied legislation to ban the practice of dowry, the regret is that it still persists. Demands for dowry have even caused dowry death. For every 17 minutes one dowry death occurs in our society. Further, some girls, who remain unmarried due to dowry system, take decision to carry on illegal sexual relations in order to satisfy their sexual urge and there by pollute the whole society.

(5). Dowry practice lowers the status of women:

A girl is considered a liability in her own natal home due to prevalence of the custom of dowry practice. Some parents are unwilling to give higher education to their daughter as they have to search for highly educated boy for marriages and better educated boy will demand more dowries which creates unnecessary problem, for parents. Dowry is thus a great impediment in the progress of education of girls and girls being deprived of higher education are unable to raise their status. In middle class family boy is always given more importance in respect of food, dresses, medical care and education only due to practice of dowry.

Besides, the boy who receives huge amount of dowry may think of himself as more dignified as having a higher status greater prestige and more respectful than the girl. Subsequently the girl develops inferiority complex. Dowry system lowers the status of women in another way. Some greedy boys want to marry several women to get monetary benefit in the form of dowry. This naturally affects the status of the women.

(6). Dowry system makes imbalance in the sex ratio:

Parent of poor families kill their daughter from their vary birth or at the stage of fetuses in their mother's womb. The practice of female infanticide and feticide has led to an imbalance in the sex ratio in our society.

(7). Dowry practice enhances psychological tension:

Many marriages breakdown due to dowry practice and increases the tension of both parents and daughters. Besides, parents always remain worried and tensed in arranging money required to pay in dowry for daughter's marriage. In some cases girls with self dignity may refuse to marry a boy who demands dowry and may be forced to remain spinsters throughout their lives. Forcible suppression of sex urge may make them to become irritable, frustrated disgusted and pessimistic. They may even develop neurotic diseases and get involved in an emotional problem.

(8) Divorce: Dowry is the principal cause of divorce between the husband and wife. When a bridegroom asks for money from the bride's family, the bone of contention starts there. The bride develops a different view towards her in-laws family. An educated woman does not tolerate the dowry fed husband and she raises her voice against her in-laws family which breeds conflict between the two families and results in judicial separation and divorce. From the literature, it is learnt that the rate of divorce due to dowry demand is comparatively higher among the highly educated women than the middle educated and lower educated women.

(9) Torture: Dowry torture in societies that have dowry customs is an attempt to obtain more money or goods from a wife's family after the marriage. If the wife's family does not or cannot comply, abuse and torture may follow. The practice is also used to free the husband to marry another, perhaps someone with a larger dowry. Victims can be murdered or driven to suicide by repeated abuse. This issue has been identified and researched primarily in India.

With the opening of India to more Western influences, including consumerism, the gap between the rich and poor has increased. Dowry has degenerated into a means to obtain

or augment wealth by the husband or his family, using dowry harassment as a form of extortion. Beatings and psychological torture are common, as are threats of divorce and even kidnapping. The Indian taboo against divorce prevents the women from simply leaving the marriage and they often commit suicide, driven by hopelessness.

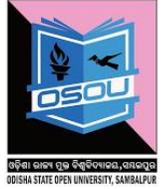


(10) Suicide: A trend of gender-based abortions in India has been noted, so that families will not have to provide dowry or become subject to dowry harassment when it comes time for daughters to be married. The problem is especially prevalent in more rural parts of the country where education is lacking. When the marriage of daughter is settled and the parents fail to pay the demanded dowry and the marriage gets broken, this certainly emotionally hurts the girl and force her to commit suicide.

(11) Dowry Death: Violence against women is often examined from an ecological perspective to understand its risk factors. This ecological framework conceptualizes dowry-related deaths and other violence against women as multifaceted phenomena. Heise noted that this phenomenon is grounded in interplay of individual, family and community-level factors. Harpreet Singh says that the most severe in ‘bride burning’, their husband or in-laws did not consider the burning of women whose dowries sufficient. This abuse can escalate to the point where the husband or his family burns the bride, often by pouring kerosene on her and lighting it, usually killing her. Most of these incidents are reported as accidental burns in the kitchen or are disguised as suicide. The official records of these incidents are low because the family often reports them as accidents or suicides. In Delhi, a woman is burned to death almost every twelve hours. The lack of official registration of this crime is apparent in Delhi, where ninety percent of cases of women burnt were recorded as accidents, five percent as suicide and only the remaining five percent were shown as murder.

(12) Negative Impacts on Children: Due to constant conflict between husband and wife in the family influences the attitude of the children in the families. It certainly affects the socialization process of the children in the family. It puts impact on their social and cultural milieu. Due to dowry, divorce takes place. Due to separation between husband and wife, the child becomes emotionally tortured and develop a deviant behavior towards the family member and society.

MEASURES TO ERADICATE DOWRY SYSTEM



From time to time the Government has enacted legislation to extricate the Indian Society from this great social evil. In 1961, it enacted the Dowry Prohibition Act, but the act proved utterly in effective. Instead of showing signs of subsiding, the system took deeper roots, recently giving or taking of dowry has been made a legally cognizable offence punishable by imprisonment up to two years.

Now there is a great demand by the people that this evil of dowry should be eradicated completely. Many girls and boys are taking pledge that they will not accept dowry at the time of their marriage. There is no doubt that until and unless the educated youths of the country come forward to abolish this evil from our society nothing tangible can be done to eliminate it once forever. It is quite heartening to note that during the last few months a strong public opinion has been created against this evil. In reality all responsible persons in the society should start a strong propaganda against this evil. The young men and women should stage demonstrations against those persons who give or take dowry. Of course, the Government should also pass stringent laws against this evil but social evils can only be abolished with the active co-operation of the society.

The youth can definitely play a key role in eradicating this evil practice. Young boys should take a pledge that they will neither demand a dowry nor accept it, and young girls should be resolved not to give their consent to marriage with a boy who demands a dowry. If more and more girls are educated and made economically independent, it will accelerate the process. More love marriages and more inter-caste and inter-provincial marriages should also prove helpful.

One more concrete suggestion, if the Government is really keen on solving this gigantic problem. The Central Government should enact a law by which those young men and girls who enter into 'dowry-less' marriages should get top priority in all government employment. The cases of 'dowry-free' marriages should make the prominent news-item in the news bulletin. This would encourage the youth to take the lead. Women's education and enhanced participation in political process, position in decision-making



bodies will improve the situation. They need to be provided with shield of protection which should not be blunt like present laws but razor sharp that could really help them and prevent them from taking such extreme steps .The social evil of dowry system (custom) attracted the attention of the government. It started its campaign against dowry custom. It enacted the Anti-dowry Act in 1961. But it received no support of the society and the administration also neglected the act. Hence this gave no relief to the poor people.

The proclamation of national emergency had given this social evil a death blow. The government seemed to be determined to root out this growing evil. Our the then Prime Minister, Smt Indira Gandhi had asked the young boys of the country to come forward to fight this social evil. She herself had set the example by marrying her son Sanjay to Meneka in a very simple ceremony without any dowry. Her call received a warm welcome. Millions of young boys had taken oath not to accept any dowry. Similar thousands of girls had decided once for all to marry those boys who demand no dowry.

Many state governments took bold step at the call of the Prime Minister. They amended the old Anti dowry Act. They also made new act. Dowry was restricted to Rs 3000 to Rs 5000/-. Punjab and Bihar came first in the fight followed by other states. People have been asked to celebrate marriages in the day time with ordinary decoration. This will reduce the expenses of the marriage. Road blocking and fixing Shamiyanas on the public places has been banned. Number of *Baratis* (members of the marriage party) has been restricted to 25. Government servants, officials and ministers have been asked not to take part in any marriage in which dowry is taken or given. As early as 1939, the evils of the dowry system were felt. Sporadic State legislations were not do to prevent the widely prevalent dowry system. Subsequent to independence, the Government of India began to enact legislations empowering women in India.

1) In the Hindu Succession Act, 1955, a woman was placed on equal footing with men, entitling them to have property rights. The Dowry Prohibition Act, 1961, tries to do away with the system of dowry by declaring that both taking and giving dowry as a crime. It stipulated punishments up to 2 years for dowry harassment and up to 10 years

of rigorous imprisonment for deaths caused by dowry harassment. Certainly, these enactments act as a deterrent against the system of dowry. However, by and large still the system of dowry prevails and the culprits go scot-free since nobody comes forward to prefer a complaint against them.



2) It requires concrete and sustained efforts to campaign against the system of dowry and eradicate it once and for all from the society:-:

(i) It should begin from the schools and colleges in which the student community should be properly educated against the evils of dowry system and they should even take a vow that they will not give or take dowry from their prospective spouses.

(ii) Promoting love marriages on the one hand helps to abolish the caste system and on the other hand it helps to throw away the dowry system into the dust bin.

(iii) Spreading the message against the dowry system by conducting periodical legal aid camps and offering counseling to the victims as well as the general public will help to spread the awareness among them against the dowry system.

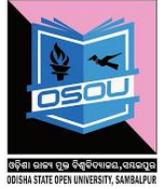
(iv) Creating more stringent provisions in the dowry prohibition act like awarding a higher punishment to those who take or give or even demand dowry. Imposing punishments like imprisonment to those who cause the death of the victim by dowry harassment is a way of giving stringent punishment.

(v) The root cause for the existence and continuation of the dowry system is that parents of the bride despite being poor agree to the unreasonable demands for dowry made by the parents of the bridegroom. Therefore, they should make it a policy that they will never agree or make any compromise on the issue of giving or taking dowry, how long their daughter may remain unmarried.

It requires commitment to eradicate the system of dowry. Perhaps a whole generation may have to suffer to get rid of this evil system. Instead of suffering from dowry harassment or losing your precious lives, it is better to remain unmarried for a common

cause and for the benefit of the posterity.

Getting rid of the scourge of dowry requires a multi-pronged approach. Here are some conventional approaches that many are trying:



- i. More opportunities for women of all strata and education backgrounds to become financially independent.
- ii. More awareness campaigns on how the entire society suffers if one family accepts dowry.
- iii. Better enforcement of the law.

And here are some unconventional ideas that might be a little tougher to implement:

- (a). Increasing the minimum age of marriage for men and women to 24. This will do wonders for our population growth rate as well.
- (b). Encourage more youngsters to date and find their own spouses (preferably outside their own community) instead of relying on arranged marriages. Marriage is a union of two people and not a contract between families. There could be some government subsidies given to people who marry outside their community.
- (c) Encourage young couples to move out of their joint family house after marriage. This way, they are not a burden on anyone but each other. This can be done by offering cheap housing to those starting out in life.
- (d). Neighborhood watch programs (like in the US to keep crime and drugs out of the neighborhood) could help law enforcement agencies by educating their neighborhood on the evils of dowry and reporting anyone who indulges in dowry. 1) Shifting from our ancient value based society to a society in which women were respected as equally as men and to achieve the lost dignity, women should be economically independent as in western countries (2) In any case involving dowry crime should be investigated promptly. More women police officers should be involved for proper investigation of



crime against women. (3) Pendency of the cases should be disposed when it's fresh in the minds of the public so that it can act as a deterrent for the society. Registration of marriage and the gifts presented on or after that should be made stringent. While no time limit is being prescribed to deal with the cases related to dowry both govt and judiciary should take measures towards it. (4) Dowry is a social scourge and public opinion has to be mobilized against this cancerous evils. The memorable words of Mahatma Gandhi, Acceptance of dowry is a disgrace for the young man who accepts it as well as perhaps dishonour for the woman folk should ring in the ears of every unmarried young man or woman. (5) A legal literacy programme should also be started to make the women of the downtrodden class aware of their legal rights. In all this voluntary organizations can play an important role. There are no flashy solutions of this deep-seated social malaise. (6) Women in India are not coparceners with men. They should be provided with a part of the property of the in-laws after the marriage so that she is given a status of son of her father-in-law. (7) Moreover many Hindu customs give right only to sons. For e.g. light the pyre. Women should be given equal status and should be allowed to perform the rituals thereby giving women back their dignity and respect. (8) Mental set up of the parents and the girl who considers themselves inferior to them and keep silence as to the fear of losing the groom or the offer of marriage should be changed.

MODERN DOWRY SYSTEM: A CRIME AGAINST HUMANITY

Anudita Chaurasia has clearly visualised that the dowry system is so deeply rooted in Indian culture, that sometimes one feels that there's going to be no way out – at least not for another century. "Bride-burning," a term which is very common now a days is used to describe the increasing number of young Indian housewives found murdered each year, has become commonplace in young marriages. Hardly is there a day when one does not read of dowry deaths in the national daily newspapers. Brides bringing less than expected dowry are ill treated by their in-laws and other relatives. Many of them cannot bear it anymore and commit suicide. Those who do not have enough courage to

do so, are burnt alive by their husbands and the in-laws.



The newly wedded girl is treated as a gold mine and failing of which leads the in-laws treat her as combustible material and resultant is the commitment of suicide by the bride. Bride-burning, a term which is very common now a days is used to describe the increasing number of young Indian housewives found murdered each year, has become commonplace in young marriages. Hardly is there a day when one does not read of dowry deaths in the national daily newspapers. Brides bringing less than expected dowry are ill treated by their in-laws and other relatives. Many of them cannot bear it anymore and commit suicide. Those who do not have enough courage to do so, are burnt alive by their husbands and the in-laws.

In spite of modernization and the increasing role of women in all walks of life, the practice of the dowry in India is becoming widespread, and the value of dowries is increasing. If a bride's family fails to pay the amount of dowry demanded by the prospective groom's family, the bride will be cruelly treated by the in-laws, and in many cases will be burnt to death.

Reshma and Ramegowda (2013) Dowry is not the only problem of Indian society, attached to it is the whole bunch of corresponding evils. International women's conference in Australia accepted that female feticide is directly related to dowry. Middle and lower middle income groups who are not able to fulfill the demand of dowry think it wise to nip in the bud. Domestic violence is another consequence of this evil. This colossal problem persists even after centuries, is mainly because stringent laws alone cannot bring change at level of mentality of people for that mass movement needs to be initiated. Mass awareness is to be created. Hundreds of dowry deaths are closed as just kitchen accidents or suicides. Around 40 percent women married happen to be below eighteen years of age and illiterate thus not in position to assert themselves. Their voice remains unheard in society

LEGAL STEPS:-



At first in the year 1961, *the Dowry Prohibition Act* is enacted to eradicate the practice of dowry. It consists of 10 sections. The penalty for giving and taking dowry is incorporated in Section 3 of the Act. But the Act contains so many loopholes, also the punishment prescribed for demanding, taking and giving dowry were very low. So the Act has been amended from time to time to be effective.

The Dowry Prohibition (Amendment) Act of 1984 prescribes a minimum punishment of two years imprisonment and fine to anyone demanding dowry. Because of this Dowry Prohibition Act, a person who gives or takes, or helps in the giving or taking of dowry can be sentenced to jail for 5 years and fined Rs.15,000/- or the amount of the value of dowry, whichever is more. This Act is prohibited to give or to agree to give, directly or indirectly, any property or valuable security, in connection with a marriage. The giving of or agreeing to the giving of any amount either in cash or kind, jewelry, articles, properties, etc. in respect of a marriage is absolutely prohibited by the Dowry prohibition Act. Even the making of a demand for dowry is also now prohibited and it is punishable with imprisonment of 5 years and a fine of Rs.10,000/-

In Order to provide more teeth to dowry prevention laws, the Government has decided to make it mandatory for couples to make list of gifts exchanged during the ceremonies of marriage. *The Dowry Prohibition (Maintenance of List of present to the Bride and Bridegroom) Rules* were introduced in 1985 in pursuance of the same purpose. It clearly stated that the list of gifts, in form of a sworn affidavit, has to be notarised, signed by a protection officer or a dowry prohibition officer and kept by both the parties. Failing this can invite heavy penalty including a three-year term in jail for not only bride and groom but also their parents.

To stop the offences of cruelty by husband or his relatives on wife, Section 498-A has been added in the *Indian Penal Code*, and Section 198-A has been added in the Criminal Procedure Code since the year 1983. In the case of suicide by a married woman, within 7 years from the date of her marriage, the Court may presume that such suicide has been abetted, encouraged by her husband or his relatives. Provision to this effect has been added in the Indian Evidence Act, by adding Section 113-A since the year 1983.



Sec.304-B is incorporated in the *Indian Penal Code in 1983*. It deals with Dowry Death. It states that where the death of a woman is caused by any burns or bodily injury or occurs otherwise than under normal circumstances within seven years of her marriage and it is shown that soon before her death she was subjected to cruelty or harassment by her husband or any relative of her husband for, or in connection with, any demand for dowry, such death shall be called “dowry death” and such husband or relative shall be deemed to have caused her death.

Clause(2) of Sec.304-B stated that whoever commits dowry death shall be punished with imprisonment for a term which shall not be less than seven years but which may extend to imprisonment for life.

Recently for the Protection of women from Domestic Violence an Act is enacted in the year 2005 which is called as the *Domestic Violence Act*. The main objective of the Act is to eradicate the domestic violence against women and to provide protection to women from the domestic violence. Some measures took by the international community for eradication of domestic violence against women and declared 25th November as the International day to prevent violence against women.

Judicial Decision:

In a case, *State of Uttar Pradesh vs. Chhoteylal*, On 23rd January, 2011 A bench comprising of Justice Aftab Alam and RM Lodha in their judgment held that “It is imperative that the criminal case relating to offences against the State, Corruption, domestic violence, dowry-death, sexual assault, financial fraud and cyber crimes are fast tracked and decided in a fixed time frame, preferably of three years including appeal provisions”.

STEP AHEAD:

- Even though a series of laws have been enacted from time to time to raise the status of women those laws remains on papers due to lack of effective publicity and proper utilization.

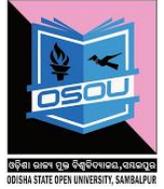
- The definition of dowry is also being widened by changing the word “in connection with marriage” to “given before the marriage, at the time and at any time after the marriage”.
- The Juristic and legal persons must conduct awareness camps in rural and slum areas to make the people efficient to tackle any kind of problems by using the enacted laws.
- The educated people must learn the acts and provisions which were laid down by the Government to utilize them properly and to explain them to the masses and illiterates for utilization of laws in a proper way.
- The Electronic and Print Media must concentrate on the provisions and they have to publish comparative Articles regarding the previous and present position of Acts. Also they must give wide publicity to the enacted provisions and how to make use of the provisions.
- Every citizen must try to be updated with the Acts laid down by the Government and must properly utilize them when there is a dire need to exercise their rights.

The youth should spare no effort to break the bonds which have slacked our mind and soul. The dangerous outcome of this tradition is sex-ratio. The girls are killed prior to birth and sex-ratio is decreased very much in India (941/1000 as per 2011 census). Despite protest by women’s organizations, serious activism, legal amendments, special police cells for women, media support and heightened awareness of dowry being a crime, the practice continues unabated on a massive scale. Despite every stigma, dowry continues to be the signature of marriage. Women need real social, political, financial and moral support in their fight against the system. They have to be empowered so that they can take their decisions about their own life by refusing the dowry system.

Let Us Sum Up:

Dowry (*dahej*) is one of the most ancient practices of India Indian society. The dowry system is a social evil. It is prevalent in all parts of India and almost in all the countries

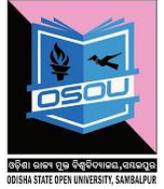
of the world. In India many of the rich traditional customs have been given up, but the custom of dowry has been continuing. It is the cash, precious jewellery and other important things given to the daughter in her marriage. This evil is found in almost every community. Now dowry is demanded by the groom's parents and marriage takes place only if a certain amount of dowry is paid by the bride's parents. The New World Encyclopedia has defined that a dowry is a gift of money or valuables given by the bride's family to the groom and the newly formed household at the time of their marriage. It has been an ancient and widespread practice. Often, the dowry is reciprocated with a bride price given from the groom and his family to the bride. The original intent is to help with expenses in the creation of the new family, help bond the families of the new couple, and provide a support for the bride in case of future problems such as widowhood or divorce



SELF ASSESSMENT QUESTION

1. Define Dowry. Discuss the origin and reasons of dowry system in india
2. Explain the various impact of dowry system in india
3. Mention the various consequences of dowry system in india.
4. Describe different measures to eradicate dowry

ALCOHOLISM



INTRODUCTION

Alcoholism is a chronic disease, progressive and often fatal; it is a primary disorder and not a symptom of other diseases or emotional problems. The chemistry of alcohol allows it to affect nearly every type of cell in the body, including those in the central nervous system. In the brain, alcohol interacts with centers responsible for pleasure and other desirable sensations. After prolonged exposure to alcohol, the brain adapts to the changes alcohol makes and becomes dependent on it. For people with alcoholism, drinking becomes the primary medium through which they can deal with people, work, and life. Alcohol dominates their thinking, emotions, and actions. The severity of this disease is influenced by factors such as genetics, psychology, culture, and response to physical pain.

Alcoholism, is a broad term for any drinking of alcohol that results in problems. It was previously divided into two types: alcohol abuse and alcohol dependence. In a medical context, alcoholism is said to exist when two or more of the following conditions is present: a person drinks large amounts over a long time period, has difficulty cutting down, acquiring and drinking alcohol takes up a great deal of time, alcohol is strongly desired, usage results in not fulfilling responsibilities, usage results in social problems, usage results in health problems, usage results in risky situations, withdrawal occurs when stopping, and alcohol tolerance has occurred with use. Risky situations include drinking and driving or having unsafe sex among others.

Alcoholism is a condition in which an individual loses control over his alcohol intake in that he is constantly unable to refrain from drinking once he begins.. According to Clinebell an alcoholic is one whose drinking interference frequently or continuously with an of his important life adjustments and inter personal relationships. The World Health Organization uses the term "alcohol dependence syndrome" rather than alcoholism. The concept of "harmful use" (as opposed to "abuse") was introduced

in 1992's ICD-10 to minimize underreporting of damage in the absence of dependence.

Alcohol causes many psychological and physiological problems in heavy drinkers and light drinkers alike. A few well-known consequences of alcohol on the brain and body have been proven. This includes: cognitive mood and memory disturbances, injury to the gastrointestinal and intestinal tracts, and injury to cardiovascular, pulmonary, endocrine and integumentary systems to name a few. Alcohol has an adverse effect on almost all of the body's normal functions. Fetal alcohol syndrome is a growing problem. Fetal alcohol syndrome occurs when expectant mothers drink during pregnancy. This condition afflicts over 5,000 infants a year causing mental retardation, constant confusion, withdrawal after delivery, and many visible physical defects. Cirrhosis of the liver is the most common alcohol related health problem. Approximately 10,000 to 24,000 deaths from cirrhosis are attributable to excessive alcohol consumption each year. When a person is deep in alcohol addiction, psychological problems begin to be apparent. Three main problems are blackouts, repression and euphoric recall. All of these deeply affect the memory system making the alcoholic believe even stronger that they have no problem. However, despite all of these alcohol related health disasters that are publicly acknowledged, people continue to take drinking to the extremes.

There are two basic types of alcoholics, those who inherit a predisposition to compulsive drinking, and those who develop a problem from long-continued stress or long-term social drinking. In either case, brain wave patterns and brain chemistry are abnormal (Silverstein, 22). These abnormalities lead to the symptoms and characteristics of alcoholism, which vary from person to person. The American Psychiatric Association recognizes early symptoms as: restlessness, anxiety, stubbornness and anger (Bender, 57). This drives the person to self-destructive and anti-social behavior. The outer phenomenology of an alcoholic provides an image of a defiant, overconfident, exuberant and independent personality; behind which is a victim who feels inferior, depressed, dependant, helpless and worthless (Buckalew, 52). Even though the alcoholic realizes the danger, the short-term rewards are so great and the urge so powerful that the drinking habit must be protected, and adverse effects denied (Bender, 8). Since alcoholics can portray there is no problem, it is often difficult to spot



a person in trouble.

Reasons of Alcoholism:

There are five key social causes that may lead to the use of alcohol by teenagers (Bowman, 1995). The first involves the basic human need for acceptance by a group. Bowman (1995) explains that in teenage circles, the use of alcohol symbolises unity, friendship and sociability. Adolescence is a time when most people need to feel part of a group, and by accepting drink when offered, the teenager believes him/ herself to be a member of that group.

Adolescence is also a time of rebellion. Consuming alcohol expresses a general rejection of conventional adult standards. This, then, is another cause of alcohol use and possible abuse by youths. A third cause is a definition of alcohol from Lewis (1999), as “a symbol of aggressive and masculine behaviour” (p.95). Teenagers especially tend to judge others on their ability to consume large quantities of drink in a short time. Being able to out-do the next person creates a sense of power. Such competitiveness is conducive to an abusive drinking style. Related to this is the belief that drinking symbolises adult status. Teenagers find themselves at a difficult stage between childhood and adulthood. As teenagers are eager to leave one stage and advance to the next, imitation becomes another cause of drinking (Bowman, 1995). The fifth socially-related cause that Bowman (1995) discusses is that of alienation. This could be from peers, parents or both. Bowman goes on to state that the actual reason for feeling alienated could be anything from simply not fitting in due to differing values and attitudes, to the presences of a rift between parents and children as a result of a broken home. The frustration of not being able to relate to or communicate with people can cause many teenagers to find refuge in alcohol. This leads to the psychological causes relating to alcoholism (Jefferson, 2002). The social aspects discussed above are not the immediate causes of alcoholism among teenagers. Instead, they are the causes of various psychological effects, which in turn may lead to alcohol dependence.

Roberts (2002) identifies four psychological causes. He argues that the basic psychological reason for drinking is to promote a feeling of satisfaction, that is, to





induce pleasure or avoid discomfort. In a recent research project, Roberts found that the use of alcohol as a form of tension reduction is a direct consequence of the feeling of alienation. He also notes that alcohol induces a feeling of relaxation, which is satisfying to the drinker. It is this attempt to reduce tension, which can lead to abuse. When a teenager discovers alcohol as a result of any of the causes discussed thus far, he/she often also discovers that drunkenness can be used as an excuse for his/her actions or as a means of gaining attention. This leads to what Davis (2001) describes as the main psychological cause of alcoholism: drinking for reinforcement

The relationship between psychological causes and social elements is complicated, but, as discussed above, young people, consume alcohol for various reasons: group acceptance, rebellion, power, imitation, tension reduction, as an excuse for their actions, and to seek attention. It is as a reinforcement of these conditions that they continue to drink. As soon as they discover that alcohol can satisfy them for whatever reason, the automatic progression is to drink more. Reinforcement of satisfaction is therefore the immediate cause of alcoholism. Many youth today express antisocial, depressive, or delinquent behaviour. Personality disorders such as these, although not a direct cause of problem drinking, seem to produce psychological conditions that may lead to an increase in alcohol consumption (Adams, 1998; Davis, 2001). In such cases, alcoholism is more likely to develop than with people who do not exhibit such tendencies. These disorders, however, are not sufficient causes of alcoholism but merely contributory conditions. From psychological motivations, the next area to consider is biological causes. The final category that Jefferson (2002) identifies is a biological cause. There are two main classes of biological dependence. The two classes are abnormalities of body functions and genetics. Many alcoholics have abnormal bodily functions, but although studies have been made, it has not yet been proven whether these are causes or effects of excessive drinking. The facts are still uncertain how much of an effect genetics has on the development of alcoholism. Even though studies suggest genetic factors alone cannot be blamed as the cause of dependence on alcohol; they at least contribute to the cause. It needs to be understood that one of the classes of biological dependence, on its own, will not necessarily lead to alcoholism, but people in these classes are more susceptible to problem drinking if social and psychological causes are also present.



Alcoholism is a specific type of addiction. There is no one single cause of alcohol addiction. Instead, there are multiple causes that can be grouped into four basic categories. These four categories are: biological causes, psychological causes, socio-cultural causes, and spiritual causes. Psychologists call this the *Bio-Psycho-Social-Spiritual Model* of addiction. We generally understand these are all inter-related. Therefore, each of these four factors contributes in some manner to the formation of addiction.

The *biological causes* of alcohol addiction include each person's unique physiology and genetics. People differ in the degree to which they like or dislike a particular addictive substance or activity. Some people may enjoy a substance or activity so much that it becomes very tempting and difficult to resist. Another person would not experience this difficulty because they do not experience a similar enjoyment. Likewise, the ability to temper impulsive desires with rational thought is a brain function that varies among different people. Some people may have a deficiency in their capacity to resist certain types of impulses. Thus, these folks would be at greater risk for developing an addiction because of their genetic vulnerability. Oddly enough, even normal human brain functioning, and its chemistry, make people vulnerable to addiction. Our normal brain chemistry and functioning motivate us to repeat behaviors that are pleasurable (e.g., sex, eating). The repetition of these behaviors ensured our species survival. Unfortunately, it also makes human beings vulnerable to developing addictions to harmful substances and activities that are pleasurable.

Psychology also helps us to understand the causes of alcohol addiction. Addiction is a harmful behavior. Psychological research has helped us to understand why people repeat certain behaviors, even when these behaviors are harmful. This is because people learn to anticipate some benefit from the addiction even though it is harmful. These benefits can range from stress reduction, relief from boredom, pleasurable sensations, coping with negative feelings or situations, or simply the benefit of avoiding withdrawal symptoms. People have varying abilities to cope with unpleasant emotions or circumstances. When people have poor coping skills they are more vulnerable to addiction. Likewise, people have varying degrees of stress and varying skills in stress



reduction. People with high stress, that lack stress reduction skills, are also more vulnerable to addiction. Psychological research also helps us to understand that motivation is critical. Without sufficient motivation, people cannot easily change unhealthy behaviors. Simply being aware of an alcohol problem is usually insufficient motivation to discontinue unhealthy behavior. However, psychologists can help strengthen people's motivation through therapy and specialized techniques. Many psychological disorders such as depression and anxiety often co-occur with addiction. These other psychological disorders make people more vulnerable to addiction. This is because people may use alcohol to temporarily relieve the unpleasant symptoms of these disorders.

Socio-cultural influences also contribute to the development of alcohol addiction. For our purposes, the term culture describes a group's learned and shared pattern of values and beliefs. These values and beliefs guide group members' behavior and their social interactions. When a culture accepts or tolerates drunkenness, the members of that culture are more vulnerable to addiction. The greatest social influence is the family. This is how culture is transmitted from one generation to the next. Children learn from their family members about alcohol use, or misuse.

Spirituality is another causal factor that can determine whether an addiction develops and flourishes. Spirituality reflects a belief that life has a meaning and purpose. This definition is inclusive and respectful. It includes the many different, specific beliefs that people have about that meaning and purpose. For some people, spirituality includes specific beliefs that there is something bigger and greater than our individual existence. People might call this a higher power; a God; many gods; the life force; the universe; Source; or Spirit (to name just a few). For other people, there is no higher power or religion attached to that belief. These people derive meaning and purpose through a personal set of values and goals. The lack of a meaning and purpose in life leads to a disconnection from ourselves and each other. As addiction progresses this disconnection increases. This disconnection causes a failure to live in harmony with the universal laws or principles that ordinarily guide our behavior. These specific universal laws and

principles may vary according to different faiths and religions. Nonetheless, the lack of a spiritual anchor can also lead to the development of an addiction.



Effects of Alcoholism

Short-term effects

Drinking enough to cause a blood alcohol concentration (BAC) of 0.03–0.12% typically causes an overall improvement in mood and possible euphoria, increased self-confidence and sociability, decreased anxiety, a flushed, red appearance in the face and impaired judgment and fine muscle coordination. It causes lethargy, sedation, balance problems and blurred vision. A BAC from 0.18% to 0.30% causes profound confusion, impaired speech (e.g., slurred speech), staggering, dizziness and vomiting. As with all alcoholic beverages, drinking while driving, operating an aircraft or heavy machinery increases the risk of an accident; many countries have penalties against drunk driving.

Long-term effects

Drinking more than one drink a day for women or two drinks for men increases the risk of heart disease, high blood pressure, atrial fibrillation, and stroke. Risk is greater in younger people due to binge drinking which may result in violence or accidents. About 3.3 million deaths (5.9% of all deaths) are believed to be due to alcohol each year. Alcoholism reduces a person's life expectancy by around ten years and alcohol use is the third leading cause of early death in the United States. No professional medical association recommends that people who are nondrinkers should start drinking wine.

Long-term alcohol abuse can cause a number of physical symptoms, including cirrhosis of the liver, pancreatitis, epilepsy, polyneuropathy, alcoholic dementia, heart disease, nutritional deficiencies, peptic ulcers and sexual dysfunction, and can eventually be fatal. Other physical effects include an increased risk of developing cardiovascular disease, malabsorption, alcoholic liver disease, and cancer. Damage to the central nervous system and peripheral nervous system can occur from sustained alcohol consumption. A wide range of immunologic defects can result and there may be a generalized skeletal fragility, in addition to a recognized tendency to accidental injury, resulting a propensity to bone fractures.



Women develop long-term complications of alcohol dependence more rapidly than do men. Additionally, women have a higher mortality rate from alcoholism than men. Examples of long-term complications include brain, heart, and liver damage and an increased risk of breast cancer. Additionally, heavy drinking over time has been found to have a negative effect on reproductive functioning in women. This results in reproductive dysfunction such as anovulation, decreased ovarian mass, problems or irregularity of the menstrual cycle, and early menopause. Alcoholic ketoacidosis can occur in individuals who chronically abuse alcohol and have a recent history of binge drinking.

The amount of alcohol that can be biologically processed and its effects differ between sexes. Equal dosages of alcohol consumed by men and women generally result in women having higher blood alcohol concentrations (BACs), since women generally have a higher percentage of body fat and therefore a lower volume of distribution for alcohol than men, and because the stomachs of men tend to metabolize alcohol more quickly.

Psychiatric

Long-term misuse of alcohol can cause a wide range of mental health problems. Severe cognitive problems are common; approximately 10 percent of all dementia cases are related to alcohol consumption, making it the second leading cause of dementia. Excessive alcohol use causes damage to brain function, and psychological health can be increasingly affected over time.

Social skills are significantly impaired in people suffering from alcoholism due to the neurotoxic effects of alcohol on the brain, especially the prefrontal cortex area of the brain. The social skills that are impaired by alcohol abuse include impairments in perceiving facial emotions, prosody perception problems and theory of mind deficits; the ability to understand humour is also impaired in alcohol abusers.

Psychiatric disorders are common in alcoholics, with as many as 25 percent suffering severe psychiatric disturbances. The most prevalent psychiatric symptoms are anxiety and depression disorders. Psychiatric symptoms usually initially worsen during alcohol withdrawal, but typically improve or disappear with continued



abstinence. Psychosis, confusion, and organic brain syndrome may be caused by alcohol misuse, which can lead to a misdiagnosis such as schizophrenia. Panic disorder can develop or worsen as a direct result of long-term alcohol misuse.

The co-occurrence of major depressive disorder and alcoholism is well documented. Among those with comorbid occurrences, a distinction is commonly made between depressive episodes that remit with alcohol abstinence ("substance-induced"), and depressive episodes that are primary and do not remit with abstinence ("independent" episodes). Additional use of other drugs may increase the risk of depression.

Psychiatric disorders differ depending on gender. Women who have alcohol-use disorders often have a co-occurring psychiatric diagnosis such as major depression, anxiety, panic disorder, bulimia, post-traumatic stress disorder (PTSD), or borderline personality disorder. Men with alcohol-use disorders more often have a co-occurring diagnosis of narcissistic or antisocial personality disorder, bipolar disorder, schizophrenia, impulse disorders or attention deficit/hyperactivity disorder. Women with alcoholism are more likely to have a history of physical or sexual assault, abuse and domestic violence than those in the general population, which can lead to higher instances of psychiatric disorders and greater dependence on alcohol.

Social effects

The social problems arising from alcoholism are serious, caused by the pathological changes in the brain and the intoxicating effects of alcohol. Alcohol abuse is associated with an increased risk of committing criminal offences, including child abuse, domestic violence, rape, burglary and assault. Alcoholism is associated with loss of employment, which can lead to financial problems. Drinking at inappropriate times and behavior caused by reduced judgment, can lead to legal consequences, such as criminal charges for drunk driving or public disorder, or civil penalties for tortious behavior, and may lead to a criminal sentence.

An alcoholic's behavior and mental impairment, while drunk, can profoundly affect those surrounding them and lead to isolation from family and friends. This isolation can lead to marital conflict and divorce, or contribute to domestic violence. Alcoholism can



also lead to child neglect, with subsequent lasting damage to the emotional development of the alcoholic's children. For this reason, children of alcoholic parents can develop a number of emotional problems. For example, they can become afraid of their parents, because of their unstable mood behaviors. In addition, they can develop considerable amount of shame over their inadequacy to liberate their parents from alcoholism. As a result of this failure, they develop wretched self-images, which can lead to depression

ALCOHOLISM AND FAMILY

Alcoholism in family systems refers to the conditions in families that enable alcoholism, and the effects of alcoholic behavior by one or more family members on the rest of the family. Mental health professionals are increasingly considering alcoholism and addiction as diseases that flourish in and are enabled by family systems. Family members react to the alcoholic with particular behavioral patterns. They may enable the addiction to continue by shielding the addict from the negative consequences of his actions. Such behaviors are referred to as codependence. In this way, the alcoholic is said to suffer from the disease of addiction, whereas the family members suffer from the disease of codependence.

Alcoholism is one of the leading causes of a dysfunctional family. As of 2001, there were an estimated 26.8 million children of alcoholics (COAs) in the United States, with as many as 11 million of them under the age of 18. Children of addicts have an increased suicide rate and on average have total health care costs 32 percent greater than children of nonalcoholic families.

According to the American Psychiatric Association, physicians stated three criteria to diagnose this disease: (1) physiological problems, such as hand tremors and blackouts, (2) psychological problems, such as excessive desire to drink, and (3) behavioral problems that disrupt social interaction or work performance.

Adults from alcoholic families experience higher levels of state and trait anxiety and lower levels of differentiation of self than adults raised in non-alcoholic families.^[8] Additionally, adult children of alcoholics have lower self-esteem, excessive feelings of responsibility, difficulties reaching out, higher incidence of depression, and

increased likelihood of becoming alcoholics.

Parental alcoholism may affect the fetus even before a child is born. In pregnant women, alcohol is carried to all of the mother's organs and tissues, including the placenta, where it easily crosses through the membrane separating the maternal and fetal blood systems. When a pregnant woman drinks an alcoholic beverage, the concentration of alcohol in her unborn baby's bloodstream is the same level as her own. A pregnant woman who consumes alcohol during her pregnancy may give birth to a baby with Fetal Alcohol Syndrome (FAS). FAS (fetal alcohol syndrome) is known to produce children with damage to the central nervous system, general growth and facial features. The prevalence of this class of disorder is thought to be between 2-5 per 1000.



TREATMENT OF ALCOHOLICS

(a) Psychotherapy

A psychologist can begin with the drinker by assessing the types and degrees of problems the drinker has experienced. The results of the assessment can offer initial guidance to the drinker about what treatment to seek and help motivate the problem drinker to get treatment. Individuals with drinking problems improve their chances of recovery by seeking help early.

Using one or more of several types of psychological therapies, psychologists can help people address psychological issues involved in their problem drinking. A number of these therapies, including cognitive-behavioral coping skills treatment and motivational enhancement therapy, were developed by psychologists. Additional therapies include 12-Step facilitation approaches that assist those with drinking problems in using self-help programs such as Alcoholics Anonymous (AA).

These therapies can help people boost their motivation to stop drinking, identify circumstances that trigger drinking, learn new methods to cope with high-risk drinking situations, and develop social support systems within their own communities.

All three of these therapies have demonstrated their effectiveness. One analysis of cognitive-behavioral approaches, for instance, found that 58 percent of patients receiving cognitive-behavioral treatment fared better than those in comparison groups. In another study, motivational interventions reduced how often and how much

adolescents drank following alcohol-related emergency room treatment. And an intervention called Making Alcoholics Anonymous Easier significantly increased participants' odds of abstaining from alcohol. Many individuals with alcohol problems suffer from other mental health conditions, such as severe anxiety and depression, at the same time. Psychologists can also diagnose and treat these "co-occurring" psychological conditions. Further, a psychologist may play an important role in coordinating the services a drinker in treatment receives from various health professionals.

Psychologists can also provide marital, family, and group therapies, which often are helpful for repairing interpersonal relationships and for resolving problem drinking over the long term. Family relationships influence drinking behavior, and these relationships often change during an individual's recovery. The psychologist can help the drinker and significant others navigate these complex transitions, help families understand problem drinking and learn how to support family members in recovery, and refer family members to self-help groups

(b) Behavioural Therapy:

Behavioral approaches help engage people in drug abuse treatment, provide incentives for them to remain abstinent, modify their attitudes and behaviors related to drug abuse, and increase their life skills to handle stressful circumstances and environmental cues that may trigger intense craving for drugs and prompt another cycle of compulsive abuse. Below are a number of behavioral therapies shown to be effective in addressing substance abuse (effectiveness with particular drugs of abuse is denoted in parentheses).

(c) Environmental Therapy

Environmental therapy is a large and diverse field of alternative medicine. At its core is the idea that a great deal of illness and poor health in the contemporary world results from environmental toxins. The techniques of environmental therapy, short of simply moving a patient to a different location, involve both detoxifying the body internally and cleaning up the environment externally. Environment therapy certainly helps the alcoholic to change his behaviour and attitude. A common type of approach involves clearing out the gastrointestinal tract with laxatives, enemas, and special diets intended to purify the body. It is acknowledged that these techniques can have side effects,

including aches and fatigue.

(a) Medical Therapy

If alcohol withdrawal syndrome is suspected, your doctor will take a complete medical history and ask how much you drink, how long you've been drinking, and how much time has elapsed since your last drink. He or she also will want to know if you have a history of alcohol withdrawal, if you abuse any other substances, and if you have any medical or psychiatric conditions.

During a physical exam, your doctor will identify alcohol withdrawal symptoms and any potential complicating medical conditions such as irregular heartbeats, congestive heart failure, coronary artery disease, gastrointestinal bleeding, infections, liver disease, nervous system impairment, and pancreatitis. He or she also may order blood tests to measure complete blood count, alcohol and electrolyte levels, liver function, and a urine screen to identify drug use. The results of the medical history and physical exam will help your doctor decide if you have alcohol withdrawal syndrome and, if so, its severity.

(i) Detoxification:

Alcohol detox is an important preliminary step in the management of alcoholism. It is a medically supervised period of alcohol withdrawal. During this period, a doctor may administer medications to control symptoms, and the individual is monitored by health professionals to ensure his or her safety. In addition to medical care during withdrawal from alcohol, the person usually also receives education about his or her alcohol problem and its treatment.

Alcohol rehabilitation takes place in a variety of settings:

(ii) Hospital- or medical-clinic-based programs

These programs offer both alcohol detox and alcohol rehab on an inpatient basis in specialized units. They are less common than they used to be, primarily because of changes in insurance.





(iii) Residential rehabilitation programs.

These programs can last from a month to more than a year and take place in a residential environment. Often, the treatment is divided into a series of stages that the person goes through. For instance, in the beginning, a patient's contact with others, including friends and family, is strictly limited. The idea is to develop a primary relationship with the other residents who are also recovering from alcoholism. Eventually, the person will be allowed more contact with people outside the residential community and may even go back to work or school, returning home to the treatment facility each day

(iv) Partial hospitalization or day treatment.

These programs provide four to eight hours of treatment a day at a hospital or clinic to people who live at home. They typically run for three months and work best for people with a supportive family and a stable home environment.

(v) Outpatient programs.

These are run at hospitals, health clinics, community mental health clinics, counselor's offices, and residential facilities with outpatient clinics. Attendance requirements vary, and many of them are run in the evenings and on weekends to allow people to be able to continue working.

(vi) Intensive outpatient programs

These programs require nine to 20 hours of treatment per week and run for two months to one year. They work best for people who are motivated to participate and who have supportive families and friends.

Motivation to treat alcoholism

Carlo narrates motivation plays an important role in alcoholism treatment by influencing patients to seek, complete, and comply with treatment as well as make successful long-term changes in their drinking. Both alcohol-abusing and alcohol-dependent people can be classified into different “stages of change” in terms of their readiness to alter their drinking behavior. Consequently, researchers have had to

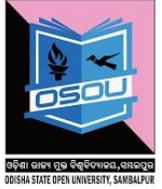
consider more seriously the role of motivation in the treatment of and recovery from substance abuse and to incorporate motivational enhancement strategies into treatment programs.



Family counseling for alcoholics:

Families where addiction is at hand are normally painful to live in, especially when a person is young. This is why individuals who live with addiction may become traumatized to varying levels by incidences. Wide changes, from one end of the disturbing, psychological, and behavioral range to the other, all too frequently characterize the addicted family system. Every member of the family is affected by the addiction. Coping with addiction can expose family members to unusual stress. Normal schedules are frequently being interrupted by abrupt or even frightening types of experiences that are part of coping with drug abuse. Addiction in the family can result in children having trauma that seriously affect growth and can have pervasive and long-term effects on them. Individuals arrive in life only partially hardwired by nature. The environment finishes the work of nature. Therefore, if an individual encounters family members who are addicted, he/she either become traumatized or live an abnormal life. Therefore, family addiction in the family affects daily living issues causing particular emotional, interpersonal, or even clinical mental health concerns. However, according to renowned research article, there available interventions, including family therapy interventions and counseling support from experts. The interventions are modified to fit the extent of addiction in the family, and the techniques and follow-ups employed vary.

CRIME



INTRODUCTION

A crime is an offence against the public law. It is an act committed or omitted in violation of a law forbidding or commanding it and for which punishment is imposed upon conviction. Crimes violate the law and order of a society and it negatively affects the social structure and the society's fundamental values, morale and belief system. The crimes are events and actions that are proscribed by the criminal law of a particular country (Wilkins 1968) In general, the society and its existing laws define crime. Sometimes crime in one society may not be seen as an offence in another society. Sometimes acts of crime depend on the socio-cultural values, religious belief systems and political ideology.

At times crimes vary to society-to-society. Therefore, crime in one society may not be regarded as a crime in another society. For instance, homosexuality is a punishable offence in Iran and gay people are viewed as criminals. Under the Iranian law, if they found guilty they can be sent to jail. In the western society, gay people have rights and any action that discriminate them can be challenged in the court of law.

According to Samuel Koeining, "Crime has had to be dealt with in all societies" past and present, but it became a major social problem only among civilized peoples. In primitive societies the mores were strong enough to control individual behaviour effectively and the few who disobeyed the rules do not continue a threat to group. In civilized societies, especially those with large, heterogeneous population it is difficult to compel universal observance of the mores. Transgressions multiply and it becomes necessary to enact law to compensate for the ineffectiveness of the mores.

A normative definition views crime as deviant behavior that violates prevailing norms – cultural standards prescribing how humans ought to behave normally. This approach considers the complex realities surrounding the concept of crime and seeks to understand how changing social, political, psychological,



and economic conditions may affect changing definitions of crime and the form of the legal, law-enforcement, and penal responses made by society. *The Greek Philosopher Aristotle* (384 BC – 322 BC) postulated that poverty is the parent of revolution and crime. The English Philosopher and the Statesman Sir Francis Bacon (1561 – 1626) stated that “Opportunity makes a thief” Jean-Jacques Rousseau (1712-1778) believed that Man is naturally good and crime is created by social injustice. The great writer Leo Tolstoy believed that roots of crime closely connected with private ownership of property. Vladimir Lenin was on the view that crime is a product of social excess. The Psychoanalyst Sigmund Freud highlighted the innate instincts of criminality hidden in the human psyche.

The French Sociologist Emile Durkheim defined crime as a legal construct resulting from the social obloquy directed at certain forms of behavior. He writes that crime is not only normal but also necessary to hold society together. First, crime serves to establish and clarify the moral boundaries of the society. By identifying those behaviours deemed on acceptable, the members of a society reaffirm and refine what is acceptable. Second, crime enhances solidarity by giving the law abiding members of a society common enemy, or source of resistance. Crime provides opportunity to maintain the rules of society by offering occasions “to arouse and reaffirm public support and recognition of the moral boundaries of the society. Only where there is public pronouncement of the offence, drawing out its illegality and immorality, are moral boundaries reaffirmed and individually reinforced. Third, deviation from social norms (i.e. crime) promotes innovative social change allowing social rules to be modified. According to Durkheim, crime implies not only that the way remains open to necessary changes, but that in certain cases it directly prepares for these changes.

REASONS OF CRIME: There are several reasons of crime stated below:

(1). Biological Reasons: There are several biological reasons like age, gender. It is found that most of the young people commit different types of crime within the society. Because of socio-economic compulsion they are forced to fall into vicious circle of crime. The high incidence of rime is found among the male members than the female

one because of physical difference.

(2). Family Disorganization: Child maltreatment, low parent-child attachment, marital discord/family discord, alcoholism and drug use in the family, and low parental supervision/monitoring are associated with criminality. Larger family size and later birth order are also associated with family disorganization. Again poor socialization, lack of understanding between husband and wife, lack of love and affection are the responsible factors to disorganize the family and forces the family members to enter into the criminal act. In the development of personality, imitation is of great importance. Culture is transmitted by imitation. The child mostly learns by imitation.

Immorality in the homes is another important factor in the causation of crime. If any immoral work is done in the homes, it is subject to create tension in the mind of the child. The child imitates these things at home. Thus due to the existence of delinquency at home the child also becomes delinquent in his life. Alcoholism is another important factor which creates criminals and delinquents. The use of alcohol in many cases is craving for ill. In family, its use leads to quarrel between parents. It creates ill treatment amongst family members. Consequently a proper care of child is not taken.

(3). Negative Adult Behavior: Alcohol and illegal drug use, premarital relationship in early age, few friends, criminal friends, and gang membership, high religious involvement are solely responsible for criminal behavior of individual in society. High alcohol use, alcohol abuse, and alcoholism, as well as high illegal drug use and dependence are positively related to criminality in general. Early age of first intercourse and more sexual partners are associated with criminality. High religious involvement, high importance of religion in one's life, membership in an organized religion, and orthodox religious beliefs are associated with less criminality.

(4). Health Reason: If a man remains in a good health condition, he preferably maintains a normal life. Due to frequent sickness and fatal diseases, a man spends lot of money to cure his disease. Ultimately he falls into vicious circle of poverty. Because of poverty, he fails to provide food, clothing and proper shelter to his family members. He



has to live in starvation. A hungry stomach can commit any crime. This compels a man to do crime to save his family members.



(5). Socio-Economic Reason: Higher total socio-economic status (usually measured using the three variables income (or wealth), occupational level, and years of education) correlate with less crime. Longer education is associated with less crime. Higher income/wealth have a somewhat inconsistent correlation with less crime with the exception of self-report illegal drug use for which there is no relation. Higher parental socio-economic status probably has an inverse relationship with crime. High frequency of changing jobs and high frequency of unemployment for a person correlate with criminality. Poverty is also a potent cause of criminal behaviour. As observed by Dr. M.J. Sethna, “Economic depression and poverty have powerful influence in the causation and commission of crime. There are so many crimes involving cases of acquisition and dishonest possession. If compensation of the aggrieved party is made a factor in the punishment dealing with the offender, the springs of dishonest acquisition would, to a great extent, be dried up.”

Poverty in the modern city customarily means segregation in low rent areas, where people are isolated to a considerable degree from anti-criminal patterns and forced into contact with many criminal behaviour patterns. It generally means a social status, with little to loose, little to respect and little to sustain efforts at self advancement. It generally means bad housing conditions, poor healths, and invidious comparisons in other physical and psychological conditions.” This statement of Sutherland indicates the role of bad housing in connection of crime. As a result of poverty people are compelled to live in bad housing conditions Parents often work in factories and officer. Due to poverty children are withdrawn from schools and enter to an unskilled occupation.

(6) Cultural Factors: Religion is one of the most interacting factors which direct human conduct and behaviour. It has been instrumental in maintaining a social morality among mankind. It is therefore concluded that there is a close relationship between crime and religion. It is because crime involves the violation of sacred morality. If religion fails to

train members of a society to behave morally, then we can say that lack of religious training is also an important cause of crime.

The real aim of education is to train individual for social life. According to some thinkers poor education or failures of the schools is a contributory factor of crime. According to Sutherland and Cressey, schools do not have the specific function of preventing delinquency, but they like the family, are now expected to provide interesting activities for the child. Probably delinquency and crime are related to the schools in much the same way they are related to family conditions, namely through the effects which school activities have on the student's associations with delinquent and anti-delinquent behaviour patterns. Thus excluding white collar crimes, crime decreases with the increase of education.

Social customs to a large extent are also involved in the causation of crime. According to Dr. M.J. Sethna, "Undesirable marriage customs lead to crime. Thus marriage of too old a person with a young lady may lead to maladjustment, dissatisfaction and even to ill treatment. And the dowry system had also at times led to suicide of girls. More effective even than legislation prohibiting dowry is social propoganda and social re-education. The system of spending considerable sums of money on marriage celebrations and festivals, in spite of poverty is another important factor that aggravates poverty."

DIFFERENT ASPECTS OF CRIME: There are different aspects of crime given below:

(1) Sociological Aspects of Crime:

Sociological aspects of crime can be divided into broad categories in relation to social determinants. Crime and criminal behavior can be analyzed through functionalist, conflict, feminist and postmodern perspectives. Sociological aspects view crime and criminal behavior as socially acquired and hence focus on the ways in which cultural and/or social structural factors are crime producing.

(2) Functionalist Perspective:





Functionalists focus on the individual, usually with the intent to show how broader social forces mold individual behavior. They underline social cohesion as the key factor of social order. Functionalists like Talcott Parsons attempted to integrate all the social sciences into a science of human action. He believed that social system is made up of the actions of individuals. According to Talcott Parsons equilibrium model society consists of network of connected parts. He viewed crime as a disintegrative factor that could affect the homeostasis of the society.

Based on Talcott Parsons model an individual committing homicide has domino effect and his action reverberates within the society. Durkheim viewed crime (deviancy) as being just another function of society. He noted that it forms part of every society, and was therefore a natural occurrence. In fact, he viewed it as fulfilling various important social needs; it acted to unify law-abiding citizens against the criminal, thus “crime brings together honest men and concentrates them.” Recognition of crime was a validation of the existence of laws, which were in turn reinforcement of our central values – after all, “we do not condemn [an act] because it is a crime, but it is a crime because we condemn it.”

The Functionalist, Robert .K. Merton observed the colossal social changes during the Great Depression. The crime rate plummeted and Merton focused his attention on the imbalance of power, disproportional distribution of wealth in an era of economic debacle. Merton in his famous essay, Social Structure and Anomie (1938) largely discusses crime and criminality. Robert Merton described so called manifest and latent functions. Like any other social phenomenon, crime has its manifest and latent functions. Manifest functions are open and conscious; whereas latent functions remain unconscious. The Functionalists agree that the society is connected to each other within various systems and thus maintaining an optimal stability. Crime shakes the stability and making the society dysfunctional. The phenomenon of organized crime in India has survived throughout all political changes and economic transformations that have taken place in India in the post war period.



(3) *Merton's Strain Theory:*

Robert K. Merton discussed deviance in terms of goals and means as part of his strain/anomie theory. Durkheim states that anomie is the confounding of social norms, Merton goes further and states that anomie is the state in which social goals and the legitimate means to achieve them do not correspond. He postulated that an individual's response to societal expectations and the means by which the individual pursued those goals were useful in understanding deviance. Specifically, he viewed collective action as motivated by strain, stress, or frustration in a body of individuals that arises from a disconnection between the society's *goals* and the popularly used *means* to achieve those goals. Often, non-routine collective behavior (rioting, rebellion, etc.) is said to map onto economic explanations and causes by way of strain. These two dimensions determine the adaptation to society according to the cultural goals, which are the society's perceptions about the ideal life, and to the institutionalized means, which are the legitimate means through which an individual may aspire to the cultural goals.

Merton described 5 types of deviance in terms of the acceptance or rejection of social goals and the institutionalized means of achieving them:

Conformists accept society's goals and the socially acceptable means of achieving them (e.g.: monetary success is gained through hard work). Merton claims that conformists are mostly middle class people in middle class jobs who have been able to access the opportunities in society such as a better education to achieve monetary success through hard work. **Innovators** accept society's goals, but reject socially acceptable means of achieving them. (e.g.: monetary success is gained through crime). Merton claims that innovators are mostly those who have been socialised with similar world views to conformists, but who have been denied the opportunities they need to be able to legitimately achieve society's goals. **Ritualists** reject society's goals, but accept society's institutionalised means. Ritualists are most commonly found in dead-end, repetitive jobs, where they are unable to achieve society's goals but still adhere to society's means of achievement and social norms. **Retreatists** reject society's goals and the legitimate means to achieve them. Merton sees them as true deviants, as they commit acts of deviance to achieve things that do not always go along with society's

values. **Rebels** reject society's goals and legitimate means to achieve them, and instead create new goals and means to replace those of society, creating not only new goals to achieve but also new ways to achieve these goals that other rebels will find acceptable.



(4) Crime and Conflict Perspective:

Karl Marx believed that ruling class keeps the other classes in a disadvantaged position and Proletariat were always being exploited by the Bourgeoisie. According to Marxist view, Social injustice and uneven distribution of wealth give rise to crime and criminogenic conditions. Karl Marx's article on *Capital Punishment* published in the New York Daily Tribune in 1853 comments on the genesis of crime in the society following economic causes.

Although the basic Marxist premise is that crime is a socio-economic phenomenon, the Soviet Union experienced deadly waves of crime from the 1917 Socialist Revolution. Some of the violent acts were committed by various political fractions like Stephen Bandera group. The Soviet authorities believed that the elimination of private property in the means of production, the eradication of the exploitation of one person by another and the resolution of social antagonisms led to the disappearance of basic social roots of crime in the USSR. Despite their belief, the crimes were prevailing in the Soviet Union and like in the Western societies serial murders emerged under the Socialist system.

(5) Interactionism and Crime:

The sociological theoretical perspective of interactionism explains that crime emerge as a result of human interaction. Crime is a form of social interaction consisting of actions and reactions. The interactionism elucidates crime and how criminals to act within society. According to the interactionism, everyone has different attitudes, values, culture and beliefs so as criminals. The Interactionist Herbert Blumer in his 1933 publication *Movies, Delinquency, and Crime* explains the media influence on criminal behavior. He further says that in phenomenology (one of the subdivisions of symbolic interactionism) empathy plays a greater role. Empathy refers to the experience of another human body *as* another. While people often identify others with their physical

bodies, this type of phenomenology requires that we focus on the subjectivity of the other, as well as our inter-subjective engagement with them.

The non-empathic factor was apparent in many crimes. For example, people who committed crimes against humanity (Hitler, etc) lacked empathy. The psychological profile of the serial murder Charles Sobhraj alias Bikini Killer indicates that he had no violent impulses. Sobhraj had excellent communication skills and his social interaction was tightly connected with a process of communication. Charles Sobhraj allegedly committed at least 12 murders including a Canadian tourist. The psychological profile also indicates lack of empathy.

(6) Feminist Perspectives and Crime

According to the feminist perspective, male domination in society (patriarchy) and gender inequality have an enormous disadvantage to the women. The feminists argue that often women become the victims of crime rather than the perpetrators. The women are subjected to crimes like rape, abuse, exploitation etc around the globe. As they point out on most occasions, the women perpetrators of crime had no control over their situation and they were forced to commit these anti social acts following the social injustices created by the male dominated society.

The Indian Feminists give a solid example of Phoolan Devi or the Bandit Queen of India and how she became a criminal. Phoolan was forced to marry an elderly man at the age of 11 and she underwent mistreatments by her husband and his relatives. Following unbearable domestic abuse, she ran away from her husband. When she came back to her village, the son of the village headman tried to molest her. She was a victim. Phoolan was publicly humiliated by high cast villagers and she was banished from her native village. When she returned to her village after a few months, the police unjustly arrested her and a group of policemen raped Phoolan. These mental and physical traumas led her to form a bandit group and she unleashed a deadly violence committing murder and robberies in rural India.

The stories of Phoolan Devi of the Indian society and Aileen Wuornos of the North





American society evidently show the validity of the arguments presented by feminists on crime. The Canadian sociologist Dorothy E. Smith in her Standpoint theory suggests that the predominant culture in which all groups exist is not experienced in the same way by all persons or groups. The marginalized groups live in the predominant culture must learn to be bicultural or to pass in the dominant culture to survive, even though that perspective is not their own. (DeFrancisco 2007)

(7) Post Modern Perspective on Crime:

According to the Post Modern perspective, social changes give rise to crime and there is no single theory to explain the genesis of crime. Postmodernists view that all truth is relative. Under these circumstances, individuals have lost faith in universal belief systems or 'grand narratives. The contemporary culture is characterized by the problematization of objective truth. The modern society is exemplified by consumerism and influence by the media. To explain the crime and criminal behavior Postmodernists use critical theory, which is a social theory, oriented toward critiquing and changing society as a whole.

Michel Foucault in his alluring book *Discipline and Punish: The Birth of the Prison* examines the social and theoretical mechanisms behind the massive changes that occurred in western penal systems during the modern age. Several centuries ago, criminals were punished in public to discourage committing crimes. According to Michel Foucault, the public spectacle of torture was a theatrical forum that served several intended and unintended purposes for society. Based on Foucault's argument reflecting the violence of the original crime onto the convict's body for all to see remained as the main purpose.

In the modernist approach, Crime is a multi factorial phenomenon and some postmodernists try to explain the crime and criminal behavior via Chaos theory. Based on the common notion murders and the rapes as the manifestations of crime, but in reality they are the consequences of other social occurrences. Chaos Theory holds that it is virtually impossible to predict the outcome of any social phenomenon because

social events are susceptible to change. In the postmodern condition, life is in fragments and people experience everyday life as an open space of moral, political and personal dilemmas.



(8) Sutherland's Differential Association:

In his differential association theory, Edwin Sutherland posited that criminals learn criminal and deviant behaviors and that deviance is not inherently a part of a particular individual's nature. Also, he argues that criminal behavior is learned in the same way that all other behaviors are learned, meaning that the acquisition of criminal knowledge is not unique compared to the learning of other behaviors.

Sutherland outlined some very basic points in his theory, such as the idea that the learning comes from the interactions between individuals and groups, using communication of symbols and ideas. When the symbols and ideas about deviation are much more favorable than unfavorable, the individual tends to take a favorable view upon deviance and will resort to more of these behaviors.

Criminal behavior (motivations and technical knowledge), as with any other sort of behavior, is learned. Some basic assumptions include:

- Learning in interaction using communication within intimate personal groups.
- Techniques, motives, drives, rationalizations, and attitudes are all learned.
- Excess of definitions favorable to deviation.
- Legitimate and illegitimate behavior both expresses the same general needs and essential values.

(9) Neutralization Theory

Gresham Sykes and David Matza's neutralization theory explains how deviants justify their deviant behaviors by providing alternative definitions of their actions and by providing explanations, to themselves and others, for the lack of guilt for actions in particular situations.

There are five major types of neutralization:



- **Denial Of Responsibility:** The deviant believes she was helplessly propelled into the deviance, and that under the same circumstances, any other person would resort to similar actions
- **Denial Of Injury:** The deviant believes that the action caused no harm to other individuals or to the society, and thus the deviance is not morally wrong
- **Denial Of The Victim:** The deviant believes that individuals on the receiving end of the deviance were deserving of the results due to the victim's lack of virtue or morals
- **Condemnation Of The Condemners:** The deviant believes enforcement figures or victims have the tendency to be equally deviant or otherwise corrupt, and as a result, are hypocrites to stand against
- **Appeal To Higher Loyalties:** The deviant believes that there are loyalties and values that go beyond the confines of the law; morality, friendships, income, or traditions may be more important to the deviant than legal boundaries

(10) Labeling Theory

Frank Tannenbaum and Howard S. Becker created and developed labelling theory, which is a core facet of symbolic interactionism, and often referred to as Tannenbaum's "dramatization of evil." Becker believed that "social groups create deviance by making the rules whose infraction constitutes deviance."

Labeling is a process of social reaction by the "social audience,"(stereotyping) the people in society exposed to, judging and accordingly defining (labeling) someone's behaviour as deviant or otherwise. It has been characterized as the "invention, selection, manipulation of beliefs which define conduct in a negative way and the selection of people into these categories

Labeling theory, consequently, suggests that deviance is caused by the deviant's being labeled as morally inferior, the deviant's internalizing the label and finally the deviant's acting according to that specific label(in other words, you label the "deviant" and they act accordingly). As time goes by, the "deviant" takes on traits that constitute deviance by committing such deviations as conform to the label(so you as the audience have the power to not label them and you have the power to stop the deviance before it ever



occurs by not labeling them) . Individual and societal preoccupation with the label, in other words, leads the deviant individual to follow a self-fulfilling prophecy of abidance to the ascribed label.

This theory, while very much symbolically-interactionist, also has elements of conflict theory, as the dominant group has the power to decide what is deviant and acceptable, and enjoys the power behind the labeling process. An example of this is a prison system that labels people convicted of theft, and because of this they start to view themselves as by definition thieves, incapable of changing. "From this point of view," as Howard S. Becker has written, deviance is *not* a quality of the act the person commits, but rather a consequence of the application by others of rules and sanctions to an "offender". The deviant is one to whom the label has successfully been applied; deviant behavior is behavior that people so label.

In other words, "Behaviour only becomes deviant or criminal if defined and interfered as such by specific people in specific situation." It is important to note the salient fact that society is not always correct in its labeling, often falsely identifying and misrepresenting people as deviants, or attributing to them characteristics which they do not have. In legal terms, people are often wrongly accused, yet many of them must live with the stigma (or conviction) for the rest of their lives. On a similar note, society often employs double standards, with some sectors of society enjoying favouritism. Certain behaviours in one group are seen to be perfectly acceptable, or can be easily overlooked, but in another are seen, by the same audiences, as abominable.

TYPES OF CRIME:

These are the type of crime stated below:

(1)Blue-Collar Crime:

Blue-collar crime is a term given to criminal acts more likely to be committed by citizens of lower social class in society, such as those which inflict direct harm on the person or property of others. This is in contrast to white-collar crime, which is generally committed by citizens of higher social class, who are more likely to be presented with the opportunity to commit such crimes.



"Blue-collar crime" is an informal classification and holds no particular legal weight. For the most part, blue-collar crime entails whatever crimes are most immediately possible for a person to commit, those that are most often spurred by passion rather than those that require careful deliberation. Crimes against the person, crimes against property, and many forms of victimless crime such as prostitution, gambling and drug abuse all tend to be classified as blue-collar crime. Blue-collar crimes are, for the most part, those that cause an immediate and highly visible injury to society, so they're usually punished much more rapidly and severely than white-collar crime. Also, citizens of lower social class cannot generally afford high-quality legal assistance, which means they tend to suffer far more severe punishment than white-collar criminals.

Citizens of higher social class are certainly capable of committing "blue-collar" crimes, and do, all the time. However, the vast majority of these crimes are committed by citizens of lower social class, who in turn have limited opportunities to commit white-collar crimes such as financial fraud and money laundering, which is how these classifications originated.

(1) Corporate Crime:

Corporate crime refers to crimes committed either by a corporation (i.e., a business entity having a separate legal personality from the natural persons that manage its activities), or by individuals acting on behalf of a corporation or other business entity. Some negative behaviours by corporations may not actually be criminal; laws vary between jurisdictions. For example, some jurisdictions allow insider trading.

(2) Political Crime :

Political crime is an offence involving overt acts or omissions (where there is a duty to act), which prejudice the interests of the state, its government or the political system. It is to be distinguished from state crime when it is the states that break both their own criminal laws or public international law.

States will define as political crimes any behaviour perceived as a threat, real or imagined, to the state's survival including both violent and non-violent oppositional

crimes. A consequence of such criminalisation may be that a range of human rights, civil rights, and freedoms are curtailed, and conduct which would not normally be considered criminal *per se* (in other words, that is not antisocial according to those who engage in it) is criminalised at the convenience of the group holding power.



Thus, while the majority of those who support the current regime may consider criminalisation of politically-motivated behaviour an acceptable response when the offender is driven by more extreme political, ideological, religious or other beliefs, there may be a question of the morality of a law which simply criminalises ordinary political dissent.

(4.) Public-Orders Crime:

Public-order crime is defined by Siegel (2004) as "...crime which involves acts that interfere with the operations of society and the ability of people to function efficiently", i.e. it is behaviour that has been labelled criminal because it is contrary to shared norms, social values, and customs. Robertson (1989:123) maintains that a crime is nothing more than "...an act that contravenes a law." Generally, speaking, deviancy is criminalized when it is too disruptive and has proved uncontrollable through informal sanctions.

Public order crime should be distinguished from political crime. In the former, although the identity of the "victim" may be indirect and sometimes diffuse, it is cumulatively the community that suffers, whereas in a political crime, the state perceives itself to be the victim and criminalizes the behaviour it considers threatening. Thus, public order crime includes consensual crime, victimless vice, and victimless crime. It asserts the need to use the law to maintain order both in the legal and moral sense. Public order crime is now the preferred term by proponents as against the use of the word "victimless" based on the idea that there are secondary victims (family, friends, acquaintances, and society at large) that can be identified.

For example, in cases where a criminal act subverts or undermines the commercial effectiveness of normative business practices, the negative consequences extend beyond those at whom the specific immediate harm was intended. Similarly, in environmental

law, there are offences that do not have a direct, immediate and tangible victim, so crimes go largely unreported and unprosecuted because of the problem of lack of victim awareness. In short, there are no clear, unequivocal definitions of 'consensus', 'harm', 'injury', 'offender', and 'victim'.



Organized crime includes the unlawful activities of the members of a highly organized, disciplined association engaged in supplying illegal goods and services, including but not limited to gambling, prostitution, loan sharking, narcotics, labour racketeering and other unlawful activities of such associations. Organized crime is a society that seeks to operate outside the control of the Indian people and their government. It involves thousands of criminals working within structures as complex as those of any large corporation, subject to laws more tightly enforced than those of legitimate governments. Its actions are not impulsive but rather the result of intricate conspiracies carried on over many years and aimed at gaining control over whole fields of activity in order to amass huge profits”.

CHARACTERISTICS OF ORGANISED CRIME:

According to the Presidents Commission on Organised Crime 1986, organized crime is the collective result of the commitment, knowledge and actions of three components:

- i) The Criminal groups;
- ii) The Protectors; and
- iii) The Specialist support.

(a) Characteristics of the Criminal Group:

1. Violence: Violence and the threat of violence are an integral part of a criminal group. The violence or threat of it is used against the members of the group to keep them in line as also against the outsiders to protect the economic interests of the group. Members are expected to commit, condone or authorise violent acts..



2. **Structure:** The criminal group is structured as a collection of hierarchically arranged interdependent offices devoted to the accomplishment of a particular function. It may be highly structured or may be rather fluid. It is, however, distinguishable as the ranks are based on power and authority.
3. **Continuity:** The criminal group operates beyond the life time of individual members and is structured to survive changes in leadership
4. **Membership:** The membership in the core criminal group is restricted and based on common traits such as ethnicity, criminal background or common interests. The potential members are subjected to a lot of scrutiny and required to prove their worth and loyalty to the criminal group. The rules of membership include secrecy, a willingness to commit any act for the group and intent to protect the group. In return for loyalty, the member of a criminal group receives economic benefits, certain prestige, and protection from law enforcement.
5. **Criminality:** The criminal group relies on continuing criminal activity to generate income. Thus, continuing criminal conspiracy is inherent in organised crime. Some activities such as supplying illegal goods and services directly produce revenue, while others including murder, intimidation and bribery contribute to the group's ability to earn money and enhance its power. The criminal group may be involved both in legitimate as well as illegitimate business activity at the same time.
6. **Power/Profit Goal:** The members of the criminal group aim at maximising the group's profits. The political power is achieved through the corruption of public officials, including legislators and political executive. The criminal group maintains power through its association with the "protectors" who defend the group and its profits.

(b). Protectors:

They are corrupt public officials, attorneys and businessmen who individually or collectively protect the criminal group through abuses of status and/or privilege and violation of the law. As a result of the protector's efforts, the criminal group is insulated from both civil and criminal government actions. Corruption is the central tool of the criminal protectors. A criminal group relies on a network of corrupt officials to protect the group from the criminal justice system.



(c) Organized Crime Support:

(1) Specialist Support: Organised criminal groups and their protectors rely on skilled individuals or support to assist the criminal groups on an adhoc basis. They are nonetheless considered part of organised crime. The specialists include pilots, chemists, arsonists, hijackers, shooters etc.

(2) Social Support: Social support includes public officials who solicit the support of organised crime figures; business leaders who do business with organized crime figures at social gatherings and thus portray the criminal group in a favourable or glamorous light. Rigging of elections, preventing voters from exercising their electoral rights, preventing public servants from the lawful discharge of their duty, and recurrence of caste or communal violence on a continuing basis are such examples. In my view, it would be appropriate to bring such crime also under the ambit of organised crime.

ORGANISED CRIMINAL GANGS: These are the major organized gangs in India stated below:

1. Dawood Gang:

Dawood is the most powerful, Bombay gangsters having country wide networks with linkages abroad. He is one of the most powerful gangsters involved in transnational crimes mainly narcotic drugs, smuggling, extortion and contract killing. He has lived in Dubai since 1985. He had a phenomenal rise in short time. Being the son of a Bombay Crime Branch Head Constable, he started off as a petty criminal and had the sympathies of Bombay Police due to his father's connections. He used to help smugglers recover money from those who did not keep up their word. In the 1970s other gangs had become relatively weak and he took advantage of the vacuum and took to smuggling gold and silver. He built up his criminal empire with the help of his brothers, and close associates. He is responsible for the elimination of hundreds of criminals belonging to rival gangs. He is now in narcotic drugs trafficking. The liberal bail policy pronounced by the Supreme Court helped him consolidate his gang. In 1980s he became the most feared gangster of Bombay. However, fearing risk to his life at the hands of rival gangs, he fled to Dubai, but his criminal network remains virtually intact. He operates his gang with impunity as there is no extradition treaty between India and Dubai, and his extradition has been refused by the Duabi authorities. He tried to win social

respectability by playing host to influential politicians and film stars in Dubai.

2. Arun Gawli Gang

After the death of Ramya Naik, the mantle of leadership of this gang fell on the shoulders of Arun Gawli. There have been several inter-gang killings with the Dawood gang and they have been targetting the political and economic interests of each other. This gang consists of about 200 to 300 persons. Interestingly, Arun Gawli was sent to jail in 1990 and even though the Court granted him bail, he chose to remain in jail primarily to escape the wrath of the Dawood gang. He was running his criminal empire from within the jail premises by passing instructions through his visitors. His gang is involved in the collection of protection money from rich businessmen and contract killings. He came out of jail and started a political party, Akil Bhartiya Sena. He has again been sent back to jail for a contract killing case. Arun Gawli is politically very active and has considerable influence in the slum areas. He is posing a political challenge to the ruling Shiv Sena in Maharashtra.

3. Amar Naik Gang

This gang originated sometime in 1980 and was collecting protection money from the vegetable vendors in Dadar area of Bombay. When the leader of this gang (Ram Bhat) was sentenced to imprisonment in a robbery case, Amar Naik took over the reins of the gang. The main thrust of his criminal activities was to collect 'haftas' from the vegetable vendors, hawkers, bootleggers and smugglers. This earned him good money. Due to a clash of interests, his gang had several violent skirmishes with the Arum Gawil gang, not only outside jail but even within the jail premises where gangsters of both the gangs were lodged, resulting in several killings. This gang has a strength of about 200 criminals. Amar Naik was killed last year and the mantle of leadership has now fallen on the shoulders of his younger brother, an engineer by profession.

4. Chota Rajan Gang:

Chota Rajan started his criminal career in the Dawood gang. After the 1993 bomb blasts in Bombay, Dawood's gang was divided on communal lines. Chota Rajan fell out with Dawood and fled from India. He raised a new gang in 1994-95. According to one estimate, the membership of this gang is about 800. His areas of operation are Maharashtra, Karnataka, Uttar Pradesh and Delhi. He essentially is a drug-trafficker and



contract killer. He joined hands with Arum Gawli and was responsible for the killing of Sunil Samant, a trusted lieutenant of Dawood Ibrahim, in Dubai in 1995. It was a retaliatory killing. He has targeted many Dawood loyalists and his gang has also suffered in retaliatory actions. Chota Rajan is presently operating from a foreign base.



TYPES OF ORGANISED CRIME:

1. Drug Abuse and Drug Trafficking

It is perhaps the most serious organized crime affecting the country and is truly transnational in character. India is geographically situated between the countries of Golden Triangle and Golden

Crescent and is a transit point for narcotic drugs produced in these regions to the West. India also produces a considerable amount of licit opium, part of which also finds place in the illicit market in different forms. Illicit drug trade in India centers around five major substances, namely heroin, hashish, opium, cannabis and methaqualone. Seizures of cocaine, amphetamine, and LSD are not unknown but are insignificant and rare.

2. Smuggling:

Smuggling, which consists of clandestine operations leading to unrecorded trade, is another major economic offence. The volume of smuggling depends on the nature of fiscal policies pursued by the Government. The nature of smuggled items and the quantum thereof is also determined by the prevailing fiscal policies. India has a vast coast line of about 7,500 kms and open borders with Nepal and Bhutan and is prone to large scale smuggling of contraband and other consumable items. Though it is not possible to quantify the value of contraband goods smuggled into this country, it is possible to have some idea of the extent of smuggling from the value of contraband seized, even though they may constitute a very small proportion of the actual smuggling.

3. Money Laundering & Hawala

Money laundering means conversion of illegal and ill-gotten money into seemingly legal money so that it can be integrated into the legitimate economy. Proceeds of drug related crimes are an important source of money laundering world over. Besides, tax



evasion and violation of exchange regulations play an important role in merging this ill-gotten money with tax evaded income so as to obscure its origin. This aim is generally achieved via the intricate steps of placement, layering and integration so that the money so integrated in the legitimate economy can be freely used by the offenders without any fear of detection. Money laundering poses a serious threat world over, not only to the only to the criminal justice systems of the countries but also to their sovereignty

4. Terrorism & Narco-Terrorism:

Terrorism is a serious problem which India is facing. Conceptually, terrorism does not fall in the category of organized crime, as the dominant motive behind terrorism is political and/or ideological and not the acquisition of money-power. The Indian experience, however, shows that the criminals are perpetrating all kinds of crimes, such as killings, rapes, kidnappings, gun-running and drug trafficking, under the umbrella of terrorist organisations. The existing criminal

networks are being utilised by the terrorist leaders. India faced serious problems in the Punjab in the 1980s, which has since been controlled with the installation of a popular government. The North East still continues to be in turmoil due to the unlawful activities of ULFA and NSCN. The terrorist groups there are partly financing their operations by kidnappings for ransom of tea garden executives and extortion from businessmen. PWG and LTTE, in small pockets of southern India, continue to indulge in continual acts of violence.

5. Light Arms Proliferation & Trafficking:

Light arms proliferation is a global phenomenon. It has extracted a heavy toll in terms of human lives and socio economic development of entire regions, costs of which can never be adequately computed. In Afghanistan, the death toll has passed 1, 00,000 and is still rising, while Cambodia,

Sri Lanka and some African States continue to see conflict related deaths in their thousands. India has also suffered due to trafficking in illicit arms. The twin phenomenon of rising crime as well as armed conflicts and terrorism are directly linked to the global proliferation and movement of weapons. Appendix III shows the inextricable links between gun running, terrorism, narcotics trafficking and crime.

6. Contract Killings



The offence of murder is punishable under section 302 IPC by life imprisonment or death sentence. Conviction rate in murder cases is about 38%. The chance of detection in contract killings is quite low. The method adopted in contract killings is by engaging a professional gang for a monetary consideration. Part of the prefixed amount will be paid in advance which is called '*supari*'. The rest of the payment will be made after the commission of the crime. The Bombay gangs specialize in contract killings. The amount they charge is quite large and varies with the socioeconomic status of the targets. Dawood Ibrahim gang has been responsible for contract killings of several rich businessmen, industrialists and politicians. Gulshan Kumar, the music magnate of Bombay, was the latest victim of this scourge.

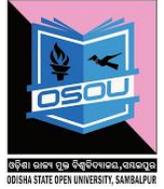
7. Kidnapping for Ransom

Kidnapping for ransom is a highly organised crime in urban conglomerates. There are several local as well as inter- State gangs involved in it as the financial rewards are immense vis-a-vis the labour and risk involved. Generally, no injury is caused to the kidnapee if the Kidnappers Conditions are met. Terrorist gangs have also been occasionally involved in kidnappings for quick money to finance their operations. In one recent case, the kidnapee was killed even after his family paid a huge ransom amount to a U.P. gang. The leader of the gang was known to the victim and he feared the victim would disclose the gang's identity if released. Several arrests have been made in this case. Incidentally, the leader of the gang is a Member of the Legislative Assembly of the State of North India.

8. Illegal Immigration

A large number of Indians are working abroad, particularly in the Gulf region. Young people want to move to foreign countries for lucrative jobs. Large scale migration is fostered by the high rate of unemployment in the country and higher wage levels in foreign lands. As it is not easy for the aspirants to obtain valid travel documents and jobs abroad, they fall into the trap of unscrupulous travel agents and employment agencies. These agencies promise to give them valid travel documents and employment abroad on the payment of huge amounts. Often the travel documents are not valid, and sometimes they are simply dumped into foreign lands without giving them the promised employment.

PROBLEMS IN CONTROL EFFORTS:



1. Inadequate Legal Structure

There are several difficulties in combating organised crime. First of all, India does not have a special law to control/ suppress organised crime. Being a continuing conspiracy, the incidents of

organised crime are dealt with under the general conspiracy law and relevant special Acts. The existing law is inadequate as it targets individuals and not the criminal groups or criminal enterprises. Conspiracies are hatched in darkness and proving them in a court of law is a herculean task. Being a member of the gang of dacoits or thieves is punishable under the Penal Code, but being a member of any other criminal gang is not. The prime purpose of organised crime is money through muscle power, comprising the officials operating the criminal justice system and the officials and politicians in power. It is, therefore, imperative that the criminal group and being its member or associate, is criminalised, as has been done in many countries.

2. Difficulties in Obtaining Proof

As organised criminal groups are structured in a hierarchical manner, the higher echelons of leadership are insulated from law enforcement. It may be possible to have the actual perpetrators of crime convicted, but it is difficult to go beyond them in the hierarchy because of rules of evidence, particularly, non-admissibility of confessions made by criminals before the police. The witnesses are not willing to depose for fear of their lives and there is no law to provide protection to the witnesses against organised gangs. The informers are not willing to come forward as some kind of stigma is attached to being an 'informer'. In crimes of violence, there is hardly any documentary evidence. In some crimes like gambling and prostitution, the people in general are willing participants. Incidents of killing of witnesses or their being bribed or threatened do surface from time to time.

3. Slow Pace of Trials & Low Conviction Rate

'Justice delayed is justice denied' is a well known maxim. The pace of trials in India is very slow. Out of 7.12 million cases pending in the country, 0.77 million have been



pending trial for more than 8 years (18.6% of the total). The average time of trial in grave offences varies from State to State but it is quite substantial and may run into years. This, coupled with other factors, has resulted in low conviction rates. Only about 38% murder and rape cases result in conviction in India. The percentage of conviction in dacoity cases is still lower. Hence, people are losing faith in the efficacy of the criminal justice system and have become cynical, apathetic

4. Lack of Resources & Training

In our Constitutional frame-work, the police are the State's subject. Investigation of cases, their prosecution and the setting up of the criminal courts is the responsibility of the State Government

concerned. Most of the States face a resources crunch and are not in the position to spare adequate resources for the criminal justice system agencies. The number of police personnel posted in police stations is inadequate. Besides, hardly any training facilities exist for the investigation of organised crime. Further, there are no special cells to handle organised crime investigations. The prosecutors neither have any special aptitude nor any specialized training for conducting organised crime cases. Moreover, they are vulnerable to frequent transfers resulting in discontinuity in prosecution efforts.

5. Criminal, Political & Bureaucratic Nexus

There has been a rapid spread and growth of criminal gangs, armed Senas ,drug mafias, smuggling gangs, drug peddlers and economic lobbies in the country which have, over the years, developed an extensive network of contacts with the bureaucrats, government functionaries, politicians, media persons and democratically elected individuals at the local level. Some of these syndicates also have international linkages, including with the foreign intelligence agencies. In certain States like Bihar, Haryana and Uttar Pradesh, these gangs enjoy the patronage of local level politicians cutting across party lines. Some political leaders become the leaders of these gangs/armed senas and over the years get themselves elected to local bodies, State Assemblies and even the National Parliament through dubious means including rigging and killing of their political rivals. Some of them collect large funds from the criminal syndicates for electioneering. Resultantly, such elements have acquired considerable political clout seriously

jeopardising the smooth functioning of the administration and the safety of life and property of the common man, causing a sense of despair and alienation among the people. Due to the political influence of these syndicates, the investigating and prosecuting agencies are finding it extremely difficult to deal effectively with them.



COMBATTING ORGANISED CRIME:

(1) Substantive Law:

India does not have an special Act to control/supress organised crime. The draft of the Suppression of Organised Crime Act is on the anvil but it is not known when it will be passed into law. Organised crime and money laundering have close nexus warranting immediate legislative intervention. The proceeds of Crime and Money Laundering (Prevention) Act is at

a final stage and is likely to be passed into law soon. Besides, the ancillary laws such as the Arms Act, 1959; the Explosives Act, 1884; the Explosives Substances Act, 1906; the Immoral Traffic (Prevention) Act, 1956 need to be strengthened. Punishment provided for public gambling in the existing law is grossly inadequate resulting in recidivism by the same criminal groups.

(2) Witness Protection Programme:

In cases of organised crime and terrorism, the witnesses are reluctant to depose in the open court for fear of reprisals at the hands of criminal syndicates/ terrorists. The cases of threat or criminal Intimidation of potential witnesses is too many to be recounted. Some witnesses have also been killed by the criminal gangs/ terrorists. As the courts go by evidence on record for establishing the guilt of the accused, it is essential to protect the witnesses from the wrath of criminal gangs. Hence, legal and physical protection should be provided to crucial witnesses insensitive cases so that they can depose fearlessly in the court. After the enactment of Witness Security Reform Act 1984, the US authorities could secure the conviction of several notorious mafia leaders.

(3) Confiscating Proceeds of Crime:

The main object of organised crime is acquisition of money and through money, power. It is through money power that the gangs corrupt the criminal justice agencies and the

political leadership. A stage comes when the criminal gangs put a question mark on the existence of the State. It has already started happening in small pockets of India. It is, therefore, essential to deprive the criminal gangs of their ill-gotten wealth via stringent legislative measures. The laws relating to confiscation of proceeds of crime are strewn in several statutes.

(4) Need for Speedy Trial:

It is said that justice should not only be done but should be seen to be done. Punishment should visit the crime within a reasonable time, otherwise the confidence of the public in the efficacy of criminal justice institutions will be shattered. India has been enacting and enforcing modern laws for over a century now and has evolved a fair and equitable jurisprudence.

(5) Level Coordinating Body:

India has a federal structure in which the States have the exclusive jurisdiction to investigate and prosecute criminal cases. The police forces in the States gather intelligence about organised criminal activities within their States and generally do not share it with other States or the central agencies. This insular attitude is equally true of central investigative agencies. It would, therefore, be advisable to set up a national level co-ordinating body outside the gamut of the present enforcement agencies. The main function of this body would be co-ordination between the police forces of different States and the Central investigative agencies.

(6) Setting Up of Organised Crime Wings in City Police Organisations:

Except for metropolitan cities, awareness about organised crime in the police force is very low. There is no system of collecting intelligence and pursuing investigations in a sustained and systematic manner. It is suggested that each State/Metropolitan force should have an Organised Crime Wing, the same at the State level as that of the apex body at the national level. The Chiefs of the Wing would keep in constant touch with the national body and their counterparts in other States/Cities.

(7) Setting Up Organised Crime Cells at The District Level :

The district is the basic administrative unit in India. The work of police stations is supervised at the district level. However, there is very little awareness about organised crime, its dimensions, and the harmful effect it eventually has on the national economy

and security, at the district level. As districts are the most fundamental operational units in the police

(8) Strengthening of Police Stations :

Police station is the pivotal points in the enforcement machinery. No specialized body like the National Co-ordinatory Body or organised crime wings at the State level can function unless the police stations work effectively. It is, therefore, imperative to strengthen the police stations in areas affected by organised crime. This would be possible only if they are equipped with well trained personnel, good systems of communication and means for mobility as also modern gadgetry necessary for investigation.

(9) Common Database for Enforcement Agencies:

No mechanism or institutional arrangement exists for collection of data regarding organised crime gangs either at the Central level or the State level. This hampers investigative efforts and planning. It is suggested that a common data base be built up and stored in a computer accessible to all enforcement agencies, through networking of the computers. National Crime Records Bureau could take up this job as it has the technical wherewithal to do so.

(10) Education and Training:

One of the weakest links in the struggle against organised crime is education and training at the local level. Public administrators, who are aware that organised crime exists in their community, are not spending sufficient time in educating and training citizens, law enforcement officers and other members in the criminal justice system. Consequently, local persons with interest in curbing organised crime are left to their own resources in securing information about those engaged in organised crime. There are three modes for transmitting information to those concerned with organised crime control. They are (i) education in academic institutions (ii) specialised training for law enforcement officers and (iii) greater public co-operation. To implement one mode of learning without the other will not produce the desired level of information about the criminal confederations.

(11)Defending Honest Officers:



There is strong evidence of a criminal political nexus. The officers who have taken initiative to fight organised crime are sometimes transferred leading to their demoralisation. Crime syndicates by themselves or in concert with politicians sometimes launch a campaign of character assassination against honest officers, discrediting them. It would, therefore, be desirable that officers of integrity and professional competence be posted in organised crime prone areas and given a reasonable length of tenure, say 3 years. This would immunise them from the machinations of unscrupulous politicians and organised crime leaders.

(12) Political Commitment:

Incidence of organised crime is proportional to the will of the people to tolerate it. If there is strong political commitment, it can be suppressed by legislative action, strengthening of criminal justice system and building up of strong public opinion against it. Organised crime thrives when political commitment is lacking. The Vohra Committee Report has exposed the linkages between unscrupulous politicians and the criminal syndicates. A segment of politicians, cutting across party lines, are dependent on organised crime figures for financing their elections as well as giving them muscle power for rigging elections or overawing their political opponents. One of the ways of breaking the nexus between the criminals and politicians would be to enact stringent laws regarding election funding, with a view to preventing the tainted money from whatever source, including from the crime syndicates, seeping into the political system.

Once this happens, people are likely to be elected to the State and National Parliament that would have no obligation towards the organised crime figures and are likely to have higher political commitment to stamp out organised crime. Another method would be to amend the election laws to prevent, apart from convicts, those against whom charges have been framed by the court in at least in two grave crimes, from running for elective offices. This would impel the political figures to keep themselves at a safe distance from the crime figures and thereby help in cleansing the political process. It needs to be reiterated that enforcement action, however efficient, is not by itself adequate to stamp out organised crime.

(13) Public Awareness:

The surest means of curbing organised crime is to involve people in its prevention and



investigation and to build up public opinion against it through the print and electronic media, workshops, seminars, and by socially boycotting organised crime figures. It is not unusual to see leaders of criminal syndicates acquiring Robin Hood images and becoming legends in their life time. Quite a few have become Members of the State Assemblies and the National Parliament. Some have become Ministers in the State Governments and occupy other elected offices. They can be prevented from occupying high political offices by heightened public awareness.

(14) Role of Mass Media:

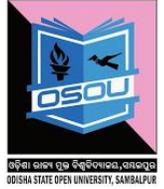
Mass media-both print and electronic media-can play an important role in exposing organised crime and help build public opinion against it. Indian mass media has been doing this job quite well and every day we read lurid accounts of the activities of crime syndicates in the newspapers and magazines. Notable newspapers and magazines have also taken to investigative journalism in this field. In this process, some media persons have suffered at the hands of the criminals but undaunted by it, they are going ahead with the exposes. This is a very heartening trend and must be encouraged.

8.6 WHITE COLLAR CRIME

White collar crime is a complex area to conceptualize. It remains on the sidelines of criminology and poses analytical, definitional and research problems. Many of the issues surrounding its definition and its relationship to other crimes remain unresolved and affect estimates of its extent, explorations of its nature and impact and approaches to its analysis. White collar crime asks major questions about the definition of crime, the role of class status and power in criminalization and law enforcement and the scope of criminology.

The concept of White collar crime' was introduced for the first time in the field of criminology by Prof. Edwin Sutherland in 1941. He defined white collar crime as "crime committed by persons of respectability and high social status in course of their occupation". Thus misrepresentation thought fraudulent advertisements, infringement of patents, copy-rights and trade-marks, etc. are frequently resorted to by manufactures, industrialists and other persons of repute in course of their business with a view to team

huge profits.



As an alternative to the socio-economic definition, many define “white collar crime” based instead upon the manner in which the crime is committed. In 1981, the United States Department of Justice described *white collar crime as nonviolent crime for financial gain committed by means of deception by persons whose occupational status is entrepreneurial, professional or semi-professional and utilizing their special occupational skills and opportunities; also, nonviolent crime for financial gain utilizing deception and committed by anyone having special technical and professional knowledge of business and government, irrespective of the person’s occupation*

A “white collar” prosecutor or defense attorney, for example, would more likely define “white collar crime” as crime that does *not*:

- (a) necessarily involve force against a person or property;
- (b) directly relate to the possession, sale, or distribution of narcotics;
- (c) directly relate to organized crime activities;
- (d) directly relate to such national policies as immigration, civil rights, and national security; or
- (e) directly involve “vice crimes” or the common theft of property.

White collar crime in America is larceny committed by the respected, legitimate enterprise which is not set up to go out of business like an ordinary fraud or con game.

White collar crime involves embezzlement, forgery, or fraud committed in the course of normal business practice, but is highly unethical and violates accepted accounting principles or the public trust. Like the crime of conspiracy, deception and cover up are the hallmarks of white collar crime. Sometime the offender is a government official. Criminologists who work in this area sometimes approach white collar crime as the study of business crime, corporate crime, suite crime, and crime at the top, elite crime, state crime, political crime, or governmental crime.

Sutherland was a proponent of Symbolic Interactionism, and believed that criminal behavior was learned from interpersonal interaction with others. White-collar crime therefore overlaps with corporate crime because the opportunity for fraud, bribery, insider trading embezzlement, computer crime, and forgery is more available to white-



collar employees.

By the type of offense, property crime, economic crime, and other corporate crimes like environmental and health and safety law violations. Some crime is only possible because of the identity of the offender; transnational money laundering requires the participation of senior officers employed in banks. These white collar crimes by nature are such that the injury or the damage caused as a result of them is so widely diffused in the large body of citizens that their gravity as regards individual victim is almost negligible. White collar criminality has a closer affinity with the attitudes and values of culture in a particular society.

This is evident from the fact that white collar criminals are intelligent, stable, and successful and men of high social status as compared to the ordinary criminals. They are farsighted persons belonging to the prestige group of society. The white collar crimes which are committed in business-world are indirect, anonymous, impersonal and difficult to detect. As against this, ordinary criminals commit crimes which are direct and involve physical action like beating, removal of property of use of force, etc. These may also be called 'blue collar crime' and are more common with the under-privileged class while the white collar crimes are committed by the members of privileged group who belong to upper strata of society.

Prof. Sutherland, however, suggests that class position by itself is no determinant of the white collar or blue collar crime. This contention finds support in the fact that even the most privileged and prestige persons may commit heinous crime such as murder, rape or kidnapping for which they are liable to be severely punished while on the other hand, most under privileged persons may be involved in a white collar crime, like embezzlement, corruption or misrepresentation which may not entail them severe penalty.

It is, however, erroneous to think that white collar crimes are petty offences because they do not carry major punishment. Undoubtedly the penologists hitherto confined their attention to prevention of ordinary predatory crimes but the recent penal programmes sufficiently indicate that emphasis has not shifted suppression of white collar criminality with equal vigour and strength. The recent amendments introduced in

the Indian Company Law, Insurance and Banking Laws, the appointment of Lokpal and tightening of governmental control over private business groups sufficiently reflect upon the Government's firm determination to suppress white collar criminality in India.

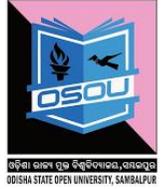


The problem of white collar criminality has its roots in the competitive attitude of the business community to oust their rival competitors in order to earn huge profits. It may, however, be suggested that such crimes are sometimes committed merely for the sake of necessity. Thus most of the private educational institutions in India which receive public-aid furnish false accounts only for the sake of retaining their existence.

The members of privileged class or high social status have a tendency to furnish, false and fabricated accounts of their income or property to avoid payment of heavy taxes or to claim tax-exemptions. White collar criminality is also rampant in insurance business where both the insured as well as the insurer make considerable profit by making false and fabricated claims. Instances are not wanting where intentional house burning, automobile destruction and even murders are planned by the persons of respectable community for the sake of making good fortunes for themselves.

Other areas of white collar crime are malpractices in the medical or engineering profession, adulteration of food and drugs, hoarding, black marketing monopoly and breach of trust etc. It must be noted that Sutherland limits the concept of white collar crime only to those unlawful activities by persons of prestigious group which they undertake for financial gains in course of their legitimate business or occupation and the crime committed by these persons for other purpose do not fall within this category. No distinction in terms of social status, occupational activity, attitude or gravity of consequences can separate white collar crimes from those of traditional crimes. The only distinguishing feature of this type of crime is the temptation for considerable material gain with little or no loss of status. This gain gives a misleading impression that the executive and judicial authorities who are concerned with the prevention of crime react favourable to the upper and middle class society and dispose of white collar criminals with mere censures or admonition while other criminal are subjected to severe penal sanctions under the law without being given any pre-warning.

8.7 TYPES OF WHITE COLLAR CRIME



1. **Bank Fraud:** To engage in an act or pattern of activity where the purpose is to defraud a bank of funds.
2. **Blackmail:** A demand for money or other consideration under threat to do bodily harm, to injure property, to accuse of a crime, or to expose secrets.
3. **Bribery:** When money, goods, services, information or anything else of value is offered with intent to influence the actions, opinions, or decisions of the taker. You may be charged with bribery whether you offer the bribe or accept it.
4. **Cellular Phone Fraud:** The unauthorized use, tampering, or manipulation of a cellular phone or service. This can be accomplished by either use of a stolen phone, or where an actor signs up for service under false identification or where the actor clones a valid electronic serial number (ESN) by using an ESN reader and reprograms another cellular phone with a valid ESN number.
5. **Computer fraud:** Where computer hackers steal information sources contained on computers such as: bank information, credit cards, and proprietary information.
6. **Counterfeiting:** Occurs when someone copies or imitates an item without having been authorized to do so and passes the copy off for the genuine or original item. Counterfeiting is most often associated with money however can also be associated with designer clothing, handbags and watches.
7. **Credit Card Fraud:** The unauthorized use of a credit card to obtain goods of value.
8. **Currency Schemes:** The practice of speculating on the future value of currencies.
9. **Embezzlement:** When a person who has been entrusted with money or property appropriates it for his or her own use and benefit.
10. **Environmental Schemes:** The overbilling and fraudulent practices exercised by corporations which purport to clean up the environment.
11. **Extortion:** Occurs when one person illegally obtains property from another by actual or threatened force, fear, or violence, or under cover of official right.



12. **Forgery:** When a person passes a false or worthless instrument such as a check or counterfeit security with the intent to defraud or injure the recipient.
13. **Health Care Fraud:** Where an unlicensed health care provider provides services under the guise of being licensed and obtains monetary benefit for the service.
14. **Insider Trading:** When a person uses inside, confidential, or advance information to trade in shares of publicly held corporations.
15. **Insurance Fraud:** To engage in an act or pattern of activity wherein one obtains proceeds from an insurance company through deception.
16. **Investment Schemes:** Where an unsuspecting victim is contacted by the actor who promises to provide a large return on a small investment.
17. **Kickback:** Occurs when a person who sells an item pays back a portion of the purchase price to the buyer.
18. **Larceny/Theft:** When a person wrongfully takes another person's money or property with the intent to appropriate, convert or steal it.
19. **Money Laundering:** The investment or transfer of money from racketeering, drug transactions or other embezzlement schemes so that it appears that its original source either cannot be traced or is legitimate.
20. **Racketeering:** The operation of an illegal business for personal profit.
21. **Securities Fraud:** The act of artificially inflating the price of stocks by brokers so that buyers can purchase a stock on the rise.
22. **Tax Evasion:** When a person commits fraud in filing or paying taxes.
23. **Telemarketing Fraud:** Actors operate out of boiler rooms and place telephone calls to residences and corporations where the actor requests a donation to an alleged charitable organization or where the actor requests money up front or a credit card number up front, and does not use the donation for the stated purpose.
24. **Welfare Fraud:** To engage in an act or acts where the purpose is to obtain benefits (i.e. Public Assistance, Food Stamps, or Medicaid) from the State or Federal Government.

25. **Weights and Measures:** The act of placing an item for sale at one price yet charges a higher price at the time of sale or short weighing an item when the label reflects a higher weight.



8.8 SUMMARY: Organized crime is a society that seeks to operate outside the control of the Indian people and their government. It involves thousands of criminals working within structures as complex as those of any large corporation, subject to laws more tightly enforced than those of legitimate governments. , organized crime is the collective result of the commitment, knowledge and actions of three components (i) The Criminal groups ;(ii) The Protectors; and(iii) The Specialist support. As a result of the protector's efforts, the criminal group is insulated from both civil and criminal government actions. Corruption is the central tool of the criminal protectors. A criminal group relies on a network of corrupt officials to protect the group from the criminal justice system.

SELF ASSESSMENT QUESTION:

- Write down the important characteristics of organized crime group?
- Explain the types of organized crime?
- Explain the different means to combat organized crime in India?
- Write an essay on white collar crimes?
- Explain the types of white collar crime found in India?
- Write short notes:
 - Organized Criminal Gang
 - Problems to check the crime

CORRUPTION



INTRODUCTION

Corruption is defined as moral depravity and influencing through bribery. It is a deep rooted menace on the Indian society having soaked into every sphere of life. Even the highest offices of political and judicial sphere have been tainted by the evil of corruption as evidenced through the Bofors gun deal, justice Ramaswamy impeachment move and multi- crore securities scam. The moral fabric of our society has been destroyed as even education and religion are not free from the cancer of corruption. Corruption breeds at the top and gradually filters down to the lower levels, eating into the vitals of the society.

Corruption is found in all countries big and small, rich and poor but it is in the developing world that its effects are most destructive. Corruption hurts the poor disproportionately by diverting funds intended for development, undermining a government's ability to provide basic services, feeding inequality and injustice and discouraging foreign aid investment. Corruption is a key element in economic under-performance and major obstacle to poverty alleviation and development".- Dr. Kofi Annan,

Corruption breeds many evils in the society and once corruption starts taking place, slowly and gradually whole country passes through its net and it becomes after sometime an incurable disease. From the point of view of economic growth, there seems to be no clear cut correlation between corruption and the economic growth of a country. There may be presence of some social maladies like inequality of income among the people, moral degradation of people due to the prevalence of corruption, but the parameters of economic growth which are taken on percentage or an average basis are entirely different. Elliot and Merrill have written, "Corruption is a willful failure to perform a specified duty in order to receive some direct or indirect personal gain." Thus in corruption, a person willfully neglects his specified duty in order to have an undue advantage.



Corruption is most commonly defined as the ‘abuse of entrusted power for private gain’, encompassing such acts as bribery, fraud, extortion, embezzlement, kickbacks and so on. Sometimes, the exact boundaries of what constitutes corruption are unclear. For example, it can be difficult to determine whether gift giving in a certain situation is an act of corruption or simply a cultural practice. In spite of this, there is universal agreement that bribery, however defined, is a corrupt act. Corruption is not necessarily as overt and petty as the acceptance of a bribe. Corruption may also be systematic. Systematic corruption occurs when the nature of governance and governing institutions makes paying a bribe a prerequisite to interact with these institutions and to engage in economic activity with them.

Now-a-days corruption can be seen everywhere. It is like cancer in public life, which has not become so rampant and perpetuated overnight, but in course of time. A country where leaders like Mahatma Gandhi, Sardar Patel, Lal Bahadur Shastri and Kamraj have taken birth But this land is full of corruption. When we talk of corruption in public life, it covers corruption in politics, state governments, central governments, "business, industry and so on. Public dealing counters in most all government offices are the places where corruption most evident. If anybody does not pay for the work it is sure work won't be done.

Corruption is the most virulent when crises everywhere threaten the very existence of the society and the faith in life is shaken. A corrupt person is termed immoral, dishonest and unscrupulous in his dealings. His disregard for honesty, righteousness and truth results in his alienation from society. He is treated with contempt. But as erosion of values leads to decadence, remedies for the social malaise remain elusive, and so no amount of contempt can eradicate corruption which is a symptom of decadence. Today, when India is free, these officials representing all government departments are very close to the most corrupt businessmen who are too unscrupulous to let any opportunity of amassing profits slip. This collusion broadens the base of the vicious circle and corruption spreads 'like wild fire to engulf the entire society. The political and social guardians depend only too much on the richer communities and they look indulgently on while these communities hold the entire society and the government to ransom.



Corruption starts at the top and percolates down to the whole society. Such corruption cannot be confined to the towns alone. It is as widespread in the villages where the dishonest officials and the traders carry the germs of the disease. The tyranny of confusion and price rules the land and the people are helpless victims of corruption everywhere. Corruption in the government involves three broad layers. First is corruption within the broader political system. This includes the demands of electoral politics, the extensive use of patronage in political appointments, and the existence use of “pork barrel” funds. Second, is corruption within the public sector, which is usually focused on three major problems: spotty performance of mechanisms for identifying and sanctioning employees engaged in corrupt and illicit behavior, considerations of pay and employment, and government procurement. Third is corruption within specific agencies, which involves grand corruption (involving widespread syndicates and millions of pesos); and petty corruption (which involves smaller amounts of money, such as grease money to facilitate the delivery of goods and services).

THE CONCEPT OF CORRUPTION:

Corruption is efforts to secure wealth or power through illegal means for private gain at public expense; or a misuse of public power for private benefit. Corruption like cockroaches has coexisted with human society for a long time and remains as one of the problems in many of the world’s developing economies with devastating consequences. Corruption as a phenomenon, is a global problem, and exists in varying degrees in different countries (Agbu, 2001). Corruption is not only found in democratic and dictatorial politics, but also in feudal, capitalist and socialist economies. Christian, Muslim, Hindu, and Buddhist cultures are equally bedeviled by corruption (Dike, 2005). Corrupt practices are not an issue that just begins today; but the history is as old as the world (Lipset and Lenz, 2000)

People have grown insatiable appetite for money in them and they can go to any extent to get money. Undoubtedly, they talk of morality and the importance of value-based life but that is for outer show. Their inner voice is something else. It is always crying for



money. It has been seen the officers who are deputed to look into the matters of corruption turn out to be corrupt. Our leaders too are not less corrupt. Thus the network of corruption goes on as usual and remains undeterred. Corruption is seen even in the recruitment department where appointments are ensured through reliable middle agencies. Nexus between politicians and bureaucrats works in a very sophisticated manner. Nexus does also exist between criminals and police.

The corruption is done only by the person having some powers, as he can have undue advantages through them. That is why corruption is generally found among either government servants or among the persons who have special powers of making ups and downs in some one's life. Nobody can deny this fact that the more powers one gets the more rapidly he moves towards corruption. The corrupted person neglects even the government and the law for a personal gain. A number of buildings and construction works are passed for having accepted some monetary gain. These buildings fall down within a few years of their construction. Sometimes a big amount is granted for such buildings which have never been constructed at all. Hence huge money of the country is wasted only for nothing. Therefore, "it affects adversely general morality, in that it increases feelings of distrust, cynicism and is thus productive of a state of social disorganization whereas the effect of other types of crime on social institutions is relatively small". Thus a corrupted person is definitely more harmful to the society than a criminal.

The main cause of these facts is that while a criminal is considered a degraded man in the society, the corrupted fellows, mostly hold powerful and honourable posts. Some political leaders are the most corrupt persons. In educational field also, there are a number of corrupt persons, who only for their vested interests greater or smaller, increase intolerable corruption. The government servants overlook the great loss of the government as well as of the public even for the smallest gain. Unlike these corrupt persons, a criminal is always afraid of the society, police and the law. Thus corruption is definitely more harmful to the society than crime.

The corrupt persons, in the political fields, frame laws so as to fulfill their vested interests. In the industrial and business matters, they feel no hesitation in the violation



of law as they think themselves above it. As they are respected and honored in the society, they never regret for their misdeeds. Sometimes the persons who have earned a lot of wealth through corrupt means are regarded in the society more than an ordinary but good citizen of the country. Only recently, in order to evaluate the importance of a job people used to enquire about the extra income, and to make extra money by accepting bribes, is not regarded a bad action. The corrupt persons think of bribery as their birth right and do not consider it as an evil. The political leaders also do not think it as an evil. They themselves give and take bribes. After their success in the elections they run after making money in order to compensate their investment during the election period.

UNDP classifies corruption into two types: *spontaneous and institutionalized* (or systemic). Spontaneous corruption is usually found in societies observing strong ethics and morals in public service. Institutionalized corruption, on the other hand, is found in societies where corrupt behaviors are perennially extensive or pervasive. In these societies, corruption has become a way of life, a goal, and an outlook towards public office.

In an elaborate analysis, Alatas (1990) divided corruption into seven distinct types: *autogenic, defensive, extortive, investive, nepotistic, supportive, and transactive*. *Autogenic corruption* is self-generating and typically involves only the perpetrator. A good example would be what happens in cases of insider trading. A person learns of some vital information that may influence stocks in a company and either quickly buys or gets rid of large amounts of stocks before the consequences arising from this information come to pass. *Defensive corruption* involves situations where a person needing a critical service is compelled to bribe in order to prevent unpleasant consequences being inflicted on his interests. For instance, a person who wants to travel abroad within a certain time frame needs a passport in order to undertake the journey but is made to pay bribes or forfeit the trip. This personal corruption is in self-defense. *Extortive corruption* is the behavior of a person demanding personal compensation in exchange for services. *Investive corruption* entails the offer of goods or services without a direct link to any particular favor at the present, but in anticipation of future situations



when the favor may be required. *Nepotistic* corruption refers to the preferential treatment of, or unjustified appointment of friends or relations to public office, in violation of the accepted guidelines. *The supportive type* usually does not involve money or immediate gains, but involves actions taken to protect or strengthen the existing corruption. For example, a corrupt regime or official may try to prevent the election or appointment of an honest person or government for fear that the individual or the regime might be probed by the successor(s). Finally, *transactive corruption* refers to situations where the two parties are mutual and willing participants in the corrupt practice to the advantage of both parties. For example, a corrupt businessperson may willingly bribe a corrupt government official in order to win a tender for a certain contract.

SCENARIO OF CORRUPTION IN INDIA

Corruption has been deeply rooted in our day to day life. The present Indian society is full of scams like Fodder scam, which stirred the nation like never before. Interestingly, all these scams and corruption stories are still going on. Very few people are found guilty because they are all big names in Indian Politics, and almost all scams happened under protection of Political leader. In Fodder scam, Rs 950 cores were withdrawn from government treasury in Bihar when Lalu Prasad Yadav was Chief Minister Bihar. Other scams are Telecom scam, HDW Summarine scam, JMM Bribery scandal, Tansi Land deal case, Bitumen scam, Urea scam, lottery scam, Anantnag transport subsidy scam etc.. In the 90s the biggest scam that happened and where top political leaders involved were Bofors Scam. The Bofors scandal was a major corruption scandal in India in the year 1990. Rajiv Gandhi, the then Prime Minister and several others were allegedly involved in this case. Rajiv Gandhi and several others were accused in Bofors case. Bombay stock exchange manipulation scam is one of the biggest scams in India. A middle-class short time business man's son *Harshad Mehta* has manipulated the Bombay Stock Exchange index. He has exploited several loopholes in banking system and thus pocketed huge money by inter banking transactions to buy huge amount of shares. When the banks demanded the money back then the Stock Exchange index started falling again resulting in huge loss of investors.

The decade starting from the year 2000 has witnessed biggest ever scams, scandals. Though murders are not related to any scams directly, the persons involved in such murders are related to top-class politicians who consider themselves as above law and order and the motive of such murders are often to cover up some unlawful deals and deeds.



THE TOP SCAMS IN INDIA

1) 2G Spectrum Scam

We have had a number of scams in India; but none bigger than the scam involving the process of allocating unified access service licenses. At the heart of this Rs.1.76-lakh crore worth of scam is the former Telecom minister A Raja – who according to the CAG, has evaded norms at every level as he carried out the dubious 2G license awards in 2008 at a throw-away price which were pegged at 2001 prices.

2) Commonwealth Games Scam

Even before the long awaited sporting bonanza could see the day of light, the grand event was soaked in the allegations of corruption. It is estimated that out of Rs. 70000 crore spent on the Games, only half the said amount was spent on Indian sportspersons. The Central Vigilance Commission, involved in probing the alleged corruption in various Commonwealth Games-related projects, has found discrepancies in tenders – like payment to non-existent parties, will-ful delays in execution of contracts, over-inflated price and bungling in purchase of equipment through tendering – and misappropriation of funds.

3) Telgi Scam

As they say, every scam must have something unique in it to make money out of it in an unscrupulous manner- and Telgi scam had all the suspense and drama that the scandal needed to thrive and be busted. Abdul Karim Telgi had mastered the art of forgery in printing duplicate stamp papers and sold them to banks and other institutions. The

tentacles of the fake stamp and stamp paper case had penetrated 12 states and was estimated at a whopping Rs. 20000 crore plus. The Telgi clearly had a lot of support from government departments that were responsible for the production and sale of high security stamps.



4) Satyam Scam

The scam at Satyam Computer Services is something that will shatter the peace and tranquillity of Indian investors and shareholder community beyond repair. Satyam is the biggest fraud in the corporate history to the tune of Rs. 14000 crore. The company's disgraced former chairman Ramalinga Raju kept everyone in the dark for a decade by fudging the books of accounts for several years and inflating revenues and profit figures of Satyam. Finally, the company was taken over by the Tech Mahindra which has done wonderfully well to revive the brand Satyam.

5) Bofors Scam

The Bofors scandal is known as the hallmark of Indian corruption. The Bofors scam was a major corruption scandal in India in the 1980s; when the then PM Rajiv Gandhi and several others including a powerful NRI family named the Hinduja, were accused of receiving kickbacks from Bofors AB for winning a bid to supply India's 155 mm field howitzer defence services and India's security interests.

6) The Fodder Scam

If you haven't heard of Bihar's fodder scam of 1996, you might still be able to recognize it by the name of "Chara Ghotala," as it is popularly known in the vernacular language.

In this corruption scandal worth Rs.900 crore, an unholy nexus was traced involved in fabrication of "vast herds of fictitious livestock" for which fodder, medicine and animal husbandry equipment was supposedly procured.



7) The Hawala Scandal

The Hawala case to the tune of \$18 million bribery scandal, which came in the open in 1996, involved payments allegedly received by country's leading politicians through hawala brokers. From the list of those accused also included Lal Krishna Advani who was then the Leader of Opposition.

Thus, for the first time in Indian politics, it gave a feeling of open loot all around the public, involving all the major political players being accused of having accepted bribes and also alleged connections about payments being channelled to Hizbul Mujahideen militants in Kashmir.

8) IPL Scam

Most of us are aware about the recent scam in IPL and embezzlement with respect to bidding for various franchisees. The scandal already claimed the portfolios of two big-wigs in the form of Shashi Tharoor and former IPL chief Lalit Modi.

The top scams of the last decade are *Ketan Parekh Scandal*, *Barak Missile Deal Scandal*, *Tehelka Scandal (2001)*, *Taj corridor case Telgi scandal 2003* etc. About *Telgi scandal (2003)*: The involved person is Abdul Rahim Telgi and who involved in stamp paper forgery that resulted in big loss in govt. About Nitish Katara Murder Case (2004) is the murder case of young Nitish Katara was who murdered by his beloved Bharati Yadav's brothers, who are noted politicians. The family of Nitish Katara is still fighting for justice.

Another similar case is *Jessica Lal* murder case of 2006. The beautiful model Jessica Lal was murdered by the son of politician. The accused Manu Sharma is jailed after a trial of 4 years. But he is often seen in the party circuit of New Delhi though his jail term is yet to be over. The accused allegedly take help of his political connection to pressurize the authority and he enjoys free life occasionally even though he is supposed to be in jail

9. The Odisha illegal mining scam amounts to Rs. 59,203 crore and illegal iron and

manganese ore amounting to 22.80 crore tonnes was extracted illegally from the state for almost a decade, the Shah Commission report has said. It has demanded a CBI investigation into the matter, warning that too many powerful people, businessmen from Odisha and outside the state, bureaucrats and politicians are involved (The Hindu, January 27 2014).



10. Chit Fund Scam: Earlier, the state of Odisha announced that people who were cheated of a maximum amount of Rs 10,000 or less by these firms would be described as small investors and would be given priority in getting refund from the Rs 300 crore corpus fund, as well as money raised from the sale of attached properties of ponzi firms. In Orissa, chit fund firms collected around Rs 4,600 crore by defrauding about a million people. To make the punishment more stringent, the state also announced that offences under the Orissa Protection of Interests of Depositors (In Financial Establishments) Act, 2011, would hence be cognizable, non-bailable and non-compoundable. (Indian Express, May, 2, 2015)

CORRUPTION AND GOOD GOVERNANCE:

Good government” plays an important role in the development process, and “requires the highest standards of integrity, openness and transparency”. The main requisites for good governance include: (1) political legitimacy for the state through democratic elections and transfer of power and an effective political opposition and representative government, (2) accountability and transparency in the sharing of information, (3) separation of powers, (4) effective internal and external audit, (5) effective means of combating corruption and nepotism, (6) competence of public servants, (7) impartial and accessible justice systems; and (8) the absence of arbitrary government power.

Action towards curtailing corruption is perceived as a commitment towards creating good government. As such, discussion of corruption is almost always conducted within the framework of good governance. Corruption and governance lie on a continuum but occupying opposite poles. Whereas governance, with its end goal of creating a good



government, aims to serve the interest of the people, corruption, through the use of public office and resources, serves the narrow interest of family and allies. Good government is bound by rules aimed to create a transparent and accountable government; corruption plays discreetly and sometimes directly on these rules to make decisions which will benefit those who have access to power and the highest bidder.

Thus, more insidiously, corruption has a far reaching negative effect on the national psyche which eventually goes back to undermine the whole system of good governance itself. Systemic corruption breeds a culture of corruption and skews the people's perception of what is right and wrong. For a number of countries where it has been effectively institutionalized, where wealth and power have become the measure of success, corruption has become socially acceptable, sometimes even aspired to. Energies of a large number of people are channeled towards occupying positions in the government to partake of the fruits of a corrupt system.

FIELDS OF CORRUPTION :

In India corruption in public life can be seen in all the spheres of individual and social life. The presence of corruption in different fields. These are given below

1. Corruption in Economic Field: Cartier-Bresson has suggested five economic conditions which appear to encourage the flourishing of corruption within a society. The existence of an exploitable natural resource (eg. oil) providing the opportunity for State authorities, both administrative and political, to obtain payments. Secondly, the general scarcity of public assets relative to demand, accompanied by policies of fixed official prices, which creates opportunities for informal rationing through bribery. Thirdly, low wages in the public sector are also likely to be associated with extensive low-level corrupt payments. Fourthly, high levels of State intervention/planning (ie. protectionism, State-owned enterprises, price controls, exchange controls, import licenses, etc.) which has characterized many developing countries. Finally, economies in transition are likely to have particular problems as they undertake privatization and establish the relevant legal framework of company and contract law, etc. The relevance of these various factors is evaluated in the empirical review in the following section,

however first I wish to consider in more detail the likely economic effects of extensive corruption in an economy.



The capitalists loot the public in these markets by selling the articles which are not available anywhere except in their go downs. They take full advantage of the economic law of demand and supply. By following this rule the capitalists are becoming wealthier day by day. The practice of imitating well known articles is becoming more popular. The imitators prepare an article so cleverly that it looks like the original. In Calcutta there are a number of markets in which only imitations are sold. The government is making no provision of any law so as to check these markets. Besides, in big cities like Calcutta, Bombay and Delhi it is very difficult to rent a house or a shop in a well located area. For it one has to pay a big unreturnable amount called 'Patri' to the owner. Many of the businessmen make all possible efforts to avoid taxes. They hide their income and other facts of their business, prepare bogus accounts to produce before the officials concerned and by giving a heavy bribe easily get clear of it. In economic field, the main cause of corruption is the throat cutting competition among the businessmen. It is only due to this competition that they involve themselves in corruption. In the words of Bernard, "A Problem posed by competition is its effects on character and personality profit rather than production of goods is sought and throat cutting, unfair practices and shoddy workmanship are constant temptations. Businessmen often complain what they have to do, things they are forced to do under guilt". Thus businessmen, in spite of suffering from self hatred and a sense of guilt, have to indulge in corruption knowing, by enforced by evil circumstances.

(2) Corruption in Religious Field: The organization of human relationship is weakened by some evil practices, prevailing in the society. For example, illegitimate sexual relations corrupt a family and then the society. If such type of relationship is brought to an end social ties would be strengthened. Such illegitimate relations were found in the society very often when there was no provision of widow remarriage. But even now when it has been allowed by law, illegitimate relations are increasing. The public still discards the widow remarriage act and remarriage of widows is regarded an immoral act, a sin. As a result thousands of young widows are not allowed to marry again. As

they find it very difficult to control their desires, they indulge in corruption. The availability of mechanical and chemical means of family planning are also responsible for increasing corruption in sexual relations. The virgins as well as the married women both can use these contraceptive means, and as there remains no danger of pregnancy, it increase illicit relations among males and females. One more cause of corruption is ill-matched marriages. For example, a girl of sixteen years is married to a middle aged man only for a monetary gain. Selling away of girls like this is social evil. It leads them towards prostitution and illicit relations. In marriages dowry system plays a very important role in increasing corruption. Parents of a girl are forced to give dowry in the marriage of their daughter. If it is not given according to the demand of the other party, either the marriage party goes back or the bride is severely dealt with. The women of the opposite party humiliate and discard the new bride. Sometimes parents of the boy compel the girls to leave their house for ever. Under these intolerable circumstances some girls revolt against the society and flee away to lead an independent life. Mostly they become prostitutes and call girls. Most of the institutions like Orphanages, Rescue shelters, Mahila Ashrams, Salvation homes are the centers of corruption. Though, these institutions may serve the society successfully but the persons who are to look after these increase corruption by indulging in many sex-vices. They always try to make money through corrupt means.

(3) **Education Field:** Corruption in academic regulatory bodies has reached an all-time high, particularly when the nation is envisioning education as a driver of growth. The paradigm shift in the development priorities in favour of education will not bring the expected dividends if corruption in the regulatory bodies continues unabated. The growing cases of corruption in education result in not only distortions in the market but also affect adversely social equity, a central pillar of inclusive growth. The managements of corrupt educational institutions recover the bribe money from students by charging hefty fee and unauthorised charges.

The Tandon Committee has reported that many deemed universities have been charging fee much higher than that approved by the official fee structure committees. The practice of charging exorbitant fee and unapproved charges denied the less privileged

segments of society like the poor, SCs and STs, women, and rural students access to higher education, thus making professional education less inclusive..

There is need to evolve an institutional mechanism for appointing persons of high integrity and impeccable reputation as members of these bodies. The process of appointment may consist of constituting a search committee followed by an integrity audit undertaken by intelligence agencies of the short-listed candidates and validation of credentials of the finally selected candidates by sources other than the earlier ones.



- (5) **Individual Field:** Individual corruption means a corruption due to some individual deformities. Though the individual having deformities causes harm to himself also but social relations are affected greatly as the society is merely an association of individuals. Morally or physically degraded individuals cannot be fruitful to the society. It needs good citizens. Drinking gambling, sex-vices and prostitution etc. are some examples of individual corruption. Such corruption degrades the individual form every point of view. He needs money in order to fulfill his endless desires. If he does not get enough money through fair means, he tries to get it by fowl means. Thus individual corruption increases corruption in the society.

6.5 FORMS OF CORRUPTION:

The forms and dimensions of corruption include the following:

(1) Bribery:

Bribery is the bestowing of a benefit in order to unduly influence a decision or action. It can be initiated by a person who seeks or solicits bribes or by a person who offers then pays bribes. Bribery is the most common form of corruption. The benefit of the bribery is virtually any inducement: money and valuables, company shares, inside information, sexual or other favours. Public sector bribery can target any individual who has the power to make any decisions or to take an action affecting others and is willing to resort to bribery to influence the outcome of that decision. Specific types of bribery includes cheating, looting etc

(2) Systemic Corruption:



When corruption goes on too long unabated and it becomes institutionalized or accepted as the 'norm' and as part and parcel of the procedures of running private and public and/or private affairs of an organization or a society at large. A common manifestation of how systemic corruption is on our society is the frequent bribes by operators of public service vehicles (PSV), especially traffic police officers either to ignore the lack of road worthiness, over-loading, over-speeding or protection fees when there are no traffic offences committed by crew of public service vehicles.

(3) Trans- Active Corruption:

This corruption arises from dealing at least two individuals or parties. It may occur when the nature of transaction being undertaken is illegal or illegitimate or when a particular party in a deal wants to get most part of the benefits at the expense of others. For example a high school head master colludes with the supplier of the school uniforms and the latter supplies goods of substandard quality to the school at an inflated cost so that they not only share the profit but also so that they not only share the profits but also that the students get poor quality uniforms, then trans active corruption is said to have taken place.

(4).Extortion: Extortion is often violent form of corruption where the use of the force, intimidation, threats on an individual or organization in order to obtain protection. It could also be used to coerce the individuals or organization into co-operating in a particular manner or towards a specific cause.

(5) Nepotism: Nepotism involves individuals using their position of relative importance in organizations and societies to give opportunity or favour to their relatives and friends at the expenses of qualified individual or organizations. The discriminating against individuals can be based on a wide range of group characteristics whether they are a tribe or race, gender, geographical and political factors as well as personal or organizational relationship such as membership or friendship of the club or association.

(6) Promissory : This form of corruption is committed when an individual or a leader goes out of their way to promise certain goods and services to people knowing very well that they have either no intention, the power, the will or the resources to

deliver them. This type of corruption is common with aspirants of political offices during their campaigns, e.g. civic, parliamentary and presidential candidates. More often than not, when such individuals get elected, they do not bother responding to their pledges and in worst cases, they even deny ever making such promises in the first place



- (9) **Improper Political Contribution:** This happens when a donation to a political entity (whether an individual candidate or a political party, or a government) with the intention or the expectation that the said candidate(s) will upon assuming office, favour the interests of the donor over the public interest. This is tantamount to payment of a bribe.

6.6 CAUSES OF CORRUPTION IN INDIA:

There is little doubt that high levels of corruption have a detrimental effect on society. Corruption is most commonly thought of as the ‘abuse of entrusted power for private gain’, encompassing such acts as bribery, fraud, extortion, embezzlement and kickbacks. Corruption affects the way governing institutions work and operate, supporting illegal trade and business, promoting personal political motivations before the national benefit and supporting an environment whereby immoral actions go unpunished.

After a genuine discussion over corruption, the following causes have been found out:

- (1) **Increasing Value of Money:** The innermost cause of corruption is the increasing value of money in the society. All the friends, relations and members of the family respect and regard the rich persons more than a poor man. They never think that these rich men have earned the money by looting the public or by some other corrupt means. Hence in order to increase prestige and honour in society, the persons do not hesitate in making money through corrupt means. The money hides the deformities of a man. If there is a dacoity in the society, the police will arrest the poor persons in places of the rich. It has no courage to arrest the real dacoits because they have the power of money.



- (2) **Insufficient Salaries:** Among the class fourth government servants corruptions is flourishing only because they are very low paid workers. They get a very little salary, quite insufficient to make both ends to meet. That is why they try to earn money by employing evil means. It has been generally observed that the best way of approaching even the highest official is to meet the persons near them. Mostly the officials accept bribes through their peons to make as much money as they can through corrupt means. In the supply offices, or in the railway department, the bribery of even two or four rupees is accepted.
- (3) **Lack of Heavy Punishment:** In government departments, whenever the corrupt employees are caught red handed they are generally transferred, instead of giving a heavy punishment. This type of light punishment is also one of the causes of corruption. This light punishment encourages them to adopt unfair means openly because they are well aware of this fact that if they are caught red-handed they would merely be transferred. If besides, dismissal of the corrupt individual, there is a provision of heavy penalty or rigorous imprisonment only a few persons would have the courage to indulge in corruption.
- (4) **Ignorance of Law:** In many areas, in spite of a provision of law there is a large scale corruption. It is so because a number of exploited and illiterate labourers have no knowledge of the law. They are tormented by the corrupt persons. In India, illiterate poor farmers and the villagers are looted by the money lenders. They take loans from these money lenders for which they have to pay a very high interest. They always remain at their mercy. They do not acknowledge any receipt and thus, cheat the farmers. Though there is a separate provision of labour laws yet the owners of big factories and mills do not give the poor, ignorant labourers their due shares. They harass them by deducting their wages, if they fail ill or take any casual leave. The women labourers also are not given any money even in the pregnancy-period. This corruption is increasing only because the labourers do not know the rules and regulations regarding their work. If they raise their demands, their services shall be terminated at once.



- (5) **Advertisements:** In this age of science new methods of advertisements are seen everywhere. Every businessman is engaged in advertising his products by the latest and the quickest methods. In it too there is a hard competition among the businessman. They have employed evil, unlawful, invalid means of advertisement. There are a number of forged companies which encourage the innocent men to deposit their money at the highest possible interest. People deposit their money, purchase shares, give them ornaments in the hope of some monetary gain, but these companies, whenever they get opportunity declare themselves bank-rupt, or shift to some unknown place to befool other persons. Advertisements are given through cinemas, radios and posters etc. Businessmen are befooling the public by giving false advertisement. Such type of corruption is an evil to the society. It is a new way of cheating others in the open markets.
- (6) **Competition in Commercial Field:** The cut throat competition in commercial field has increased corruption among the businessman. Some businessman in order to compete with others use certain evil means which increases corruption. They try to please the government officials by giving them undue bribes so that they may avoid taxes. They take heavy loans from the government, produce forged documents and never start the work for which loan has been granted and yet nobody checks them. They give bribes and pay a definite amount regularly so as to fill their pockets. The contractors get their tenders accepted and produce false certificates without doing any work. Thus they earn lakhs of rupees. Such type of corruption is intolerable.
- (7) **Individual Causes:** Corruption generally depends upon the character of an individual. A degraded and bad character person can easily engage in corruption. From the psychological point of view, the man having psychopathic individuality never hesitates involving themselves in evil practices. They can do anything even for the smallest gain. It is only due to such persons that corruption is flourishing like anything. The man having moral ideas and a good character will suffer from self hatred and a sense of guilt. Deformities of individuals corrupt them to a larger extent.



6.7 EFFECTS OF CORRUPTION IN INDIA: These are the effects of corruption given below:

(1) Socio-Economic Inequality: Corruption creates economic inequality in the society. The class has opportunity to do the corruption become rich and the common people who lost due to corruption become poor. The economic gap between them widens. Finally it leads to capitalism and class conflict.

(2) Low/Unequal Growth: Another effect of the corruption is low growth rate of the country. In spite of high production the country shows low growth rate. Even if per capita income and average growth shows upwards trends for the country, but it will not be overall growth. The growth of corrupt class will very high compare to common man. Sometime even it shows negative growth for poor.

(3) Loss of Public Property and Life: The contractors construct the project by using low quality material to gain profit and to meet the demand of the corrupt officials. It leads to the disaster and loss of life and property. Corruption in health department made the government health service ineffective.

(4) Maoism: As mentioned earlier the huge class difference in the society leads to the terrorism. The class war leads to the demolition of the poor. Nowhere have they got justice because of corruption in the judiciary and police. Finally, they become defector. The Maoists are the byproduct of corruption.

(5) Revolution: Corruption can bring revolution. When there will be no way to control corruption it will bring social revolution and social changes. Behind all the historic revolution corruption was one of the main causes.

(6) Black Money: To hide the wealth earned by corruption the Hawla channel is used. Finally this money becomes black money. In India huge amount of public wealth is converted into black money by the corrupt officials, politicians, and industrialist.

6.8 REMEDIES TO CORRUPTION:



Prevention of corruption from public life has become so important that without it no further reform in the society is possible. After a critical study of different aspects of human life reformers have reached to the conclusion that raising the moral standard of each individual is a very urgent need of the country today, so that they may fulfill their responsibility and duty towards the country. Good citizens can perform their duties more efficiently. Hence each individual must avoid corruption. Some suggestions to eradicate corruption in the public life are as follows:

(1).Value Education: Parents and teachers should inculcate moral values in children that doing corruption is a sinful act .Practice is more persuasive than preaching. The best way to inculcate values in children is not only to preach but to set an example by actual doing. They should set themselves as models of good behaviour. They should narrate stories based on moral values. Teacher should not only teach morals in value education period but they should inculcate values in pupils by correlating value education with various subjects and activities. An educated man can know the consequences of an act more vividly in comparison to an illiterate man, he can to some extent avoid corruption and follow some ideals and values of life, like honestly, truth, non-violence, fulfillment of duty, the roots of a country's progress.

He only shall be able to differentiate between good and evil, social values and personal gain, morality and religion. In brief, an educated person knows what he is doing and what would be the consequences. The circumstances may force him to do an evil act, but at heart he may be suffering from a sense of guilt. In the near future, he may avoid corruption and be an ideal citizen. To impart moral education in every educational institution will raise the moral education in every educational employments, emphasis should be given on the ability of a person, instead of his caste, religion, sex, status and the family to which he belongs. If this suggestion may be brought into practice, corruption from the government offices, law courts, police departments, educational institutions, reformatories, etc., may be eradicated. In educational institutions only ideal teachers should be appointed without any consideration of caste, sex, family, religion or nationality. Such teachers alone would be able to draw the attention of the students towards morality, duty, goodness, obedience and faithfulness. They must be

given a higher start so as to meet their necessary requirements, a better residence, sufficient medical aid, chance for further studies, leaves with pay and benefit of provident fund etc. The undue interference of the managers in the school or college affairs should be strictly prohibited. The appointments should be made on a permanent basis so that teachers might feel safe and secure from that side.



(2).Enforcement of Law in the Areas of Trade, Industry and Commerce:

In industrial areas, people generally violate laws by giving bribes to the officials and ministers concerned. Many people are involved with heavy corruption. If these persons are caught red handed at the time of adulteration or black marketing they are left without any penalty. The businessmen found avoiding taxes, the officials overlook them, and indirectly encourage them to adopt the same means because their pockets are filled with money. For these people there is no provision of heavy punishment or rigorous imprisonment. They are often left free. Capital punishment should be given to the persons, engaged in adulterating edibles, medicines and other articles necessary in life. In the industrial areas, the owners of big factories and the industrialists, often violate the laws and save themselves from being punished. In this direction, to remove this corruption the government should make laws and enforce them strictly in such areas. The violators should be severely dealt with. Heavy punishments such as life imprisonment, rigorous imprisonment, corporal punishment and heavy penalties etc. are fit for such corruption so that other persons may also learn a lesson.

(3) Strong and Effective Leadership and Administration: All those who are granted powers and authority by people should fulfil their promises and pledge. They should strive their utmost to eradicate corruption from systems and administrations. They should give up hypocrisy. Government and vigilance agencies should keep a check on their source of income and bank accounts. If any leader is not performing his duties properly, then he should be immediately terminated from the position. It should be performance based position. Government should do performance appraisal of leaders regularly.

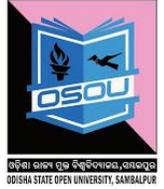
(4) Reforms through Social Welfare Institutions: In order to prevent corruption in the public life, social welfare institution should be established almost in each city of



the country. Our trusted leaders and persons having high moral ideas should participate as the active members of these institutions. Though such types of institutions are serving even today but the managing body is very corrupt. The persons who are to look after these institutions are corrupt persons. They mislead the widows, orphans and the poor exploited virgins who take shelter for the better of their lives. Young enthusiastic persons of new generation should cooperate with them in social welfare work and try to remove evil elements working in such institutions. There should be a revolution against the corruption prevailing in the society. This revolution can be successful only if the young men having high moral character and reformative spirit take an active part vigorously.

(5) Reforms in Penal System: The penal system of today is very defective. It is very expensive, rigid and puzzling. Ordinary illiterate people cannot follow its procedure. They have to give bribes from top to bottom and even then they cannot hope of getting justice. The procedure of approaching law is very long. It takes a long time. The criminals do not feel any kind of terror. They go on doing their own job violating every law, because the punishments which are given by law courts are very light. There must be some reforms in the penal system. The punishments and penalties should be to some extent desirable and reasonable. Getting a man merely transferred; if he is found guilty is not a desirable punishment. Such types of punishment encourage more corruption; The punishments should provoke terror in the hearts of criminals and mischief mongers. Even the hardest punishment may be given. In its justification Cicely M. Craven writes, “Capital punishment aims to prevent crime by causing the fear of death in those who might otherwise be criminal”. He again writes, “The procedure of approaching law courts should be simple and less expensive. Sometimes the persons who make a complaint, or give some clues of corruption in a particular area are caught and imprisoned. Hence everybody feels fear in making any complaint against somebody. The law courts should take a quick action on the complaints so that any criminal may not get to give bribes. Pleaders should be available to the poor people also without any payment. The executive should not interfere in judiciary. Both should be quite separate from one another so that the judiciary may not feel any undue pressure while deciding a

case. Honorary Magistrates should be appointed to deal with small cases. It will remove bribery to some extent. The poor and illiterate people would also be able to get advantage. They may bring their complaints in these law courts.



- (6) **Effective and Regular Vigilance:** Strict action should be taken against lazy and corrupt officials. Number of agencies and officials should be increased. They should be properly trained in the latest investigative skills. Government should supervise and monitor these agencies. They should be quick and active in their duties. They should not delay their investigation and inspection. Since, these delays are the cause for loss of tremendous wealth of nation.
- (7) **Media:** Media has wider coverage and impact. It plays an important role in changing the life of people. It should frequently expose the cases of corruption. It should educate people against corruption on regular basis. Journalists and editors should give complete information about the issues related to corruption in their newspapers. Reporters should give more importance to the news and information on corruption; they should report corruption cases immediately.
- (8). **Serials and Films:** Films are powerful medium of mass communication. Films have powerful influence and widespread appeal. Films can be used to create public opinion against corruption. Producers should make certain popular serials and movies against corruption. Serials should have different episodes dealing with various types of corruption and their cures.
- (10.) **Legislation:** Government should frame strict and stringent anti-corruption laws. Severe punishments and penalties should be imposed on corrupt people. The justice and proceedings should not be delayed. Immediate action should be taken against corrupt people. The punishment should act as a good lesson for other corrupt people.

Kaufmann (1997) distinguishes between the two types of anti-corruption strategies: the ex-post or curative measures and the ex-ante or preventive measures. Based on empirical studies, strong ex-ante anti-corruption measures work better in fighting corruption in the long term. Within this framework, some

key elements focused on combating the root cause of corrupt activities are recommended for the national anti-corruption program.



- (i) **Reducing Opportunities by Policy Reforms and Deregulation.** This would include reforms and deregulation such as tax policy and administration (e.g. preferential tariffs, exemptions, investment incentives, tax audits); regulation of infrastructure services and public utilities (e.g. granting of franchises, government guarantees, and competitive arrangements); corporate governance reforms, environmental and land use regulations, and import and trade arrangements.
- (ii) **Reforming Campaign Finance.** The dynamics of electoral politics create opportunities for corruption, particularly the financial requirements to obtain and retain office. Reforms of political processes and systems should be an integral part of the government's overall anti-corruption program.
- (iii) **Increasing Public Oversight.** There is a need to increase significantly the information made available to the general public on the performance of elected and appointed officials. Participation of the civil society forms an integral part in this process.
- (iv) **Reforming Budget Processes.** Enhance the integrity and effectiveness of government wide agency level financial management systems; improve program performance monitoring and evaluation; simplifying public procurement, and limiting congressional discretion over detailed line-items and strictly enforcing public finance rules.
- (v) **Improving Meritocracy in the Civil Service.** Restructure the civil service to reinforce merit and provide adequate financial compensation and accountability for performance.
- (vi) **Targeting Selected Departments and Agencies.** Based on perception survey, the following initial list of target agencies demand intervention: Bureau of Internal Revenue, Bureau of Customs, Department of Public Works and Highways, Department of Environment and Natural Resources, Department of Education, Culture and Sports, Local Government, National Power Corporation, and Bureau of Immigration.



- (vii) **Enhancing Sanctions Against Corruption.** Fast-tracking high-profile cases of alleged graft and corruption; supporting capacity building in forensic audit at the Commission on Audit and corruption prevention at the civil service, efficient sharing of information, streamlining and simplifying regulatory framework involving corruption and civil service codes of conduct.
- (viii) **Developing Partnerships with the Private Sector.:** Involving the private sector in designing anti-corruption strategies, encouraging higher standards of corporate governance, adopting improved accounting standards and auditing rules to ensure transparency in business transactions.
- (ix) **Supporting Judicial Reform.** A strong judiciary is a key component of any anti-corruption effort. Among the reforms envisioned are merit-based recruitment and promotion, adequate compensation and accountability of performance. Preliminary assessment conducted by World bank shows the need to address the following areas: perception and reality of judicial corruption; case overload and delays; poor working conditions; alternative dispute-resolution mechanisms and judicial education.
- (x) **Civil Society, Private Sector and International Organizations:** A multispectral approach is likewise used in curbing corruption in the country. NGOs, private sector and donor agencies have been active participants in creating a transparent and accountable government in the past decades.
- (xi) **Civil Society Initiatives.** NGOs are particularly a vocal group in the fight against corruption. Civil society groups such as Volunteers against Crime and Corruption (VACC) have effectively used the media to focus public attention on certain cases and developments. The media themselves have formed NGOs which will serve as the watchdog of the government (Philippine Center for Investigative Journalism (PCIJ), Center for Media Freedom and Responsibility (CMFR)). Collaborative efforts were likewise done between the government and civil society groups. In January 2005, the Philippine Development Forum was created to serve as venue for dialogue between development partners and the government.



- (xii) **Private Sector Initiatives.** Private organizations have been part of the anti-corruption efforts in the country. Their help usually comes in the form of funding of anti-corruption programs of NGOs. The Makati Business Club has been a visible lobbyist for good governance in the Philippines.
- (xiii) **International Organizations.** With their extensive resources, international organizations have been a huge part of information campaign against corruption in the Philippines. They had also helped craft the good governance framework and long term strategies to fight corruption. International organizations such as the World bank, ADB, UNDP, USAID, Konrad Adenauer Stiftung, and Transparency International have launched rigorous programs to help the government.

WAYS TO FIGHT AGAINST CORRUPTION: The first weapon you can use against corruption is *Right to Information act (2005)*. This empowers citizens to request for information from Government officials about anything that the official is responsible or accountable. Computerization of information and government data are part of this. Otherwise the official may face punitive actions. These are the following ways to fight against corruption in India :

- (1) **The Lok Ayukta:** The Lok Ayukta is also an anti-corruption organization in the states of India. The Lok Ayukta helps people bring corruption to the fore mainly amongst the politicians and officers in the government service. It is to be noted that the Lok Ayukta conducts raids. But surprisingly, it does not have binding powers to punish anyone.^[3] Owing to this, many acts of the Lok Ayukta have not resulted in criminal or other consequences for those charged.
- (2) **Whistle Blowers in India:** The concept of Whistleblowers in India is new but people have revealed such facts of corruption and other negative aspects from their experience. But the sad news is that India does not have a protective law for the Whistleblowers.
- (3) **Private Efforts Against Corruption:** You can use several platforms that help you to voice against corruption. <http://www.indiaagainstcorruption.com> is one such site that you can use to voice your anti corruption spirit. <http://5thpillar.org>

is another one that is spreading its voice against bribery by introducing a Zero rupee note. This note will be given to those officials who want from you to get something done. *Jago re: One Billion voters* by Tata Tea has first started a move to awaken young people to their right to vote, but now it shifted move to anti-corruption



RECENT PROTESTS AGAINST CORRUPTION:

The Vohra Report of 1993, submitted by the former Indian Union Home Secretary N. N. Vohra, studied the issue of the criminalization of politics. The report contained several observations made by official agencies on the criminal network which was virtually running a parallel government. It also discussed criminal gangs who enjoyed the patronage of politicians and the protection of government functionaries. It revealed that political leaders had become leaders of street gangs and rogue elements in the military. Over the years, criminals had been elected to local bodies, State Assemblies, and the Parliament.

The Right to Information Act of 2005 helped civilians work effectively towards tackling corruption. It allows Indian citizens to request information, for a fixed fee of ₹10 (US\$0.22), from a "public authority" (a body of Government or "instrumentality of State"). In turn, this public authority is required to reply to the request within thirty days. Activists have used this to uncover corruption cases against various politicians and bureaucrats - one consequence being that some of those activists have been attacked and even killed.

Hazare began his indefinite fast on 5 April 2011 at Jantar Mantar in Delhi to press for the demand to form a joint committee of the representatives of the Government and the civil society to draft a stronger anti-corruption bill with stronger penal actions and more independence to the *Lokpal* and *Lokayuktas* (Ombudsmen in the states), after his demand was rejected by the Prime Minister of India Manmohan Singh. He stated, "I will fast until Jan Lokpal Bill is passed".

The movement attracted attention in the media, and thousands of supporters. Almost 150 people reportedly joined Hazare in his fast. social activists, including Medha



Patkar, Arvind Kejriwal, former Indian Police Service officer Kiran Bedi, Noted Hindi Poet Kumar Vishwas and Jayaprakash Narayan lent their support to Hazare's hunger strike and anti-corruption campaign. People have shown support in internet social media such as Twitter and Facebook. In addition to spiritual leaders Sri Sri Ravi Shankar, Swami Ramdev, Swami Agnivesh and former Indian cricketer Kapil Dev, many celebrities showed their public support through Twitter. Hazare decided that he would not allow any politician to sit with him in this movement. Politicians like Uma Bharti and Om Prakash Chautala were shooed away by the protesters when they came to visit the site where the protest was taking place. On 6 April 2011 Sharad Pawar resigned from the *group of ministers* formed for reviewing the draft Lokpal bill 2010.

Following Anna Hazare's initial protest, a second major protest took place at the Ramlila Maidan, New Delhi on June 4, 2011. The leader for these protests was Swami Ramdev; his aim was to highlight the need for strong legislation to repatriate black money deposited abroad. Ramdev demanded that untaxed money invested abroad should be declared to be the wealth of the nation and, further, that the act of caching money alleged to have been obtained illegally in foreign banks should be declared a crime against the state. It is estimated that around \$350 billion to \$1.4 trillion worth of black money is stashed away in foreign banks.

Ramdev declared that a people's movement to liberate the country from rampant corruption and build a strong spiritual 'Bharat' would be launched by him in June. The movement was called "Satyagraha against Corruption". He declared one of the main objectives of the movement was to bring about an end to corruption and bring back black money stashed away in various financial institutions in the country and abroad. Four senior Union Ministers Pranab Mukherjee, Kapil Sibal, Pawan Kumar Bansal and Subodh Kant Sahay met Ramdev to discuss his issues and demands at Delhi Airport on June 1, 2011. Back-channel talk between two sides was held in The Claridges, New Delhi on June 2, 2011. The next day, talks were held for a third time between the ministers and Ramdev and both sides claimed consensus. The government gave a response to the demands but Ramdev planned to go ahead with his hunger strike.

ROLE OF GOVERNMENT TO STOP CORRUPTION:



(a) Legislation: The Prevention of Corruption Act 1988 and its 2008 amendment is a specialised law aimed at curbing corruption in India. It criminalises corruption in the public and private sector in the form of active and passive bribery, extortion, bribery of a foreign public officials and abuse of office. Public servants' involvement in private sector activities is also restricted by law. Moreover, a Prevention of Money Laundering Act has been in force since 2002. Companies operating in India should familiarise themselves with relevant federal level laws, but should bear in mind that laws in key areas may differ from state to state (see this profile's special page on regional differences in corruption and the regulatory environment). Consult the homepages of the state governments to obtain information on specific state laws. The Right to Information Act (RTI Act), which took effect in October 2005, has played a central role in the fight against corruption in India. According to the RTI Act, citizens have the right to access government documents within 30 days from the filing of the request. Thereby, a mechanism of control of public spending has been granted to ordinary citizens. Some commentators are enthusiastic about the effects of the RTI, while others point at the difficulty citizens from rural areas have to make full use of the law and to the need of making citizens and public servants more aware of the RTI. Read more about the RTI Act and different views about its implementation on the Transparency Reviews regularly published by the Centre for Media Studies.

(b) Government Strategies: Every year a 'Vigilance Awareness Week' is observed by public authorities to make people and stakeholders aware of the new anti-corruption measures/systems, which have been put in place within the organization. Independence of civil servants is sought by various initiatives, such as, among others, the rotation of senior officials in sensitive positions every two to three years and the prohibition for civil servants to accept gifts/lavish hospitality by companies with which they are having official dealings unless the government has given its approval.

(c) Anti-Corruption Agencies: India has a number of institutions at the federal and state level with authority to deal with allegations of corruption. Each state is responsible for setting up local anti-corruption agencies which have powers to investigate cases of corruption involving public officials at state level. Links to the local anti-corruption bureaus can be found at state government websites. An example of such a bureau is the

Anti-Corruption Bureau of Maharashtra. The most important federal anti-corruption institutions are discussed below.



(d) Central Bureau of Investigation (CBI): The CBI functions under the Ministry of Personnel, Pension & Public Grievances. The CBI consists of three divisions: the Anti-Corruption Division, the Special Crimes Division, and the Economic Offences Division. These units have the power to investigate cases of alleged corruption in all branches of the central government, ministries, public sector entities and the Union Territories. The CBI does not have the power to investigate cases in the states without the permission of the respective state government. However, the Supreme and High Courts can instruct the CBI to conduct investigations. In 2008, the CBI launched a successful corruption awareness campaign via text message in collaboration with telecom service providers in Delhi and Mumbai. The CBI has a whistleblower/complaint mechanism on its website, where corruption can be reported.

(e) Central Vigilance Commission (CVC): The CVC is an independent watchdog agency established in 1964 with a mandate to undertake inquiries or investigations of transactions involving certain categories of public servants and has supervisory powers over the Central Bureau of Investigation. The CVC can investigate complaints against public officials at the higher level of central government in cases where an official is suspected of having committed an offence under the Prevention of Corruption Act 1988. The CVC is mandated to deal strictly with public sector corruption at the federal level, as opposed to state level. The CVC has been advocating for India to ratify the UN Convention against Corruption (UNCAC). The CVC has a whistleblower/complaint mechanism on its website.

(f) Office of the Comptroller & Auditor General (C&AG): The C&AG of India is the supreme audit authority in the country. The Office of the C&AG is located in New Delhi, but Accountant Generals (AGs) offices can be found in all state headquarters (AGs are independent of state governments and are accountable only to the C&AG). Public expenses management reportedly suffers from poor monitoring, poor targeting and corrupt practices. According to Global Integrity

2007, the C&AG has sought to improve the accountability of the executive by producing several reports on various subjects, including state departments, railways, telecommunications, state-owned companies and tax administration. These reports have revealed many financial irregularities in various branches of the state; however, the government allegedly often fails to act on the findings of the reports.



(g) Supreme Court: The Bertelsmann Foundation 2010 reports that secondary powers, such as the Supreme and High Courts, have become more proactive in carrying out their duties. Judges have displayed unprecedented activism in response to Public Interest Litigation over official corruption, environmental issues, and other matters, and this expanded role has received considerable public support. The Supreme Court has been taking and tackling corruption seriously in recent years, both in general and political domains. The Supreme Court has challenged the legislative decisions of ministers and the exercise of powers to pardon politically connected individuals based on 'arbitrary' and 'irrelevant' considerations. One method that the legislature has employed since 1951 to evade judicial scrutiny concerning the constitutionality of legislation is to place such laws under the Ninth Schedule, which granted legislation immunity from being tested in court. This provision enabled the legislature to prevent any judicial review of a law even when it conflicted with fundamental rights. More than 300 laws found political sanctuary under the Ninth Schedule. However, the Supreme Court did away with this immunity in April 2007, leading the Prime Minister to complain of judicial overreach. Furthermore, the Supreme Court has established a police commission and complaints authority to look into police corruption and malpractice, ordered fixed tenure for police chiefs and other senior officers, and ruled that corrupt police officers can be prosecuted without government consent.

(h) Reserve Bank of India (RBI): Transparency International's Global Corruption Report 2009 states that the Indian Central bank published guidelines in 2008 taking serious note of complaints received against recovery agents for abusive practices and violation of guidelines. This initiative by the RBI aims at ensuring that banks



refrain from hiring disreputable people to recover debts and to prevent malpractice in the offering and management of loans by banks. The guidelines include provision of recording of calls made by recovery agents to customer's and *vice versa*, placing of updated list of recovery agents on bank's website, periodical verification of antecedents of employees of recovery agents which may include verification through police, additional conditions for repossession of assets. To achieve this, it has threatened erring banks with a ban on engaging recovery agents in a particular area, either jurisdictional or functional, for a limited period.

(i) Chief Information Commission (CIC): The CIC was established in 2005 and became operational in 2006. It has delivered decisions instructing government, courts, universities, police, development NGOs and ministries on how to share information of public interest. State information commissions have also been opened, thus giving practical shape to the Right to Information Act 2005 (RTI Act), although they have not been immune to criticism. Of India's 28 states, 26 have officially constituted information commissions to implement the RTI Act. Nine states pioneered access to information laws before the RTI Act was passed. One state has complimented the quality of law, but mourned the 'luke-warm response of a largely unaware citizenry'. According to the Transparency Reviews regularly published by the Centre for Media Studies, however, awareness has been increasing towards the end of 2008. The Transparency Reviews point on the other hand to the resistance of some civil servants to abide by the law and disclose information. The US Department of State 2008 reveals that, during 2008, action was taken against 262 Bihar state government officials for not supplying information to RTI applicants.

(j) E-Governance: A wide range of public services have been digitized, which has considerably increased the speed of government services and removed some of the direct contact points with public officials. Obtaining licenses, permits, official documents, paying taxes and clearing goods are some of the services that have been digitized. The Government of India has created the National Portal of



India which lists all these services and thus serves as an ideal entry point for companies wishing to do business in India. The customs service is increasingly integrated into the e-governance project of the Government of India. Under the e-governance project, many possibilities for extraction of bribes related to trade across borders have been removed. Please see the homepage of the Central Board of Excise and Customs for more information on e-payment, which also contains information on how to complain about corrupt officials. The business section of the National Portal of India is also useful when seeking information on trading across borders.

(k) Public Procurement: Corruption in public procurement has been a major challenge for companies entering or operating in the Indian market. Many measures have been taken in order to make the Indian procurement system more transparent and efficient, but companies should be aware that states have their own specific procurement laws and regulations. Information on tenders is available online through the Indian Government Tenders Information System, which is the main source for government and public sector procurement. This comprehensive portal contains links to central and state tenders as well as tenders by public sector units. All major public authorities are also required to publish on their website a monthly update of all their contracts/purchases above a certain value threshold. Some states, such as Andhra Pradesh, have their own online tender information system. Each state has its own financial rules based on the broad principles of the General Financial Rules which govern procurement by all government agencies of the central government. The absence of a central law or state act in public procurement means that each ministry, department, agency, local body, and state enterprise is free to devise its own rules for public procurement and contracting as long as they follow the basic rules of the open tender system. This decentralization also means that any procuring authority may develop its own debarment lists of companies that have been shown to have violated tender procedures, as long as the established procedures laid down for blacklisting, banning and suspension of companies are followed. Companies should report corruption or any kind of misuse

of office by any employee of the central government to the Central Vigilance Commission. Complaints of corruption by state officials should be directed to the respective anti-corruption bureaus at state level which can be found by entering the homepages of state governments. See Public Procurement and Contracting under the Corruption Levels for more information on corruption in public procurement in India.



(1) **Whistle-Blowing:** The protection of whistleblowers has improved since the Dubey case in 2003, where a technical manager of the National Highways Authority overseeing the construction of the Bihar stretch of the National Highways Development Project was killed after reporting several incidences of corruption among contractors of the project to the Prime Minister's Office. His request for anonymity was ignored. Following massive protests from the public and international organisations, the courts made it clear that the Central Vigilance Commission (CVC) is authorised to protect whistleblowers and to act on their complaints. The CVC can now take action against anyone who leaks names of whistleblowers and witnesses and can request police assistance to investigate complaints. See the CVC's brief introduction to the Public Interest Disclosures and Protection of Informer Resolution (PIDR) whistleblower legislation. The CVC provides a secure whistleblower/complaint mechanism for exposing corruption and has received over 1,300 complaints since the PIDR's passing in 2005. See also the Central Bureau of Investigation online whistleblower/complaints mechanism which guarantees the protection of whistleblowers when they report corruption. The Right to Information Act 2005 has reportedly improved bureaucratic transparency by giving citizens better access to records. However, according to Freedom House 2009, those who try to expose corruption within the bureaucracy often receive threats or are otherwise penalised in terms of career prospects. The CVC reports that some 30 whistleblowers have suffered from harassment or victimisation despite the supposedly confidential PIDR complaints. Those who knowingly file a false complaint can be subject to prosecution.



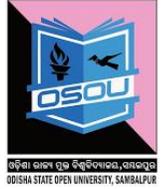
Let Us Sum Up:

Corruption fosters an anti-democratic environment characterized by uncertainty, unpredictability, declining moral values and disrespect for constitutional institutions and authority. Corruption embodies, not just a governance deficit, but also an amputation of democratic values and human rights, resulting to poverty and threatening human security. Corruption is a governance issue because it involves effective functioning of institutions and management of society thru its political, economic, social and judicial mechanisms. When these formal and informal institutions break down, laws and policies that ensure accountability and transparency of the government become harder to implement.

SELF ASSESSMENT QUESTION:

- (1) Write down the various causes of corruption in India?
- (2) Write down the various effects of corruption in India?
- (3) Explain the different remedies of corruption in India?
- (4) Explain the ways to fight against corruption.
- (5) Write short Note
 - (a) Modes of corruption
 - (b) Forms of Corruption
 - (c) Recent protest against Corruption
 - (d) Corruption and Good Governance

RURAL INDEBTEDNESS



INTRODUCTION

Rural Indebtedness is a persistent problem in India. It has been considered as one of the most key stumbling blocks in the way of rural development. Rural Indebtedness means inability of rural people (Farmers) to pay their Debts. It is an indicator of the weak financial infrastructure of our country, which includes inability of our economic system to reach to the needy farmers, landless people in the villages and the agricultural wage .Mitra, Roy and Mitra (1986) narrates that indebtedness is cancerous, self-perpetuating, malignant and maleficent. It abates agricultural production, abashes social psyche, aggravates inequalities in the distribution of socioeconomic opportunities and benefits, arrests social progress and misdirects social efforts. In the Indian rural context, indebtedness characterizes: (i). unproductive usage of loan, (ii). usurious ensnaring of the borrower, (iii). captivation of productive resources, (iv) exercise of coercive and exploitative economic and social powers by the lender, (v). compulsion, plight, misery and feeling of guilt and helplessness, and (vi). erosion of social status of the borrower.

Rural indebtedness is an indicator of the weak financial infrastructure of our country, which includes inability of our economic system to reach to the needy farmers, landless people in the villages and the agricultural wage laborers

The indebtedness as on 30.06.2012, with simple interest is predominant for both rural (20.3%) and urban (13.4%) households. IOI (Incidence of indebtedness) for 'interest-free loans' (mainly taken from friends and relatives) was also quite significant - with 6.5% in the rural and 4.4% in the urban.

Padhi and Panigrahi (2011)explains the problems of indebtedness in the tribal areas of Orissa are the root cause and output of poverty. The subsistence economy of the tribal people does not provide them with livelihood support for the entire year. Not finding the existing livelihood sources sufficient, and faced with limited alternatives, they quickly and easily go to non-tribals to seek help both in cash and kind. Realising this the state authorities have formulated various rules and regulations in order to minimize the extent

of exploitation ensure that moneylenders register themselves, maintain proper accounts and charge only reasonable rates of interest.

It is a fact that the imbalances between the income and consumption expenditure of tribal people makes them easy prey in the hands of the non-tribal moneylenders (Behura and Panigrahi,2001). The caste communities who practice money lending are the Pana, Sundhi, Kumuti, Mohanta and Gouda, who have been in the business for a long time. Inter-regional movement of non-tribal populations into tribal areas has also brought in Telgus, Kumutis, the Oriya, Sundhis and the Doms, who have been exploiting tribals through unscrupulous trade and money lending business (Patnaik, 1972:12). In fact, the money lending system has been the major route of large scale land transfers from tribals to non-tribals.

The problem of rural indebtedness has two aspects and so the solution is also two-fold. For cancelling old debts some measures may be devised and fresh borrowing should be restricted to the minimum possible. The old debts can be settled through Insolvency Acts. The farmers who find the burden of ancestral debt excessive may get their loans scaled down. Reconciliation boards may be set up representing debtors and creditors. In some states legislation exists for compulsory reduction of ancestral debt and even for their liquidation. Apart from it the farmers should be made aware of the legislation in this respect.

According to Saptarshi (2016) rural indebtedness is also linked to the overwhelming nature of small agricultural holdings in India. More than 70% of Indian agricultural holdings can be termed as small (less than five acres). In such holdings large scale, modern farming is impossible. To have major economic yields in agriculture, one needs to maximize production, which remains a far cry for the majority of Indian farms. Malpractices carried out by money lenders can be seen as a major cause of continuation and worsening of these problems. Money lenders often force farmers to mortgage their lands and when a farmer is unable to repay the debt he faces the risk of losing his land. He is thus forced into further debt. Apart from this, illiteracy, ignorance and long lasting litigations can be seen as major contributors to the continuing indebtedness in rural India.





Rural indebtedness has been a persistent problem of India's rural economy. The report, 'Situation Assessment Survey of Rural Households in India', released by the National Sample Survey Office (NSSO) in December, 2014 identifies that about 52% of rural households in India are indebted. The average loan per agricultural household is ₹ 47,000. Andhra Pradesh is identified as the highest with about 92% of its rural population indebted. It is followed by Telengana, which has about 89% indebted rural households and Tamil Nadu having about 82.5% rural indebtedness. This data reveals that while average income increased from 2002-2003 to 2012-2013 by 318%, rural indebtedness increased by 273.5%.

RURAL INDEBTEDNESS COLONIAL INDIA

During colonial rule, there was continuous growth of rural indebtedness in India. The Famine Commission of 1880 remarked that 2/3rds of the land holding classes were in debt, 1/3rd of them deeply and inextricably. The Central Banking inquiry committee (Mid 1920s) estimated the magnitude of rural indebtedness was around Rs.900 crore. Owing to great depression of the 1930s, agricultural prices underwent a sharp fall. This reduced the peasant's capacity to fulfill the obligations of paying land revenue. By 1937, the rural indebtedness figures swelled to Rs.1800 crore.

According to Hareet Meena(2016) throughout the colonial period, the administrative and economic policies in India were concerned more with protecting and promoting British interests than with advancing the welfare of the Indian masses. From the second half of eighteenth century there was an unprecedented and continuous growth of rural indebtedness. The factors that accounted for the growth of rural indebtedness can be studied under two heads, namely those which enabled the agriculturists to borrow money and those which compelled them to do so.

The new agrarian settlements initiated by the English India Company made land a commodity. The agriculturist now had a tangible asset which he can mortgage against the security of which he could borrow. Dealing with the factors which compelled the peasants to borrow, we can attribute it to the British policy of monetizing land revenue



payment and the exorbitant rates of land revenue. Apart from this, natural calamities also often compelled the peasants to fall in debt. The early ardent nationalist, especially, Dadabai Naoroji, Ramesh Chunder Dutt and Govind Ranade made minute studies of the drain of wealth and causes of rural indebtedness. They finally concluded that it was all due to the British colonial interests that destroyed the Indian agricultural infrastructure and heavily indebted the villages of India.

The factors that accounted for the growth of rural indebtedness can be studied under two heads, namely (1) those which enabled the agriculturists to borrow money and (2) those which compelled them to do so. In the course of British rule the agriculturist had a tangible asset against the security of which he could borrow. It was observed that over a period of time, the value of land increased due to increased demand associated with growth in population, commercialization of agriculture etc. This was instrumental in raising the borrowing capacity of the agriculturist.

Another factor, which enabled the agriculturist to borrow, was the increased keenness of the moneylenders' to lend. In the pre-British period there existed a powerful and active village community which frowned at excessive lending and borrowing and also protected the individual cultivator from exploitation by the moneylender. Further, state took no interest in assisting the moneylender in the recovery of loans. For this, he was dependent upon the Village community. Thus the money lender could not indulge in ruthless exploitation. Both these constraints vanished under the British rule. The Village Community disintegrated and the civil laws enacted by the British and the law courts instituted by them were helpful in assisting the moneylender in the recovery of interests and debts. In the pre-British days, custom generally limited total compound interest to 50 percent of the principal amount, in case of cash loans, and to 100 percent, in case of grain loans. Under the British rule, no such limit was recognized by the court and interest accumulated endlessly. All this made the moneylender keen to lend money to the agriculturists.

Dealing with the factors, which compelled the peasants to borrow, we can attribute it to the British policy of monetizing land revenue payment and the exorbitant rates of land revenue. Natural calamities also often compelled the peasants to fall in debt.



Having discussed about the background about rural indebtedness, we can now study the credit policy of the British Indian government. The land improvements Act (1883) and the Agriculturists' loan Act (1884) provided for government loans to the peasants. The Deccan Agriculturists Act (1879) was passed to placate the agitated peasants. It ensured a reasonable rate of interests and also authorized the court to restore mortgaged and confiscated lands to the debtor, under certain conditions. Similar Acts were passed elsewhere like, Punjab land alienation Act, Central India land alienation Act, North West frontier province land alienation Act etc. However, still Benami transactors continued, since transfer of land to agricultural moneylenders Act (1927) and the Punjab regulation of Accounts Act (1930) aimed at controlling the moneylenders. Debt conciliation Acts were also passed but it did not cover trade debt, bank debt and government debt. The government credit policy was not comprehensive. Further, the policy was merely corrective and not preventive in its nature.

The revolutionary changes in agrarian property relations, rigid execution of an exorbitant land revenue policy, decline of the Handicrafts sector, commercialization of agriculture, and rise in the population were in effect, responsible for the growth of agricultural labor in India. The introduction of the new agrarian relations, largely stripped the peasants of their customary and hereditary rights to cultivate land. This forced many of the poor peasants to become agricultural laborers.

Under the British rule in India, land revenue rates were not only exorbitant but were payable only in cash terms. This often forced the poor peasant to mortgage his lands, in order to borrow money to meet his land revenue and rent obligations. On default of payment the land was confiscated reducing the peasant to a landless laborer. The decline of handicrafts sector was largely an outcome of the penetration of cheap manufactured goods from Britain, into the Indian market, With the development of railways, the village self sufficiency was pierced through and rural artisans were dislocated. Many of the urban handicraft artisans and rural artisans had to fall upon the agricultural sector for their livelihood.

The commercialisation of agriculture was also responsible for the growth of agricultural labour in India. It brought about capitalistic farming on a large scale and thereby led to

increased demand for agricultural labour, especially in the plantation estates. The rising trend in population growth was also partly responsible for the growth in agricultural labor.



CAUSES OF RURAL INDEBTEDNESS IN INDIA:

The following are the important causes of rural indebtedness in India:

(i) Poverty

Poverty and indebtedness are related. They are interrelated and interdependent, because the poor have to incur loan from the moneylenders. On loan, the poor have to pay interest. The rate of interest – remains exorbitant. The moneylenders exploit and oppress the poor in a number of ways. The poorest people will also have less access to health, education and other services. Problems of hunger, malnutrition and disease afflict the poorest in society. The poorest are also typically marginalized from society and have little representation or voice in public and political debates, making it even harder to escape poverty. It is observed that Indian farmers are very poor and do not have any past savings to repay their debt or to make improvement on their land. Thus, poverty forces the cultivators to multiply their debt. The marginal and small farmers are still in the clutches of poverty and indebtedness. This manifestation of the agrarian crisis in the form of suicides has reached dangerous levels in the state of Odisha. The gravity of the problem as well as its causes pointed out that most of the suicide victims were cultivators and belongs to the category of small and marginal farmers. Suicides rates are increasing due to a number of reasons, ranging from poverty to crop failure, indebtedness, marital discord and alcoholism, but in our view it was mainly due to the economic crisis that the peasantry, in the state of Odisha, in general, is facing and which has led them to borrow heavily.

(ii) Defective Agricultural Structure

Defective agriculture system has worsened the condition of rural indebtedness. It includes defective land tenure system, adoption of outdated techniques, increasing pressure on land, defective marketing, absence of alternative sources of income etc. It is also observed that the tribals and other orthodox people do not appreciate the modern



method of agriculture and the traditional agriculture do not meet the requirement of the people. And those people who are involved with modern method of agriculture do not get scope to sell their product due to absence of proper market.

(iii) No Past Savings

Most of the Indian farmers are not well educated and they are not well aware about the importance of savings. They have a tendency to borrow money for the improvement of their agricultural land. Whatever they produce, they consume it and do not save anything for the future. Due to absence of modern mechanization, poor irrigation facilities and poor quality seeds do not support the farmer to produce more for which they fail to save anything for their future.

(iv) Social and other Obligations

Indian farmers are very much accustomed to make huge expenditures for unproductive purposes such as marriage and other social ceremonies. All these have to led to growing indebtedness of the farmers of the country. It is observed that the farmers spend lot of money in different social and religious ceremonies for which they have to borrow money from the money lenders. The inability to repay past debt and therefore to access fresh loans has been widely accepted as the most significant proximate cause of the farmers' suicides that were so widespread in Odisha, Andhra Pradesh and Karnataka, and are apparently continuing in areas as far apart as Wayanad in Kerala, Vidarbha in Maharashtra and some areas of Punjab and Rajasthan. Due to heavy debt, many are force to delve into vicious circle of indebtedness. K.L. Dutta after an extensive enquiry concluded that in a good year cultivators' ignorance and improvidence made them spend the whole of their surplus on marriages and festivities. Their prodigality on such occasions often led them, even in good years, to the doors of the money-lenders

(v) Ancestral Debt

The most important cause of the existing rural indebtedness is the ancestral debt. Many agriculturists start their career with a heavy burden of ancestral debt and drag the loan for the whole of their lives, taking it to be a religious and social obligation. This increases the debt burdens on the inheritors, every time the debt is thus passed on. The Royal Commission on Agriculture has aptly described this situation, in its observation that the farmer “is born in debt, lives in debt and dies in debt.”



It is observed that most of the rural debts are inherited from the past and which increases with the passage of time. An inheritor is liable to the repayment of the debt only to the extent of the property inherited by him. The rural people continue to repay the debts of their forefathers, as they are not fully conversant with law as they are illiterate. As these people are bound by the traditions and values they regard it as their sacred social duty to repay the debts of their forefathers. The debt is passed from one generation to other generation which forces the son or grandson into vicious circle of poverty.

(vi) Unscrupulous Moneylender:

Moneylenders in India are also very much responsible for the growing rural indebtedness in the country as they encourage the Indian farmers to borrow, charge a very exorbitant rate of interest and manipulate their accounts. The private money-lenders are known to have adopted various malpractices.

- (a) They have been charging high rates of interest varying between 40 to 60 per cent per annum.
- (b) They have also been found keeping false accounts.
- (c) They are more interested in forcing the borrowers to part with their land by encouraging the farmers to borrow from them and get their lands mortgaged to them.
- (d) They have been purchasing the crops of the farmers at very low price when the latter approach them for selling their crops in order to repay their debts.
- (e) When the farmers' debt has accumulated to a sufficient amount, they take away the land of the borrowers. Like a fly in the cobweb, which can rarely escape, similarly, the farmer once caught by the money-lender can rarely come out of his clutches.

(vii) Uncertain Monsoon

Indian agriculture is very much depending on monsoon. About 65 per cent of the agricultural operations are rainfed. As rain is most uncertain, therefore, agricultural operation has become a gamble in monsoon. In India, where more than 60% of agricultural land is rainfed and the average farm size is only 3.5 acres, a failed monsoon often means complete loss of a crop. Recent increases in suicides among heavily



indebted farmers have highlighted the extreme desperation in some areas. Failure of monsoon can seriously impact food prices and India's overall economic growth. For example, this year's poor monsoon has led to increases in sugar, legume, and potato prices, and many estimate that India's gross domestic product growth rate may drop by a full percentage point.

(viii) Illiteracy of Farmers

Most of the Indian farmers are illiterate. Unscrupulous moneylenders or mahajans are utilizing this weakness of farmers to create a vicious circle of indebtedness. Majority of farmers in India are illiterate. They are caught in the vicious circle of indebtedness induced by mahajans and traders. Due to illiteracy their income earning capacity is less and they are unaware about the institutional sources of concessional credit.

(ix) Fragmentation of Land

Fragmentation of land is widespread in India and it is believed that fragmented nature of land holdings may play a major role in explaining low levels of agricultural productivity. There is a growing trend of sub-division and fragmentation of land holdings which has been resulting in a poor level of income for Indian farmers. Such poor income forces the farmers towards growing indebtedness.

The size of landholdings gradually decreases when they are fragmented into parcels. This process becomes more problematic when a fragmented landholding is further fragmented into several parcels at the same time. This is a typical phenomenon in South Asia, which is attributed to equal sub-division of different qualities of land parcels, for example, irrigated and non-irrigated, comprising a landholding among household heirs. Besides getting each land parcel smaller and smaller over the time, such land fragmentation leads to physical dispersion of parcels

(x) Litigation

There is an increasing tendency of litigation among the Indian farmers which has magnified the problem of indebtedness in the country. Generally, the agriculturists in India are involved in various kinds of disputes related to land, property, etc., which

force them to go to a court of law. Often, they view it important to win the case as it is related to the family prestige and honour. Such litigations involve heavy expenditure and time. In order to meet these needs, the agriculturists take loans that they are not able to repay and are caught into indebtedness



(xi) Defective Marketing

The poor agricultural marketing system like lack of storage, lack of transportation, unfavourable mandis, unregulated markets, lack of institutional finance certainly reduces the economic standard of the people which forced them to delve into indebtedness. Agricultural marketing in India is very much defective. This never allows the farmers a remunerative price for their products and sometimes forces them to go for a distress sale. Such a situation is highly responsible for growing poverty and indebtedness among the Indian farmers.

(xii) Natural Calamities:

Natural calamities like floods and droughts and backwardness of agriculture are also widely responsible for growing rural indebtedness in the country. The Natural calamities caused serious problem to the small holders. Under the circumstances, they had to borrow even for basic requirements like seeds, cattle and clothes. If there was a bad harvest, it became imperative for the cultivator to go to the money-lender the following year. Though the sale of land was generally not preferred, yet the cultivator was inveigled by the money-lender into selling his mortgaged property to him and clears off his debt.

(Xiii) High rates of interest:

The high rates of interest also compel the cultivators to borrow. The rates vary from state to state but due to the poor economic condition of the peasants, the interest accumulates every year. Quite often it is extremely difficult to clear up even interest charges alone. The Bombay Banking Committee rightly observes, “It is not that the agriculturist” repays too little, he often repays too much. It is the high rate of interest and the malpractices followed by the money-lenders that tend to perpetuate his indebtedness. Now the government has made stringent rules against the money lenders



who are charging high rate of interest from the farmers. Recently money lenders were arrested at Bhanja Nagar in Odisha's Ganjam district for allegedly giving illegal loans at a high rate of interest to the poor locals in the area. Similarly, against the backdrop of unabated farmer suicides in the state mostly due to alleged failed crops and pressure to repay debts, the police have launched a major offensive against illegal money lending business in Odisha's Angul district and have arrested seven persons.

(xiv) Excessive Burden of Land Revenue and Rent:

During the British rule, the land revenue was fixed high. So the farmers were not able to pay in time. Hence, they were forced to borrow. Even in the Post-Independent India excessive land revenue with its rigid procedure of collection is squarely responsible for aggravating the problem of rural indebtedness. The rent is tasking for the small and marginal farmers. The dues being fixed, they are bound to pay even when production suffers during conditions of flood and drought. Therefore, the farmers are forced to take loans to make these payments. Consequently the burden of indebtedness increases. Petty landowners, once their potential for taking credit on personal guarantee was exhausted, were often forced to mortgage their small pieces of land and resort to tenancy or wage labour. The landless were often unable to secure loans at all, especially if they were just wage earners and did not even have the crop to offer as security.

(xv) Addiction to drinking:

Drinking leads to rural indebtedness in two ways. In the first place, it gives rise to a number of quarrels and crimes resulting in litigation. Litigation as all of us know entails unnecessary expenditure. Secondly, drinking is itself an expensive habit and a good share of the peasant's income is spent for drinking. In tribal areas of Odisha, the traditional drink Handia is very much in demand in summer. Both the male and female used to drink Handi. The money lender sold Handia to tribals in high price. Sometimes the tribals mortgage their agricultural land to drink handia. It results in indebtedness.

(xvi) Inadequate infrastructural facilities and institutional arrangements:

Inadequate infrastructural facilities stand in the way of improving the economic condition of the farmer. Due to inadequate marketing facilities, he has no other alternative but to sell away the produce immediately after harvest at the unreasonable

prices. The heavy indebtedness of the farmer also makes it difficult for him to store the produce for sale on favourable terms later.



CONSEQUENCES OF INDEBTEDNESS:

Some of the major consequences of the rural indebtedness are:

1) Deterioration in Agriculture

Agriculture is the backbone of Indian economy. Due to heavy burden of debt, the farmers are not able to improve the agricultural produce. Due to poor financial background, a farmer seeks the help of money lenders to purchase seeds and fertilizer. The money lenders charge heavy amount of interest over the farmers which is not possible for them to repay the amount. In fact they have to serve like servant of the money lenders. All these factors contribute to the deterioration in agriculture which ultimately has an adverse effect on the economy of the country.

2) Slavery and bonded labour

Slavery and bonded labour custom is a social malady which kills the human values and spoils the character and career a man in the society. Due to chronic indebtedness the farmers have to work as slaves of the money lender. Money lenders take ample opportunity of the indebtedness and the weakness of the farmers and dispossess them of their land. After losing the farming land the farmer becomes an ordinary laborer. Recently as a result of the 20 point programme put forward by the Prime Minister Ms. Indira Gandhi for the upliftment of the economic condition of the villages, bonded labour has been declared as illegal legislation to this effect are being made by various Government.

3) Low standard of health of farmers

Poverty has forced the farmers to live in the house of disease. Owing to the burden of indebtedness the farmers are neither able to look after their health nor they are able to get proper diet. Due to lack of proper nutritious food, the labour suffers from different kind of disease. This certainly weakens the financial standard of the labour and their



income goes down. Owing to the reason of heavy debt over the farmers, he has to do extra work hard to repay the debts. In order to make both their ends meet, they have to work extra hard. This extra hard work puts a bad effect on the health status of the workers which results in premature death.

4) Poverty

Poverty is the mother of indebtedness. Due to abject poverty the farmers are not able to improve neither the agriculture nor their earnings. They work extra hard and spoil their health. Due to poor financial background, they are not able to lead a happy and healthy life. No doubt, indebtedness has an adverse effect on the economic condition of the farmers. In fact, it all adds to the poverty of the village people.

5) Psychological Frustration

Indebtedness has generated a deep sense of frustration among the farmers who are over debt and lost their agricultural land. This has an adverse effect on their mental set up which frustrated them. This frustration in itself has an adverse effect on the psychological condition of the farmers. All these things put together create further complications for the village people. It is also observed that due to failure of crop the farmers commit suicide because they fail to repay the debt.

WAYS AND MEANS TO REMOVE THE CONSEQUENCES OF RURAL INDEBTEDNESS:

1) Releasing the farmers from the clutches of indebtedness:

In India, the farmers are languishing in the past debt for which they are forced to live in a poor socio-economic condition. The farmers overburdened with past debts should be free from it which will help them to lead a free and healthy life. Appropriate Legislation has been enacted to prohibit the realization of the debts. Some of the classes of the rural societies have been granted immunity against the debts and money lenders cannot realize the loans through the court of law.



2) Alternative arrangement for loan to the farmers at nominal rate of interest:

Poor farmers are not able to improve their agricultural land due to poor financial background. The government should provide loan to the farmers in minimal interest. In this respect, Government have also taken various steps. Different banks and other institutions have started giving loan to the farmers for improving the agriculture. Different co operative societies have been set up for providing loan to the farmers. Then land mortgage banks and such other banks have set up for providing an opportunity to the farmers to get loan for improvement of their agriculture. The rate of interest to be charged by these alternative arrangements should be only minimal. The rate of interest that is charged by these bodies that are providing loans to the farmers cannot be called nominal only management of loans at normal rate of interest would solve the problem of rural indebtedness.

Agricultural loans are available for a multitude of farming purposes. Farmers may apply for loans to buy inputs for the cultivation of food grain crops as well as for horticulture, aquaculture, animal husbandry, and floriculture and sericulture businesses. There are also special loans to finance the purchase of agricultural machinery such as tractors, harvesters and trucks. Construction of biogas plants and irrigation systems as well as the purchase of agricultural land may also be financed through special types of agricultural finance. Here is some information about the kind of agricultural credit and loans provided by public sector banks in India.

(3) Co- operative Credit Societies and facilities for loan from banks:

In village co operative societies should be formed and greater facilities for loans should be made from banks. Both these facilities are given at present from banks. Both these facilities are given at present from these institutions but their working is not satisfactory. There working should be streamlined so that the real purpose of freeing the farmers from the clutches of the money lenders can be achieved. The bank has introduced Kisan Credit Cards in the S.T. Cooperative Credit Sector. It also organizes seminars on agri finance. OSCB has 17 Central Cooperative Banks and around 810 mini banks in different districts of Odisha.



4) Law against dispossession of land

Jagannath(2016) narrates that tribals in Odisha continue to suffer from land deprivation and dispossession of different kinds despite special enabling provisions in the constitution, a legal framework for their implementation and several targeted public policy initiative taken by the state government. The erosion of tribal way of life and land ownership system, land alienation and imposition of the values and dominance of the outsiders, in collaboration with the government, have ensured that the tribals in Odisha continue to be impoverished and dispossessed. (1). This Act may be called the Orissa Government Lands Bar to Acquisition of the Right of Occupancy Act, 1950. (2) It extends to the whole of the State of Orissa, (3) it shall come into force at once.

Money lenders use their loans as an agency for dispossessing the farmers of their landed property. If law is passed against the dispossession of land in account of loan by a money lender many of the problems would be solved. Certain Government measures have also been taken in this respect but more comprehensive measures have also been taken in this respect, but more comprehensive measures and their proper implementation is necessary implementation of these measures should be free from the effect of red tapism and this would solve the problem.

5) Control over the rate of interest:

There should be control over the rate of interest to be charged by the money lenders from the rural people. Though, legislation Government have imposed certain ceilings on the rate of interest but for complete relief to village people from the indebtedness. Money lending in Scheduled Areas of Orissa is also regulated and controlled by Orissa (Scheduled Areas) Money Lender's Regulation 1967 and Orissa (Scheduled Areas) Money Lender's Rules 1970. The Central PESA mandates: "While endowing Panchayats in the Scheduled Areas with such powers and authority as may be necessary to enable them to function as institutions of self government, a State Legislature shall ensure that the Panchayats at the appropriate level and the Gram Sabha are endowed specifically with the power to exercise control over money lending to the Scheduled Tribes.



6) License for the moneylenders and checking their accounts and income:

Only those persons who hold a license should be allowed to advance loans to the village people. Government should device ways and means and also machinery to check the accounts of these people. In other words their income should be subjected to necessary taxation. This would not allow the money lenders to preplan. This should be imposed a restriction on their amassing black money. In fact what is needed is greeter check and control on black money. Once it is done the problem of money lenders in the villagers shall automatically be solved.

7) Education of the farmers: Illiteracy has forced the farmers to involve them in dirty custom of indebtedness. They are ignorant about the bad consequence of indebtedness. Once they become educated they shall be able to know various difficulties and the complications of the indebtedness. Education is the best method for educating the farmers about various social problems. If this difficulty can be overcome various problems of the Rural Society including indebtedness shall be resolved.

(8) Reduction of Old debt

Perpetual debts on which enough rate of Interest has already been paid should be written off. In this regards different state have passed Debt conciliation Act and have established various boards for mutual settlement between farmers and money lenders. In 1989 the Janta party Government had written off loans of the small and marginal farmers. In the 1990-91 government announced agriculture and Rural Debt Relief scheme. In 2005-06 the government provided Rs 2939 crore as debt relief to farmers. The various special relief packages have been announced which are as follow:

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