# THIRD
# CONCEPT

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# THIRD CONCEPT

## An International Journal of Ideas

**Third Concept** aims at providing a platform where a meaningful exchange of ideas can take place among the people of the Third World. The attempt will be to communicate, debate and disseminate information, ideas and alternatives for the resolution of the common problems facing humankind. We welcome contributions from academics, journalists and even from those who may never have published anything before. The only requirement is a concern for and desire to understand and take the issue of our time. Contributions may be descriptive, analytical or theoretical. They may be in the form of original articles, reactions to previous contributions, or even a comment on a prevailing situation. All contributions, neatly typed in double space, may be addressed to:

While the Editor accepts responsibility for the selection of materials to be published, individual authors are responsible for the facts, figures, and views in their articles. However, the Editor reserves the right to edit the articles for reasons of space and clarity.

## INSIDE

## *Editorial*

# Helsinki Summit

In the absence of authentic details as to what transpired between US President Donald Trump and Russian President Vladimir Putin at recently concluded one-to-one summit in Helsinki (Finland), media is abuzz with speculative reports. Finland has the distinction of hosting summits between the U.S. and the former Soviet Union in 1975, 1988 and 1990 and as a member of the European Union, Finland kept its role as bridge-builder between the West and the East. It hosted two other summits, in 1992 and 1997 — the latter brought together Bill Clinton and Boris Yeltsin. The Trump-Putin summit was held without any prior published agenda for discussion and no communique was issued after the summit was over. However, some issues came to the fore at the post-Summit press conference jointly addressed by President Trump and his Russian counterpart, which inter alia included: the question of Syrian civil war, Russian annexation of Crimea and resumption of U.S.-Russian talks on nuclear arms control.

Media reports indicate that with regard to the question of the Syrian civil war, withdrawal of Iranian troops from Syria was preferred by Trump to which Putin could not make any commitment. However, both sides reportedly agreed on keeping Iranian troops away from Israel-Syria border and President Trump is reported to have expressed his willingness to help Syria with humanitarian assistance. A subsequent media report citing a Russian military spokesperson revealed that Moscow had sent formal proposals for a joint U.S.-Russian effort to reconstruct Syria and facilitate the return home of Syrian refugees. With regard to Crimea issue, media reports based on Russian President's interview with a leading American TV channel indicated Putin's desire of acceptance of the disputed 2014 referendum in which the people of Crimea had reportedly voted to become part of Russia and the reports also pointed out President Putin's insistence on Ukraine not becoming part of NATO. It was further revealed from the media reports that President Trump and President Putin had agreed to hold talks on extension of the START treaty, which is due to expire in 2021 and further negotiations on the Intermediate Nuclear Force (INF) treaty.

Confirmation about official agreements reached at the Helsinki summit between President Trump and President Putin was denied by the White House and the US Pentagon. However, media reports citing the statement of a Russian military spokesperson indicated Russian readiness for practical implementation of the agreements arrived at between the sides in the realm of international security, cooperation on Syria and discussions on extending the START treaty. Willingness of both Washington and Moscow on resuming talks on nuclear arms control, which have been floundering since 2010, is welcomed by many experts because it entails a significant opening for reducing the global risk of nuclear war. Prospects for the resumption of US-Russian arms control seemingly looked bleak prior to the Helsinki summit. Nevertheless, willingness of both sides to resume talks on nuclear arms control is a welcome signal, especially in the wake of major rms reduction treaties being in trouble and both Washington and Moscow engaged in a new nuclear arms race, squandering away trillions of dollars on weapons they don't require.

Media reports based on statements of Russian diplomats and some ministers indicate Moscow's readiness to "work together" on the disarmament agenda including the new START Treaty, US anti-missile systems, the INF Treaty and weapons in space. In the wake of conflicting reports about Helsinki summit, its import should not be lost, especially in the wake of deteriorating US-Russian relation, since a beginning has been made to break the stalemate and subsequent such summits could help in bringing bilateral relations on an even keel. Washington has invited President Putin to visit the United States and an identical gesture has come from Moscow for President Trump. While asserting that a proper summit could prove useful and commence the necessary process of taking US-Russia relationship to a better place, some experts suggest that a future summit would also require that the two leaders be candid with one another on problematic issues. Recalling the summit between President Ronald Reagan and Premier Mikhail Gorbachev in the past, these experts opine that Trump and Putin could use nuclear arms control to foster a new transformative partnership by breaking through stale strategic dogma and take a giant step toward world peace.——BK

# UN Peacekeeping Operations in Middle & Northern Africa

Shivani Seth*

*[Peace has at all times been a fundamental requirement of every state since ancient period, for overall development and flourishing of the country itself and of the universe as a whole. Development of a country itself and its relations with other states, by and large, are possible only during subsistence of peace. This universal reality applies to Middle & Northern African states also, specifically when due to disturbed situations and from internal conflicts there are over 9 million refugees and displaced people in Africa. Hundreds and thousands of people have been slaughtered in a number of clashes and civil war. Socio-political and economic instability, unequal distribution of natural resources, self-proclaimed boundaries, lack of industrial development, and unstable political scenario etc., have turned them into under-developed countries.]*

For establishment of international peace, many international organizations have been formed at various times. For example, in 1920, League of Nations had been founded after First World War. Due to failure of League of Nations, the Second World War took place and then for establishment of international peace United Nations Organization had been founded on October 24, 1945.

For establishment of peace UN deploys its peacekeeping troops with consent of the conflicting parties, to implement or monitor arrangements relating to control of conflicts and their resolution, and to ensure the safe delivery of humanitarian relief, which process has been termed as "United Nations Peacekeeping Operations" in 1956 by then UN Secretary General Dag Hammarskjold. Peacekeeping Operations is a flexible application, that over the past two decades has been deployed in many configurations. There are currently 15 UN Peacekeeping Operations deployed in four continents of the world.

This paper explores as to why Middle and Northern African countries have so many conflicts, how these conflicts have affected the inhabitants of these countries and mainly how United Nations Peacekeeping Operations play an important role in maintaining peace and security in the war and conflict hit areas of Middle and Northern African countries through performing various multidimensional tasks.

The continent of Africa has been highly susceptible to intra and inter- state wars and conflicts. This has prompted the insinuation that Africa is the home of wars and instability. Most pathetic about these conflagrations is that they have defied any meaningful solution and their negative impacts have retarded growth and development in Africa while an end to them seems obscure. The history of Africa as a continent is replete with conflicts. In present time Middle & Northern African countries are the most perturbed, clash-afflicted and war-torn countries.

Northern part of African Continent consists of Algeria, Egypt, Libya, Morocco, Sudan and South Sudan (which has emerged as 193rd nation of the world in 2011), Tunisia, & Western Sahara countries and Middle part of African Continent comprises Angola, Cameroon, Middle African Republic, Chad, Congo, Democratic Republic of Congo, Equatorial Guinea, Gabon countries. Out of these, Sudan, South Sudan, Democratic Republic of Congo and Central African Countries are highly disturbed countries.

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Presently, following areas of Northern and Middle African countries have been suffering from respective disturbances, like Darfur area of Sudan from war and Abeyi conflict, South Sudan from communal violence and civil war, Democratic Republic of Congo from Keevu conflict, and Middle African Republic from internal conflicts. Due to these violent disturbances, these areas are the most adversely affected and unstable. The people of these areas are worst sufferers due to these disturbances.

UN has deputed its Peacekeeping Operations in these areas for establishment and maintenance of peace and tranquillity, as a measure to provide adequate and permanent relief to the people of these areas. For this purpose, Peacekeeping Forces have been deployed there, which are operational from tip to toe and determined to establish and maintain peace and tranquillity, to restore and protect human rights, and in restoration and effective continuation of political institutions.

UN Peacekeeping Operations take assistance from locally operative peacekeeping groups also. For example, UN in association with African Union, a prominent regional peacekeeping operational body, has started Peacekeeping Operations in 2007, "United Nations/ African Union Mission in Darfur" (UNAMID), to restore and maintain peace in Sudan.

**Types of Conflicts**

Conflicts affecting Middle & Northern African countries can be attributed to many factors, which can be studied as follows:

1. Elite Conflicts - Conflicts within the political leadership are among the most common form of political strife. Elite conflicts significantly impact the polity.

2. Factional Conflicts - As contending elites mobilized their constituents to vie with other groups for scarce state-controlled resources, factional disputes and conflicts emerge. The main purpose of factional politics is to influence the composition of the official power apparatus, to determine who rules in a given political centre.

3. Communal and Mass Conflicts - Communal and mass conflicts call into question not only the legitimacy of specific regimes but also the essentials of state power. They challenge the territorial integrity of state and protest existing distribution of power.

4. Revolutionary Conflicts - Revolutionary conflicts prominently pose a threat to the validity of state power as constituted and offer alternative political visions guided by a clearly defined set of organizing principles.

5. Foreign Intervention - The history of Africa since colonization includes a series of self-interested foreign interventions and ruthless exploitation of African conflicts by the superpowers. The usual introduction of well-equipped troops of an external power usually increased the level of firepower and escalated the conflict.

**Causes of Conflicts**

The horn of Middle & Northern African countries is the home of different ethnicities, religions and cultures. However, the peoples of the region are interconnected in one or other ways. Conflicts in Middle & Northern African countries may be said to have been caused by a multiplicity of factors from which, some are direct and others indirect.

Following are the prominent direct or indirect causes for conflicts in Middle & Northern African countries:

● Poor Governance;

● Ethnic Rivalry;

● Mismanagement of Land & Natural Resources;

● Declining Economic Conditions;

● Poverty & Famine,

● Arbitrary Borders Created by the Colonial Powers,

● Heterogeneous Ethnic Composition of African States,

- Inept Political Leadership,
- Corruption and Negative Effect of External Debt Burden.

**Impact of Wars and Conflicts**

The unending political tensions, wars and conflicts in the continent have had lasting negative impact on the socio- economic development of Middle & Northern African countries because socio- economic development cannot be sustained in an environment riddled with violence, instability and insecurity. Some of these are briefly examined below.

1. All Middle & Northern African countries coming out of conflict face major challenges of reconstruction in order to avoid a recurrence to violence.

2. Wars and conflicts in Middle & Northern African countries have combined to compound the problem of unemployment in the continent.

3. A great number of people: young, old, male, female, children, civilians and military men alike, have lost their lives to various wars and conflicts in the Middle & Northern African countries.

4. One of the attendant effects of wars and conflicts in Middle & Northern African countries is the emergence of numerous number of displaced persons who have become refugees in different nations across the continent.

5. Continued strife and political instability in Middle & Northern African countries hurt the countries' economic fortunes. The political stalemate and periodic eruptions of violence have resulted in significant cumulative declines in Gross Domestic Product (GDP). This has promoted poverty.

**Peacekeeping Operations in Middle & Northern African Countries**

Peacekeeping Operations can be defined as "an operation involving military personnel, but without enforcement powers, established by the United Nations to help maintain or restore international peace and security in areas of conflict." From its establishment United Nations had conducted highest number (23) of peacekeeping operations in Africa; through these operations UN has been able to maintain peace and security in African continent to a large extent.

At Present the UN has 15 active Peacekeeping missions around the world. 09 of the UN's current Peacekeeping missions are in Africa from which 05 Peacekeeping missions are deployed in Middle and Northern African countries, that is Sudan, South Sudan, Democratic Republic of Congo and Central African Republic which correspondingly hosts a bit more than half of the world's conflicts. The work can be difficult and dangerous, and the current missions have suffered more than 1,600 fatalities so far.

Presently, following five Peacekeeping Operations are continuing in Middle and Northern African countries, through which United Nations has been trying to establish peace in Middle and Northern African countries: -

**List of Peacekeeping Operations in Middle & Northern African Countries :**

| S. No. | Starting of Operation | Name of Operation | Abbreviation | Location | Conflict |
|--------|----------------------|-------------------|--------------|----------|----------|
| 1. | 2007 | United Nations/ African Union Mission in Darfur | (UNAMID) | Sudan | War in Darfur |
| 2. | 2010 | United Nations Organisation Stabilisation Mission in the Democratic Republic of the Congo | (MONUSCO) | Congo | Kivu conflict |

| 3. | 2011 | United Nations Interim | (UNISFA) | Sudan | Abyei conflict |
|---|---|---|---|---|---|
| 4. | 2011 | United Nations Mission in the Republic of South Sudan | (UNMISS) | South Sudan | Ethnic violence in South Sudan & South Sudanese Civil War |
| 5. | 2014 | United Nations Multidimensional Integrated Stabilisation Mission in the Central African Republic | (MINUSCA) | Central African Republic conflict | Central African Republic conflict |

Peacekeepers of above United Nations Peacekeeping Operations perform various tasks in respective conflictual area of their deployment, through which they are trying to establish peace in Middle and Northern African countries. List of these tasks are as follows:

- Maintaining of Peace and Security in area under armed conflict;

- Monitor the ceasefire in conflict area;

- Implement the repatriation programme;

- Identify and register qualified voters;

- Organize and ensure a free and fair referendum and proclaim the results;

- Reduce the threat of mines and unexploded ordnances;

- Support the confidence-building measures.

- Protection of civilians;

- To facilitate the provision of humanitarian assistance;

- To carry out promotion, protection and monitoring activities of human rights;

- To implement the comprehensive strategy for the protection of civilians in coordination with the United Nations Country Team (UNCT);

- To protect the United Nations personnel, installations and equipment and ensure the security and freedom of movement of United Nations and associated personnel;

- To work closely with humanitarian agencies, particularly in relation to areas of tensions and with respect to the return of displaced persons, to collect information and identify potential threats against the civilian population;

- Address remaining security threats and border-related challenges;

- To support the disarmament, demobilization and reintegration programme (DDR) and collection of weapons;

- To assist the national authorities, including the National Commission to fight against the Proliferation and Illicit Traffic of Small Arms and Light Weapons;

- To support the efforts of the government in combating sexual- and gender-based violence, by contributing to the implementation of a nationally owned multispectral strategy in cooperation with UN Action Against Sexual Violence in Conflict entities;

- To assist in harnessing the capacity of women to participate in the peace process, facilitating their political representation, economic empowerment and protection from gender-based violence;

- To provide specific protection for women affected by armed conflict to ensure gender expertise and training, as appropriate and within existing resources;

- Give proper and appropriate information to the local Public;

- To contribute to the protection of civilian populations under imminent threat of physical violence and prevent attacks against civilians, within its capability and areas of deployment,

without prejudice to the responsibility of the Government;

- To assist the political process in order to ensure that it is inclusive, and to support the African Union-United Nations joint mediation in its efforts to broaden and deepen commitment to the peace process;

- To contribute to a secure environment for economic reconstruction and development, as well as the sustainable return of internally displaced persons and refugees to their homes;

- To assist in the promotion of the rule of law in war area, including through support for strengthening an independent judiciary and the prison system, and assistance in the development and consolidation of the legal framework;

- To ensure the complementary implementation of all peace agreements in the two and more conflicting parties;

- To coordinate non-combat logistical support for the movements;

- To monitor through proactive patrolling the policing activities of parties in camps for internally displaced persons, demilitarized and buffer zones and areas of control;

- To assist all stakeholders and local government authorities, in particular in their efforts to transfer resources in an equitable manner from the federal government;

- To support the Transitional Authorities in developing and implementing community violence reduction programmes.

## Conclusion

On the basis of above study it can be concluded that United Nations has successfully been accomplishing through its Peacekeeping Operations in Middle and Northern African countries, its demarcated task of providing a peaceful, law – abiding, gender neutral, harmonious, economically grown, well established, educated society and political system with environment wherein fundamental, legal & human rights of the people are safe and secure and distribution of powers is explicit, justified and for the development of human kind as a whole. It is providing a healthy atmosphere for peace, progress and prosperity of the region by facilitating its development from under – developed to a developing country.

## Endnotes

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# Trafficking in Human Beings:
## How Companies can Make a Difference

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*[Identifying and prosecuting Trafficking in Human Beings (hereinafter, THB) is often very difficult because of the fear of the victims to testify in a criminal proceeding. Therefore, it is fundamental that there is cooperation among states, at all levels and with a holistic plan of action. However, we usually forget the major role that legal persons can play in combating THB, despite studies showing the importance of companies in this globalized crime.]*

According to a report prepared by the Ashridge Centre for Business and Sustainability at Hult International Business School and the Ethical Trading Initiative, 77 per cent of companies think that there is a credible reason to believe that modern slavery occurs in their supply chains[1]. We cannot demonstrate the real data of the use of corporations to commit THB but it is clear that THB, by its very nature, is often committed within company's activities and there are companies that are most at risk, such as industries involving agriculture, migrant workers or seasonal product cycles.

Therefore, trafficking is a liability for all companies and that liability could be in many countries not only moral, but also civil, administrative or even criminal. For this reason, companies should be aware of the responsibility that they have in the fight against THB and the serious consequences for them if their employers or their managers are involved in this type of crime. Apart from punishment, they would suffer a huge non-material damage as a result of the process.

## Backgrounds of the Companies´ Criminal Liability

Pope Innocent IV established the Societas delinquere non-protest principle in order to prevent the papal excommunication of civil or business corporations, cities and legal entities for offences committed by one of its members[2].

The principle was later consecrated in most of European systems of criminal laws. The notion of guilt has been considered as a concept of personal nature and therefore a company could not be criminally responsible for a crime until the 19th century, when the corporate criminal liability was set in the Common Law. The Netherlands became the first Civil Law country to introduce it into its criminal system in 1950, and nowadays most European countries have accepted that possibility. There exists a worldwide trend to corporate criminal liability[3].

We must take into account that we live in a globalized world, where corporations operate worldwide, which directly implies a high risk of being involved in cases of modern slavery or THB.

## Legal Instruments Establishing Corporate Liability in Relation to THB

There has traditionally been some reluctance to attribute to companies' liability for crimes committed by their managers or even by their employers. However, corporate liability has been considered a fundamental instrument against organized crime as established in the United Nations Convention against Transnational Organized Crime. Article 10 obliges each State Party to adopt and establish the liability of legal persons for participation in serious crimes involving an organized criminal group, including THB. The liability of legal persons may be criminal, civil or administrative; the main point is that it must be effective, proportionate and dissuasive.

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In the same vein, both the Council of Europe Convention on Action against Trafficking in Human beings of 16 May 2005[4] and the Directive 2011/36 on preventing and combating trafficking in human beings require Member States to establish corporate liability. Specifically, according to articles 5 and 6 of the aforesaid Directive, all Member States shall take the necessary measures to ensure that legal persons can be held liable for THB committed for their benefit by any person, who has a leading position within the legal persons based on a power of representation of this legal person, an authority to take decisions on behalf of the legal person or an authority to exercise control within the legal person.

Those measures shall ensure effective, proportionate and dissuasive sanctions, with criminal or non-criminal fines and penalties. Furthermore, it must be ensured that companies can be held liable for a lack of supervision or control, and what constitutes in my opinion the fundamental issue in order to use companies as mechanisms for fighting THB.

With regard to domestic legislations, I would like to make a brief reference to the UK Modern Slavery Act of 2015 and the California Transparency in Supply Chains Act of 2010. Both instruments impose obligations on large corporations in order to avoid THB in their supply chains, what constitutes major progress with regard to the fight against THB for labour purposes. Therefore, it would be desirable, in my view, to expand that type of regulations to other countries.

According to Section 54 of the UK Modern Slavery Act 2015, all companies with an annual turnover that exceeds £36m shall be required to make available a slavery and human trafficking statement for each financial year. That annual statement must address organisational details such as the organisation structure, training about slavery, its policies in relation to slavery and human trafficking, the parts of its business and supply chains where there is a risk of THB and its due diligences processes.

With regard to the California Act, it requires retailers and manufacturers doing business in California (that have over $100 million in global revenue) to prominently disclose, on company websites, the extent to which, if any, the company engages in specific activities to detect and prevent forced labour and human trafficking in their supply chains—verification, auditing, certification, internal accountability, and training.

Thus, companies should implement due diligence programs with effective internal controls, with identification of areas at risks and with implementation of specific policies in order to address those risks[5]. Otherwise, they can be in many states criminals responsible for modern slavery or human trafficking and we can imagine the devastating effect that it could bring to them.

Despite those regulations, THB cases against corporations remain too low. It is a relatively recent issue, with several obstacles such as the extraterritorial application of corporate criminal liability, evidentiary issues and the problems derived from subcontracting with complex corporate structures[6].

**Main Companies at Risk**

As already mentioned, human trafficking is considered a form of transnational organized crime, which includes displacement of people from their own countries or regions. THB crimes are often committed in more than one country by organized criminal groups[7]. However, smuggling of and trafficking in should be differentiated.

According to professor Anis Bajrektarevic, there are four differentiating elements: (i) an exploitation and usage of the trafficked person over a long period of time; (ii) inter-dependency that forms a strong (brothers-in-arms like) linkage, between trafficked victim and organized crime groupings; (iii) eligibility for further networking (recruitment for criminal purpose); (iv) very often trafficking itself is not a voluntary movement, but in the case of smuggled persons it always occurs voluntarily[8].

Therefore, it is usual that companies are used as means for THB, in the process of recruitment, transportation or exploitation.

According to the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Conventions against Translational Organized Crime, trafficking in persons "shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation".

Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

Therefore, THB offences can be committed by different activities and each of them can involve a particular kind of company. For instance, while recruitment is usually committed on the Internet through false jobs postings, receipt of persons can be performed in hotels. Therefore, I am going to analyse which companies are most at risk stemming of the UN definition and differentiating between the various stages of the THB.

**First stage: Recruitment**

The initial stage of the THB process consists of the recruitment. It can be done by several means, and it depends on the purpose of the offence. However, there are usual forms of recruitment, both on THB for labour exploitation and in sexual exploitation.

Social networks play a fundamental role in the recruitment phase and for that reason it is extremely important to implement in those companies effective THB detections systems. It appears that 89% of 12-17-year-old love to chat on the Internet: class-mates, chat rooms or web-nets. These are prefect points for traffickers, who use false identities to lure potential victims to a meeting[9].

With regard also to the Internet, it is common to make use of false jobs advertisements placed on it. It seems to be difficult to detect that type of simulated jobs, but it is also possible to implement different channels for identifying presumed traffickers. The false contracts, and the patterns are always similar. The companies that operate on the Internet should be on the lookout for signs of THB.

Nevertheless, it cannot be ignored that the identification on the Internet is very difficult. The anonymity and mass audience of online services increases both the discretion and profitability of the services but complicates the fight against the recruitment. For that reason, in my opinion the companies that operate on the Internet should increase the delivery of information to users in relation to the THB.

Companies should expose the risk of being victim of THB and they should explain the traditional methods used by traffickers. Furthermore, companies should also provide users with direct contacts of the company specialized in the fight against THB, representing intermediaries between users and police authorities.

Finally, private employment agencies, as labour recruiters, have an important role in this first stage of THB. Therefore, the issue of labour recruitment and the responsibilities of governments and employers to protect workers from exploitation were at the centre of the 103 debate of the International Labour Conference, which led to the adoption of the Protocol of 2014 to the Forced Labour Convention, 1930, and the Forced Labour Recommendation 2013 (No.203).

As specific provision, it is recommended the promotion of coordinated efforts by relevant government agencies, including efforts to regulate, license and monitor labour recruiters and employment agencies and eliminate the charging of recruitment fees to workers to prevent debt bondage and other forms of economic coercion[10].

In the same row, the International Labour Organization and the United Nations Office on

Drugs and Crime (UNODC) call on governments, social partners, businesses, other international agencies, and all concerned stakeholders, to strengthen their efforts to address abusive and fraudulent recruitment practices in statement rendered in June of 2015 in which series of actions were requested:

1. Adopt and strengthen, criminal laws and other regulatory measures, to address the entire spectrum of fraudulent and abusive recruitment practices that may lead to trafficking in persons;

2. Raise awareness amongst recruiters, private employment agencies and employers in the private and public sectors on due diligence and best practices on how to eliminate abusive and fraudulent recruitment practices;

3. Enable cooperation among relevant government agencies, workers' organisations, employers' organisations and representatives of private employment agencies; promote strategic partnerships between the public and private sectors, and facilitate exchange of good practices within common migration routes;

4. Create complaint mechanisms and ensure that migrant workers who have experienced abusive and fraudulent recruitment practices or subsequent exploitation, gain access to justice and effective remedies, such as compensation;

5. Ensure the Right to Freedom of Association, maximise collective bargaining coverage and support trade unions in their efforts to organize workers, including migrant workers, to better protect them from exploitation during or resulting from the recruitment process.

6. Foster the transparent and participatory negotiation, conclusion and effective implementation of bilateral and regional agreements, rooted in international standards, as well as other specific mechanisms to ensure improved international coordination and cooperation and to close regulatory and enforcement gaps across common labour migration routes.

7. Ensure that national mechanisms to regulate the recruitment of migrant workers are integrated into labour migration policies and relevant bilateral and regional agreements, to ensure coherence between national laws and policies governing labour recruitment and the broader policies relating to employment, skills, and education.

8. Promote the ratification of relevant UN and ILO Conventions, in particular the recently adopted Protocol of 2014 to the Forced Labour Convention, 1930; the Trafficking in Persons Protocol; the Private Employment Agencies Convention, 1997 (No 181); the Migration for Employment Convention, 1949 (No 97) and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No 143) to ensure proper recognition and regulation of labour recruiters and employment agencies.

**Second Stage: Transition**

According to the UN Protocol, it must be punished not only the recruitment, but also the transportation, transfer, harbouring or receipt of persons. One of the main characteristics of THB, and which distinguishes it from another forms of exploitation, is the transition stage. Victims are transported to the place of exploitation, either within the country or outside the country of origin of the victim, but in every case, apart from their families and friends, what makes them more vulnerable. Modern slavery requires that people are moved from one place to another and for that reason. It is important to adopt measures to prevent THB in all kind of transport firms, hotels and hosting's companies.

Victims can be transported by land, sea and air. All shipping companies should be aware of the fights against THB. They can be responsible for human trafficking if they do not adopt any measure to avoid that the traffickers use their services to commit their criminal activities. Consequently, companies that depend on transport as part of

their values chains, or that are supplying transportation services, must face the risk of being complicit in modern slavery[11]. For instance, there have been several scandals of smuggling and THB using trucks among the world[12], with fatal endings in some cases.

To deal with such situations, the Truckers Against Trafficking (TAT) was created with the mission to educate, equip, empower and mobilize members of the trucking and bus industries to combat human trafficking[13]. Its main goals are to saturate trucking and related industries with TAT materials, partner with law enforcement and government agencies to facilitate the investigation of human trafficking and marshal the resources of their partners to combat THB.

Similarly, the International Transport Worker's Federation is trying to make people aware of the risk of low cost-holidays. Exploitation often happens at tourist destinations, hotels are anonymous and publicly accessible, making them likely venues for prostitution and crime. And even more anonymous would be new companies, which operate on online leasing or renting short-term lodging such as apartments or homestays.

However, tourism and hospitality stakeholders are often unaware of signs, contributing unknowingly to sex trafficking and the transportation of human beings[14], despite being likely to intervene not only in the second stage but also in the third phase of THB.

**Third stage: Exploitation**

Exploitation could be for several purposes but it shall include, according to the Palermo Protocol, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

This phase is what justifies the existence of THB and where the companies have more risk to be responsible for the crime. In contrast with the previous stages, where it is complicated to attribute criminal responsibility to the companies,

at this stage, companies should have strong mechanisms of THB detection and specially, those companies that are most at risk.

According to a study elaborated by NGO Verité in 2016, eleven sectors were found to be the most likely to have a risk of human trafficking globally[15]: agriculture, construction, electronics, fishing and aquaculture, forestry, healthcare, hospitality, housekeeping/facilities operation, mining and basic metal production and textile and apparel manufacturing. But there are also additional risk factors. Particular products, such as those that have seasonal cycles, certain business processes, for instance in long and complex supply chains, the use of certain vulnerable groups, such as women and children, and other operations in countries deemed as high risk.

The study is mainly focused on the companies' role attending to their supply chains. In the context of the sexual exploitation, we cannot forget the situation of bars, clubs, escort agencies and brothels, due to the fact that they constitute an important focal point for human trafficking. It is clear that on many occasions the owner of that kind of business would be responsible for trafficking. But in many other cases, it would be difficult to make them responsible for the scenario of a THB victim working in their establishments, especially when they are big commercial premises.

And for that reason, it is fundamental to have the possibility to attribute to that business any kind of liability, whether civil, administrative or criminal. Nonetheless, the seriousness of the offence and the high risk of having workers which are victims of THB in such kind of an industry justifies, in my opinion, the attribution of criminal responsibility to that business or even to the owners, in cases of absolute lack of control.

**Conclusions**

Trafficking in human beings is a global problem and one of the world's most abhorrent crimes. It must be fought by land, sea and air, and with use of all the instruments of the rule of law. The fight

against this crime must involve several actors with a multifaceted response. Otherwise, we will not be able to eradicate this shameful crime.

It is crucial that small, medium and large companies are involved in the fights against human trafficking. The aim of the traffickers consists in earning money and to that end they often need corporations. Therefore, if we achieve the goal of preventing the utilization of companies to commit THB, we would be able to put traffickers in a difficult situation. Corporations are a fundamental element in the fight of all globalized crimes. We should emphasize that companies can and should play a vital role in preventing human trafficking.

At this point, there are already many companies that they are aware of the risks of being involved in a case of THB and take their responsibility for it. There are major initiatives in this area. For instance, the aforementioned Truckers Against Human Trafficking or the European Alliance Bankers against Trafficking in Human Beings, which created a practical toolkit with "red-flag indicators"[16].

With the globalization of business, international compliance is a necessity. The global nature of companies with subsidiaries, affiliates, and vendors all over the world provide great opportunities but also great risks of being liable for the actions of their staff[17]. However, there are many companies that are not conscious of the risks that they take if they do not implement effective measures against THB.

There is currently a worldwide trend to corporate criminal liability and it is only a matter of time we start prosecuting companies which are responsible for human trafficking. Judicial authorities, policy makers, press and civil society play an important role related to corporate liability. We should promote the awareness of companies of the necessity of the implementation of due diligence programs with effective internal controls, with identification of areas at risks and with implementation of specific policies in order to address those risks, and to

avoid labour exploitation; it is responsibility of all of us to combat THB with involvement of all the possible actors.

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# Tricameral Legislature–Key to solve Women Reservation Bill's Imbroglio

Dr. Pooran Koli*

[*Women constitute about half of the world but lacks representation in different walks of life world over accordingly. In this respect, India occupies a respectful position. It was only India in world that gave at one stretch the adult suffrage to all its citizens including women. In India, with aim of further empowering women politically, Women's Reservation (in legislature) Bill was introduced in parliament in 1996, 1998 and 1999 but it lapsed all time. It was again introduced in Rajya Sabha on 6 May 2008.This Bill was passed in Rajya Sabha on 9 March 2010 amidst uproar. Since then, eight years have elapsed but this bill has not been placed in Lok Sabha for approval, reason may be the fear of non-passage of this bill in Lok Sabha.]*

In this article, my objective is to analyse various aspects behind the failure of the Bill and to analyse non-feasibility of various suggestions given for breaking the deadlock surrounding the passage of this Bill. The lack of quota within quota for women of Other Backward Classes (OBC) and Minority, and fears on the part of male MPs and MLAs for loosing constituencies may be the main reason for hurdles in the passage of this Bill. Further, in this article, I like to suggest a constitutional scheme "Tricameral Legislature" to resolve Women Reservation Bill's imbroglio. This scheme will provide for gender equality in legislature without compromising on interest of male politicians.

Indian Constitution provides for parliamentary system of governance both at Centre and in the states. Under this system, the people of India exercise control over central and state governments through a parliament at the Centre and a legislature in each state respectively. India adopted the British pattern of parliamentary form of government because it was felt that this form of government would meet the aspirations of the Indian people and would suit the Indian conditions.

It is true that India has developed in different walks of life through this constitution but the proportion of women to men in various fields of national activities remains highly disappointing. The representation of women in all past and present five-year tenures of Lok Sabha so far has been abysmally low. Also, the share of women in decision-making and policy-implementation levels has been low. It is true that present status of women in Indian society *vis-à-vis* the status of men has improved compared to the past, yet more needs to be achieved.

This present position of Indian women is not consistent with India's status of being the largest democracy in world. So, there is dire need of empowerment of women as it facilitates upliftment of the society as a whole. Empowerment of women has to begin with women's participation in parliamentary machinery as inadequate representation of women in legislature is being seen as prime cause behind gender inequality and discrimination against women in all walks of life.

So, to politically empower women, a Bill (seeking to provide for 1/3 reservation of seats for women in parliament and state assemblies) was introduced in Lok Sabha in 1996, 1998 and 1999 but it lapsed all time due to lack of political consensus. Again, on 6 May 2008, the Constitution (108th amendment) Bill, 2008, was introduced in Rajya Sabha to provide for

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women's reservation in legislature. This Bill was sent for consideration of parliamentary standing committee on Personnel, Public Grievances, Law and Justice, headed by Dr. E.M. Sudarsana Natchiappan, Member, Rajya Sabha for examination and report. Recently, this Bill was passed in Rajya Sabha on 9 March 2010 amidst uproar.

**The Constitution (108th Amendment) Bill, 2008 – seeks[1]:**

i. reservation for women, as nearly as may be, 1/3rd seats of the present strength of the House of the People and the Legislative Assembly of every state;

ii. to provide, as nearly as may be, 1/3rd reservation for women including 1/3rd the number of seats reserved for the Schedule Castes (SCs) and the Scheduled Tribes (STs) in the House of the People and in the Legislative Assembly of every state to be reserved for women of the that category;

iii. to provide for reservation for women in respect of nominations of members of Anglo-Indian community in the House of the People and in the Legislative Assemblies of the states;

iv. to provide for reservation for women in the Legislative Assembly of the National Capital Territory of Delhi; and

v. to provide that reservation of seats for women should cease to have effect on the expiration of a period of 15 years from the enactment of the Bill.

To give effect to the above proposals, the Bill provides for (a) amendment of Articles 239AA, 331 and 333 and insertion of new Articles 330A, 332A and 334A in the constitution, and (b) to make consequential changes in certain other related enactments.

**I**

Before commenting on contents of present Bill and its future, I like to appreciate efforts of UPA government for introducing this Bill for emancipation of women. But given the fate of previous Bills (introduced in 1996, 1998 and 1999) and the stand of various political parties on previous Bills and present Bill, I sadly doubt that present Bill will get through in parliament. For this, I want to give some forceful reasons: -

**First**, Previous Bills were opposed by Rastriya Janata Dal (RJD), Janata Dal United - JD(U), Samajwadi Party (SP) and Bahujan Samajwadi Party (BSP) on the ground that it did not provide for sub-quota for women of SCs, STs, OBCs and Minorities. The present Bill seeks to provide sub-quota for only SCs/STs women but not for women of OBCs and Minorities. So, the ground of opposition of these political parties has not changed over last 14 years even after introduction of present Bill. These political parties opposed previous Bills, and are opposing present Bill for the want of sub-quota for women of OBCs and the Minorities.

The RJD has said that the Bill in present form would only facilitate the entry of women from the top crust of society into legislature, and Bill does not serve the interests of the women of all disadvantaged sections. Trinamool Congress (TMC) favours reservation for women from OBCs and Minorities Classes.

The Mulayam Singh Yadav (SP) has even said that there should be reservation for women in distribution of party tickets for legislative election. The same view is shared by Sharad Pawar, Nationalist Congress Party (NCP), an ally of UPA Government. The male MPs of Congress, BJP and even Left Parties have started voicing against Bill and even voting against it. Thus, given this opposition of these political parties, it is doubtful that present Bill will get through parliament. Congress, left parties and BJP support the present Bill but even some men of these parties also want sub-quota for women of OBCs and the Minorities.

**Second**, the present Bill seeks to provide 1/3rd seats of the present strength of the House of the People (Lok Sabha) and the Legislative Assembly of every state. If it happens, then number of seats available for men will reduce. But fact is that,

for centuries, Indian society, like most of the other societies, has been a male- dominated one. So, men will not like to share parliamentary privileges with women which they have been enjoying for long. The men by very nature are possessive.

Presently male MPs might be supporting present Bill for vote-bank reason or due to party discipline but internally they might not like present Bill. Men might be feeling looser on both counts – one, seats are permanently earmarked for women; two, if women reservation is implemented on rotation basis. Some men fear that sometime their seat (from where they are getting elected) will go to women candidate if there is reservation on rotation basis. Some men fear that they will have to contest election from other seat if their present seat (from where they are getting elected) is permanently earmarked for women.

Thus, in male-dominated Indian society some male MPs even of UPA allies may not internally support present Bill. Women MPs are abysmally low in number in parliament. So, they cannot alone get Bill through in House if there is voting.

**Third**, the issuing of even whip in favour of the Bill by political parties cannot ensure voting of male MPs in favour of Bill as voting is secret. Further, this Bill has to be passed by at least 50 % of states in addition to Lok Sabha. Given this tedious pending procedure amidst explicit and implicit opposition to Bill, the passage of Bill through legislatures is far cry.

## II

In this backdrop, I like to throw some light on various suggestions given by some prominent persons regarding reservation of women in legislature. I will also make my own comments on non-feasibility of these suggestions.

One, one prominent politician has suggested that the number of parliamentary constituencies should be raised from 543 to 724, thereby adding 181 seats (1/3rd of the present strength) to accommodate women MPs.

Here I want to mention that by its very nature very serious issues are dealt with in Lok Sabha. In so bulky house consisting of 724 members, will it be possible to have serious discussion? Further, some present seats (from where male MPs are getting elected) have to be reserved permanently for women. In such case male MPs would resist this move. If reservation is implemented on rotation basis, then also male MPs would resist such move fearing that one day or the other their safe seats will go to women MPs.

Further, the principle of democracy calls for proportional representation as is in case of SCs/STs in legislature. At all India level SCs and STs constitute nearly 15% and 7.5% of population respectively. So these communities have got respectively nearly 15% and 7.5% reservation in Lok Sabha. If it is so, then why the women should have only 33% representation in Lok Sabha? According to principle of democracy they should get 50% representation in Lok Sabha as women constitute nearly 50% of the population.

Two, another prominent politician has suggested that instead of 33% reservation for women, provision should be made for 50% reservation keeping in view women's proportion being 50% in country's population.

I appreciate this suggestion as it is consistent with democratic principles of representation being proportional to share in population. But here again I want to reiterate that in male-dominated society would men really like to part with their 50% privileges in legislature with women?

Three, some people are of the view that Lok Sabha seats be raised from 543 to 1086 with 50% reservation for women.

The suggestion sounds well as it provides for proportionate representation to women. But problem is that 1086-member Lok Sabha will be too bulky for having serious discussions. Further, the present Lok Sabha house has not enough infrastructures to accommodate 1086

members. Implementation of this suggestion would require fresh delimitation of constituencies for carving out 1086 seats which by its very nature is very vexatious task politically.

The politically ambitious men will resist seats being permanently reserved for women as men will not have chance for contesting election from seats reserved for women. If reservation is implemented on rotation basis, then it will also not be liked by male MPs as they will fear loss of their safe seats.

Four, some people have suggested that instead of amending the Constitution, political parties should give 33% of the tickets to women candidates to contest for parliamentary election. This way 33% of the contestants for legislative seats shall be women, leading adequate representation of women in legislature.

The drawback of this suggestion is that without amending the Constitution, political parties shall not feel mandatorily compelled to give 33% of the tickets to women. Further, just to fulfil the requirement of 33% of the tickets for women, a political party may give ticket to women for seats where chances of that political party to win is low. If such tactics is resorted to by all political parties then by this suggestion the adequate representation of women will not be ensured.

### III

After going through this discussion, it would not be improper to say that resolution of women reservation Bill's imbroglio is not in sight. With this background, I like to give suggestions for resolution of this imbroglio. First of all, I explain my scheme with required amendments in Indian Constitution. Thereafter, I will explain how my suggestions will be most feasible. My scheme for women's reservation is based on "Two-member constituencies – Tricameral Legislatures system. The required amendments in Indian constitution shall be as follows:

**Article 79:** It presently states that parliament consists of President and two Houses – House of the People (Lok Sabha) and Council of States (Rajya Sabha)[2].

The amended article 79 will read that "parliament shall consist of President and Tricameral Legislature – House of People (Lok Sabha), House of Women (Mahila Sabha) and Council of States (Rajya Sabha). This tricameral system will provide for maintaining of balance between representation of men, women and states in legislature.

The Mahila Sabha will have only women MPs. Lok Sabha and Rajya Sabha shall have MPs according to present provisions (means both men and women may contest for Lok Sabha and Rajya Sabha). Both Lok Sabha and Mahila Sabha shall be popular houses, and Rajya Sabha shall be elderly house as it is presently. Separate building has to be constructed for Mahila Sabha.

**Article 81:** It presently provides that maximum strength of Lok Sabha is 545 (530 elected from states + 13 elected from Union Territories + 2 nominated from Anglo-Indian communities if they are not adequately represented).

The amended article 81 shall provide for composition of Lok Sabha with maximum strength 545 (530 + 13 +2) as well as for composition of Mahila Sabha with maximum strength 545 (530 + 13 + 2).

**Article 80:** It deals with composition of Rajya Sabha. Article 80 will remain unchanged.

Thus maximum strength of central legislature will be 1340 (545 Lok Sabha + 545 Mahila Sabha + 250 Rajya Sabha).

**Article 84:** It deals with qualifications for membership of parliament.

Amended article 84 will provide that only women shall contest for Mahila Sabha. The other qualifications for Mahila Sabha shall be as present today for membership of Lok Sabha. There will be no change in qualification for Lok Sabha and Rajya Sabha. It means women shall also be eligible for Lok Sabha and Rajya Sabha.

**Article 168**: It provides for constitution of legislature in states. Presently legislature of states consists of Governor and Bicameral house –

Legislative Assembly (Vidhan Sabha) and Legislative Council (Vidhan Parishad) where there is bicameral system. In states presently having unicameral legislature, the state legislature consists of Governor and Vidhan Sabha only.

The amended article 168 will provide for tricameral state legislature – Legislative Assembly (Vidhan Sabha), Legislative Assembly of Women (Mahila Vidhan Sabha) and Legislative Council, in states where there is bicameral system presently.

The amended article 168 will provide for bicameral state legislature – Vidhan Sabha and Mahila Vidhan Sabha in states where there is unicameral system presently.

The number of membership of Mahila Vidhan Sabha will be equal to Vidhan Sabha in states and Union Territories – Delhi and Pondicherry. In each state and union territories having Vidhan Sabha, separate building has to be constructed for Mahila Vidhan Sabhas. This building may be constructed big enough to house joint sitting of Vidhan Sabha and Mahila Vidhan Sabha, whenever need arises.

**Article 239 A**: It deals with power of parliament to create a legislature or Council of Ministers or both for some of the Union Territories. Amended article 239A will provide for bicameral legislature for Delhi and Pondicherry. The membership of Mahila Vidhan Sabha shall be equal to that of Vidhan Sabha in these Union Territories.

**Article 169:** It deals with creation and abolition of legislative councils. Article 169 will remain unchanged.

**Article 173:** It deals with qualification for membership of the state legislature. In amended article 173, there shall be no change in qualifications for Vidhan Sabha and Vidhan Parishad. Amended article 173 will provide that only women shall contest for Mahila Vidhan Sabha. Women shall also be eligible for Vidhan Sabha and Vidhan Parishad.

**Article 107:** It provides for provisions as to introduction and passing of bills in parliament. Amended article 107 shall provide for introduction of non-money Bills in Lok Sabha or Mahila Sabha or Rajya Sabha. Each Bill has to be passed separately by rest two non-originating houses. If there is dispute between houses (two houses on one side and rest one in other side, or all three houses have different stand on a Bill) then there shall be joint sitting under article 108. Amended article 108 will provide for sitting of Rajya Sabha and Lok Sabha in building of Lok Sabha, and Mahila Sabha will sit in its own building. During joint sitting Rajya Sabha plus Lok Sabha will interact with Mahila Sabha through video conferencing. This way there will not be any problem of single building housing meeting of 1335 MPs. The requirement of voting for passage of a Bill in joint sitting will remain the same which exists today. Regarding Bills concerning women and children, the Mahila Sabha will have final say as presently Lok Sabha have in case of money Bills.

Some people will think that tricameral system will take very long in passing the Bills. Here I suggest some remedy for early disposal of Bills in various houses. There is already provision that Rajya Sabha can delay a money Bill only by 14 days. In case of non-originating houses (Lok Sabha or Mahlia Sabha) there should be laid down a condition that money Bills should be passed in six weeks. Presently in case of non-money Bills and ordinary Bills, non-originating house is given maximum six month time for passing of the Bill. In tricameral system, this time limit be reduced to three months. If a house is not in session, then it should be made mandatory on part of President to convene meeting of required house for dealing with pending Bill in time limit of three months.

There shall be provision that any Bill can become an act only after it is passed by all three houses of the parliament and assented by the President.

**Article 109:** It provides for special procedure for passage of money Bills. The amended article 109 will provide for introduction of money Bills

in Lok Sabha or Mahila Sabha but not in Rajya Sabha as presently it is in vogue. The final say will remain with Lok Sabha plus Mahila Sabha combinedly. In case of any dispute between Lok Sabha and Mahila Sabha over money Bills, there will be joint sitting of Lok Sabha and Mahila Sabha in which Lok Sabha and Mahila Sabha will interact through video conferencing.

**Article 196:** It provides for introduction and passing of Bills in state legislature. The amended article 196 will provide same legislative relationship between houses of state legislature as will be at central legislature level.

**Article 330:** It provides for reservation of seats for SCs and STs in Lok Sabha.

The amended article 330 will also provide reservation for SCs and STs women in Mahila Sabha on same pattern which is presently in Lok Sabha. There will be no change in reservation pattern in Lok Sabha.

In addition to reservation for SCs/STs women in Mahila Sabha, the amended article 330 may also provide reservation for women of OBCs and the Minorities in proportion to their population respectively. Here some people will say that there is no reservation in Constitution for OBC and Minority Classes in legislature so provision of reservation for women of OBCs and Minorities will be unconstitutional. Here I want to say that present constitution has also not reservation for women in legislature, when we can have reservation for women in legislature although it is not presently in constitution, then why we cannot have reservation for women of OBC and Minority Classes? The Indian reality is that women irrespective of their community have been weaker section since time immemorial.

**Article 331:** It provides for representation of the Anglo-Indian community in the Lok Sabha.

After amendment in article 331, provision will remain same for Lok Sabha, but in case of Mahila Sabha, amended article will provide for nomination of two women from Anglo-Indian community in case this community is not adequately represented in Mahila Sabha.

**Article 332:** It provides for reservation of SCs and STs in Vidhan Sabha. After amendment in article 332, there shall be proportionate representation of women from SCs, STs, OBCs, and Minorities in Mahila Vidhan Sabha.

The provision regarding reservation with respect to Vidhan Sabha will remain unchanged.

**Article 333:** It provides representation of Anglo-Indian community in Vidhan Sabha. The amended article 333 will provide for nomination of women from Anglo-Indian community in Mahila Vidhan Sabha. Provision with respect to Vidhan Sabha will remain unchanged.

**Article 334:** Amended article 334 will provide for reservation of seats and special representation of women in legislature till specified time.

The provision under article 334 will remain unchanged with respect to Lok Sabha and Vidhan Sabha. The period of reservation for women should be provided as for SCs/STs.

**Article 368:** It deals with power of parliament to amend the constitution and procedure therefore.

The amended article 368 will provide for introduction of Bill (seeking amendment) in any house of tricameral parliament, but passing of Bill will require passage of Bill in all three Houses separately. There shall be no provision for joint sitting in case of dispute regarding Bill seeking amendment. Some constitutional amendment Bill requires approval by at least half of the states. In that case, constitutional amendment Bill shall be introduced in either of Vidhan Sabha or Mahila Vidhan Sabha but Bill has to be passed separately by Vidhan Sabha and Mahila Vidhan Sabha, only then Bill shall stand passed by a state.

**97th Amendment:** It limits size of council of ministers at 15% of respective strength of lower house with minimum of minister to be 12. Amended 97th amendment shall have meaning of lower house – Lok Sabha at the Centre and Vidhan Sabha at state level. Portfolios related with women and children will necessarily go to women ministers.

84th amendment: It will provide for freeze on number of seats for tricameral legislature till 2026.

**Article 54:** Amended article 54 will provide that electoral college for Presidential election shall consist of elected members of Lok Sabha, Mahila Sabha, Rajya Sabha, Vidhan Sabha and Mahila Vidhan Sabha.

**Article 66(1)** : Amended article 66 (1) will provide that electoral college for Vice-President shall consists of Lok Sabha, Mahila Sabha and Rajya Sabha.

**Article 61**: It deals with impeachment of President. Amended article 61 will provide that resolution for impeachment shall be introduced in either house of central legislature but that has to approve separately by rest two (non-originating) houses.

**Article 67 (b)** : Amended article 67 (b) will provide that resolution for removal of Vice-President shall be introduced in Rajya Sabha but that has to be agreed to by both Lok Sabha and Mahila Sabha separately.

**Article 75(3)**: Amended article 75(3) will provide that council of ministers shall be collectively responsible to both popular houses – Lok Sabha and Mahila Sabha. No-confidence motion shall be introduced in Lok Sabha but has to be agreed to by Mahila Sabha or vice-versa. In case of dispute, there shall be joint sitting of Lok Sabha and Mahila Sabha.

**Article 164(2)**: Amended article 164(2) will provide that council of ministers at state level shall be collectively responsible to both popular houses – Vidhan Sabha and Mahila Vidhan Sabha – at state level. No-confidence motion shall be introduced in Vidhan Sabha but it has to be agreed to by Mahila Vidhan Sabha or vice-versa. In case of dispute, there shall be joint sitting of Vidhan Sabha and Mahila Vidhan Sabha.

**Article 124 (4)**: It deals with removal of judges of Supreme Court. Amended article 124(4) shall provide that resolution for removal of Supreme Court judges will be introduced in either house but it has to be agreed to by rest two houses (non-originating) separately. Other provisions will be same which exists presently in this regard.

**Article 217(1)**: Amended article 217(1) will provide same provision for removal of High Court judges as for Supreme Court judges.

**Article 89**: After tricameral system, article 89 will remain unchanged.

**Article 93**: Amended article 93 shall provide that the Lok Sabha and Mahila Sabha shall as soon as may be possible, separately choose two members of the Lok Sabha/Mahila Sabha as the case may be, to be respectively Speaker and Deputy Speaker.

Thus, Mahila Sabha will have her own Speaker and Deputy Speaker, and will also have power to remove her Speaker and Deputy Speaker.

**Article 178**: Amended article 178 shall provide separate Speaker and Deputy Speakers for Vidhan Sabha and Mahila Vidhan Sabha. Mahila Vidhan Sabha shall elect its own Speaker and Deputy Speaker from within its own members and will also have power to remove the Speaker and Deputy Speaker.

Representation of People's Act: The amended Representation of People's Act will provide for two-member parliamentary constituencies and two-member assembly constituencies. Each parliamentary constituency will have one member of Lok Sabha (for which both men and women shall contest) and one member of Mahila Sabha (for which only women shall contest).

The demarcation of constituencies shall remain same. It means introduction of two-member constituency and tricameral legislature system will not need fresh delimitation of constituencies.

The election for Lok Sabha and Mahila Sabha shall always be held simultaneously. During election, at each booth, there shall be two Electronic Voting Machine (EVM) – one for Lok Sabha and one for Mahila Sabha.

**Article 249 and Article 312:** Powers of Rajya Sabha under article 249 and article 312 will remain unchanged.

**Local Area Development Fund Schemes:** Mahila Sabha MP and Mahila Vidhan Sabha

MLA shall be allotted funds on same pattern as presently of MPLADFS and MLALADFS respectively.

The above-mentioned amendment and some other related amendments shall be required to be done for implementation of two-member constituency and tricameral legislature system. With this, now I want to explain how my suggestions are more feasible than other suggestions.

**Firstly,** my suggestions provide for reservation for women of SCs, STs, OBCs and Minority classes. So my suggestion will have support of SP, RJD, JD(U), LJP and other parties. Secondly, my suggestion provides for separate houses for women without depriving male MPs of any parliamentary seat. This way, my proposal will have support of all male MPs as they have not to share any privilege with women in my scheme of reservation.

**Thirdly,** there shall be no need of fresh delimitation of constituencies as my scheme provides for same boundaries of Mahila Sabha constituencies which exist today for Lok Sabha constituencies. The territorial boundaries of Vidhan Sabha and Mahila Vidhan Sabha shall also be same as presently exist for Vidhan Sabhas.

**Further,** there shall be no extra expenditure in conduction of election for Mahila Sabha as its election will be held simultaneously with Lok Sabha. So same manpower deployed for election purpose will conduct both Lok Sabha and Mahila Sabha election. Further, the political parties will also not need to incur extra expenditure for campaigning as election for Lok Sabha and Mahila Sabha shall be held simultaneously. By same election material, rallies and meetings campaigning for candidates of both Lok Sabha and Mahila Sabha shall be done.

Similar provisions will be regarding election for Vidhan Sabha and Mahila Vidhan Sabha.

Fourthly, two-member constituencies provide extra advantage that in case of death of Lok Sabha member of a constituency, the constituency shall remain represented in popular house by Mahila Sabha member or vice-versa. So there will always be representation of constituency in popular house. In case of death of Lok Sabha Member of a constituency, by-election shall be held only for Lok Sabha seat of that constituency or vice-versa.

**Fifthly,** My scheme provides exactly 50% representations to women in popular houses at central and state level. This 50% representation is consistent with democratic principle of proportionate representation. When women constitute about 50% of population, then by its very nature they should have 50% representation in popular house. My scheme provides that women shall also be able to contest for Lok Sabha or Vidhan Sabha or Rajya Sabha as the case may be. If we go by present trend of election of women to central legislature, nearly 50 women shall be able to be elected for every Lok Sabha and Rajya Sabha combinedly.

So, women number in central legislature will go to about 600 (545 plus 50). This 600 figure shall be about 45 % of tricameral legislature strength 1335 (545+545+245). According to sex ratio 933 to 1000 (Census 2001), women constitute about 46.6 % of population. So as a whole my scheme will enable women to have representation in central legislature nearly equal to their proportion in population. I think nothing could be better than it for gender equality.

Here it is worth mentioning that political parties like BSP and LJP also favours 50% reservation in popular house consistent with their 50% contribution in population. The representatives[3] of National Federation of Indian Women (NFIW), a frontal organization of the Communist Party of India, recently deposed before the Committee of the Ministry of Law and Justice looking at the Women Reservation Bill, said that reservation could go up to 50 %.

**Sixthly,** Maximum strength of Lok Sabha was increased from 525 to 545 through 31st amendment act, 1973. According to census[4] of 1971, total population of India was 54.82 crore in 1971. According to census of 1981, India's population was 68.33 crore. According to rough estimate India's total population in 1973 should

have been 57.5 crore. So we can say that 57.5 crore population in 1973 was provided with 545 seats in popular house. By rough estimate, India's total population presently (2008) is 115 crore. Thus, from 1973 to 2008, India's population has nearly doubled. So, by its very nature, representation of people in popular house should also increase to double.

My scheme provides for 990 (which is double of 545 maximum strength as envisaged through 31st amendment, 1973) members in popular house which is consistent with present population about 115 crore (which is nearly double of 57.5 crore population in 1973). The beginning for proportionate representation in political system has already started in Madhya Pradesh, Himachal Pradesh and Rajasthan. These states have made provision for 50% representation of women in Panchayati Raj system.

**Seventhly,** some people will say that no country has tricameral system. So to talk of tricameral system is foolish. But here I want to say that India is the largest democracy of world. India is known for setting up precedents in field of democracy. If India makes tricameral legislature, it will be another precedent set up by India in world.

**Eighthly,** presently women of a constituency feel truly represented in popular house only when a woman MP is elected from that constituency. When there is a male MP from a constituency, the women of that constituency may not feel truly represented in popular house. But in my scheme, each constituency will always have one-woman MP; so, women of all constituencies will always have true representation in popular house. Similar argument may apply in case of state legislature.

**Ninthly,** some people will say that tricameral house will require construction of Mahila Sabha and Mahila Vidhan Sabha buildings. So implementation of women reservation Bill will be delayed for the want of construction of buildings. Here I say that meetings of Mahila Sabha/Mahila Vidhan Sabha may be held in auditoriums (which exist in Delhi and state capitals) during the time of construction of new buildings. So my scheme can be implemented from very next general election.

The amount needed for construction will be negligible in comparison to accruing benefits like gender equality, women's emancipation and overall upliftment of society. The arrangement for meeting may also be like first meeting of Lok Sabha, and then meeting of Mahila Sabha in the Lok Sabha House.

**Tenthly,** some people will say that in tricameral system in joint sittings popular houses will prevail over Rajya Sabha strength-wise. But in bicameral system this situation is already there.

**Eleventhly,** My scheme provides representation of population in popular houses in proportion to size of population. So, there will not be any need to increase the seats of popular House even in distant future.

**Conclusion**

The empowerment of women is pre-requisite for overall social, economic and political development of society. Towards this direction, the proposal of reservation for women in legislature is a right step. It might be that adequate representation of women in legislature may result in providing cure to all ills presently plaguing parliamentary democracy in India. Thus, women should get reservation in legislature. The scheme of the Tricameral Legislature will meet out the demand of quota within quota for OBC and Minority communities and allay the fear of male politician loosing for women.

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# Contextualizing Ambedkar in 21st Century

Keerthiraj*

[*The success of any social reform movement can be judged by its effectiveness to identify the social consciousness of that particular society. Ambedkarism is one of such rare and mammoth efforts in the history of depressed class movement. Ambedkar and his struggle with established social order is a continuous and universal process. This paper discusses variety of issues regarding complications of understanding Ambedkar in 21st century with some tentative reflections with historical facts. It is an attempt to examine invisible difficulties of understanding Ambedkar properly. This paper is not to clarify the misconceptions regarding Ambedkar, but to provide a new platform to perceive his dynamic personality with different shades.*]

Social systems around the world are the results of a unique social consciousness. The social system of Indian subcontinent is no exception for this fact. Divisions, subdivisions, classes, castes and other social structures in India are based on a unique Indian social consciousness. Religious texts, festivals, formalities along with some stereotypes contributed and still contributing much to the formation of Indian social order. The above-mentioned discourses are not only limited to the construction of social order, but also given a semi-legitimate way to domination, hegemony and exploitation.

Hindu religious texts and sometimes interpretation of the text excludes a large number of masses from the mainstream society. Importantly the nature of Dalit exploitation in India has maintained a drastic difference from exploitations happening in other parts of the world. Here, exploitation based on caste system is not a direct or visible fight between two classes. It is not the concept of class struggle given by Karl Marx. Caste system in India and its consequences are much complicated than a clash of 'haves' and 'have-nots'.

This complicated nature of upper caste hegemony deliberately made most of the Indian social reformers silent regarding widow remarriage, sea voyage, women education and many more other rituals. Confusions regarding with whom fight should be fought? Is it against upper caste Hindus? Alternatively, is it against religious texts and rituals? On the other hand, is it a fight against false social consciousness of Indian society?

The period of early and mid-20th century was marked with occurrence of two World Wars, establishment of liberal global institutions, freedom movements in many Asian and African countries and many prominent developments. In the backdrop of these major developments taking place around the world, this period of early and mid-20th century was really a prime time to decide the identity and future of large number of subaltern caste Indians in the Indian context.

Even during the fight for Indian independence, subaltern caste issues were side-lined. No doubt, Mahatma Gandhi gave a mass appeal to freedom struggle of India and he strived for the wellbeing of 'Harijans' in his own way. However, Gandhi had reasonable impediments to prevent him from being a full-fledged Dalit leader. Even congress maintained disgraceful silence towards 'dangerous thoughts'[1] against existing hegemonic social order. Fortunately, oppressed classes

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found their leader in Dr. B. R. Ambedkar in that crucial time.

Dr. Ambedkar was largely influenced by earlier leaders who stood in favour of oppressed people and fought against upper caste domination. Eminent personalities like Jotirao Phule of Maharashtra, Ayyankali of Kerala, Ezhavas leader Sree Narayana Guru, Sahu Maharaj, Krisahnaraja Wodeyar IV, Periyar and so many other leaders struggled hard for equality and to come out of inhuman caste practices. These honourable men fought for and tried hard to erase false consciousness and constructed stereotypes within the society.

Even today Indian society is indebted to these great personalities of pre-Ambedkar period for their adorable work. Even Dr. Ambedkar acknowledged their presence in his fight for equity. Nevertheless, it is true that major pre-Ambedkar period leaders are regional representatives. Indian subcontinent never had a leader who represented the voice of the oppressed people at all India level.

Dr. Ambedkar is an upshot of colonialism and grabbed the advantages of Western education system. Using the power of education, he liberated Indian subaltern caste men from untouchability and mental slavery. The Aryan invasion theory put forward by Dr. Ambedkar was highly influenced by Jotirao Phule. Ambedkar also dedicated his book '*Who Were the Shudras?* 'to Jotirao Phule with the following inscription "The Greatest Shudra of modern India who made the lower classes of Hindus conscious of their slavery to the higher classes and who preached the gospel that for India social democracy was more vital than independence from foreign rule."

Ambedkar critically used the theory of Aryan invasion to cull out the real history of India. This attempt also contributed to great political and academic debates over race discrimination, Chaturvarnya system and also about the origin of Shudras, atishudras, and other oppressed untouchable people, who lived in India for centuries. Importantly, it was a great venture to think about a positive identity to people who were doubtful about their own identity. No social reformer except Ambedkar was ready to question the fundamental social order created by Aryans by that time.

Ambedkar studied about Aryans using the references of Prof. Max Muller, Vedic texts and raised serious questions about 'race' factor in Aryans. Ambedkar was doubtful about Aryan identity as a race.[2] This non-racial view of Aryans made significant impact on moulding the history of India from a subaltern point of view.

Edward Said speaks about a discourse, which he called 'Orientalism'. Western scholars and thinkers created knowledge about Eastern civilization (Other) in an attempt to define themselves (Self). In this discourse the West attributed some inferior qualities to East in order to prove West as a superior culture. This concept of 'Self' and 'Other' is displayed in Indian society with a different dimension.

With the evolution of Indian society concept of 'Purity' and 'Untouchability' became the part of day-to-day life. It became inner to Indian culture that no one thought untouchability as a social evil and no one questioned the legitimacy of purity. Most of the reformers tried for some temporary relief methods without objecting the basic superstructure of Hindu caste system. Dr Ambedkar realized this compromise would further worsen the situation of oppressed classes and castes.

An objective analyser must understand that Ambedkar's mission was not so simple and he knew the way towards Dalit emancipation was the most controversial as it questioned the fundamentals of Hindu religious texts and rituals. This is the only reason for so many people to avoid Ambedkar and unfortunately, significant number of backward class people are still

reluctant to accept Ambedkar as a social reformer.

21st century is living with Ambedkar, to be specific a complicated and problematic Ambedkar. Most of us avoid Ambedkar because we do not have answers for questions raised by him. Ambedkar is as complicated as Ambedkar who debated with Gandhi several decades back. This complicated Ambedkar can question the false consciousness of any society.

The relevance of Ambedkar in present society can be explained with the following words of Ramachandra Guha, "The remarkable thing is that 50 years after independence, the only politician, dead or alive, who has a truly pan-Indian appeal is B. R. Ambedkar. Where Gandhi is forgotten in his native Gujarat and Nehru vilified in his native Kashmir, Ambedkar is worshipped in hamlets all across the land. For Dalits everywhere he is the symbol of their struggle, the scholar, theoretician and activist whose own life represented a stirring triumph over the barriers of caste."[3]

Most of the ideas of Dr Ambedkar were considered as controversial by contemporary popular leaders. Even today, society has so many misconceptions regarding intentions of Ambedkar. Instead of complicating the picture of Ambedkar, academic debates should try to simplify Ambedkarism without compromising the ideals of Ambedkar. Academic and political debates should reconstruct the lost discourse. For example, the myth of Ambedkar's enmity with Gandhiji. In fact, Ambedkar had ideological differences with Gandhi and the latter was also clear about this fact.

Debate between Ambedkar and Gandhi is just about the ways to achieve equity. There are some instances Ambedkar aggressively opposed Gandhi's decisions and steadfast in his decisions. 21st century Indians might question Ambedkar's patriotism but Gandhi had no suspicions himself.[4]

Speaking at a meeting in Oxford in October 1931, Gandhi said he had "the highest regard for Dr. Ambedkar. He has every right to be bitter. That he does not break our heads is an act of self-restraint on his part."[5]

In this way, Gandhi's Ambedkar looks more justifiable for his acts. He was the first man with whom Gandhi agreed on the point of abolishing caste system even after the opposite views with each other. Gandhi understood the reason behind Ambedkar's acts in spite of ideological differences. Politicians and academicians should take this responsibility to clear the fog of suspicion revolving around the personality of Dr. Ambedkar. Ambedkar used symbolisms like temple entry, burning Manusmrithi and other related actions just as a tool to achieve bigger ideals i.e. annihilation of caste and raise spirits of depressed classes.

But he never thought these symbolic acts as an end for his struggle. For instance, in 1933, Ambedkar came out against the temple entry Bill, arguing that by this time, although he had supported it in past, temple entry was a side issue. Not only was it less important than higher education, higher employment and economic advancement, it appeared to be the only public issue related to untouchable social status that had attained support by congress.[6] Unfortunately, today most of the Dalit movements end up with mere symbolism.

Ambedkar experienced the ruthless caste system. Ambedkar believed caste system is a worst type of slavery and argued saving Hinduism can be possible only by removing Brahmanical hegemony. Through his activism he showed how poisonous religious rituals are spoiling Indian society from within. Even during Indian fight against the British for independence, Ambedkar was sceptical about the external freedom without achieving social equality.

Ambedkar's powerful personality made some leaders, who were in the mainstream national politics to come out of fundamental perceptions and to contribute towards the cause of depressed classes. He was the first man with whom Gandhiji agreed on the point of abolishing caste system even after the opposite views with each other.7 This is just an example how Ambedkar's charismatic personality influenced his contemporaries.

This paper is too weak to clear the general misconceptions about Ambedkar. But it is a tiny effort to change the perceptions regarding his personality. "If they are Hindus, what are we then" A young Dalit asked during a recent assault on Dalits by Hindu activists in Chikmagalur district of Karnataka. It is a direct question to the consciousness of our society. The question itself has multifaceted interpretations. Incidents like this now and then make Indian social consciousness to remember Ambedkar.

With due respect for prominent Dalit leaders; India has to admit that Post-Ambedkar Dalit movement in India lost its vigour and vitality. Today Dalit movements end up with symbolic and temporary success without questioning fundamental structure of exploitation. Academic debates should give way to a new discourse, to reconstruct unprejudiced Ambedkarism and to promote a conscious social order.

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# Need for Ethical Studies in Higher Education in India

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[*Moral and Ethical value is being interpreted differently in different situation. It is a standard of behaviour that tells us how human beings ought to act in many situations in which they find themselves-as friends, parents, children, citizens, businesspeople, teachers, professionals. Students being the part of the society and tomorrow's nation-builders, ethics should be inculcated among the students through educational framework. The teachers should orient all students to analyse and understand what is "good" and what is "bad" or what is "wrong" and what is "right" or what to do and what not to do with reference to day-to-day commitments. Commonly ethics is perceived as judging others, family values, outcomes, legal rights, or specialists in solving personal problems but ethics actually mean two aspect. The most essential character to be present in a human is the ability to discern right from wrong, good from evil and propriety from impropriety and the commitment to do what is right, good and proper. Ethics is not just a topic to mull or debate, it entails action.]*

The rapid changes in the technological world have posed many challenges in the global era. In this globalized mechanical commercial world, expecting the future generation with honesty and commitment is a nightmare for the society. Today all the children have an immense power of observation and their feelings are deep-rooted. They always observe their parents at home and their teachers in school. They are highly sensitive. It is right time where parental care to the children is on the wane.

Today media play a vital role in the life of children, the adverse effect on the media has made the children to accept an unrealistic approach in all the spheres of the life. In this context, there is now a growing demand in education to inculcate, nurture and develop values and ethics, particularly among the youth of the nation. Ethics lies at the core of the teaching profession. Tomorrow prospects of our country depend upon the moral values imparted to students during their college life. The role that teachers are expected to play in the lives of their students has undergone significant change in recent years.

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## Concept of Moral and Ethical Values

Morality refers to personal or cultural value codes of conduct or social values. Morality can be a body of standards or principles derived from a code of conduct from a particular philosophy, religion or culture, or it can be derived from a standard that a person believes should be universal. Morality may also be specifically synonymous with "goodness" or "rightness." In morality people have strong beliefs about what's right and wrong. Yet even through morals can vary from person to person and culture to culture, many are practically universal, as they result form of basic human emotions.

We think of moralizing as an intellectual exercise, but more frequently it's an attempt to make sense of our gut instincts. Term "morality" can be used either a) descriptively to refer to some codes of conduct put forward by a society or some other group, such as a religion, or accepted by an individual for one's own behaviour or b) normatively to refer to a code of conduct that given specified conditions would be put forward by all rational persons.

Ethics is a branch of philosophy that deals with the morality; the word ethic has been derived from the Greek word 'ethos' which means

character. Aristotle was one of the first great philosophers to define the ethics. To him, ethics was more than a moral, religious or legal concept. To determine what is ethically good for the individual and for the society, he said, it is necessary to possess three virtues of practical wisdom: temperance, courage and justice. Education should not be business, the most important objective of education should be to equip the students with ethical values. "Humans are the only living being who pay to live", of course we cannot say everything is wrong but there is no limit for his act.

Education is a tool for total development of human, if any one aspect of human personality is ignored, it can result very adversely. Without imparting values and morals in education, human development will be incomplete. Values and morals are inbuilt in human being and education should help in the improvement of human character and recognition of their inner purity, so the essential part of education system should emphasize the values and morals with other development.

Education is not simply imparting knowledge in a particular faculty or subject or making one fit for securing jobs or fare well in exams, but at the same time is also a training in logical thinking which helps the coming generations adjust to the ever-changing environment. It also means opening the doors of the mind, cleansing the soul and realization of the self.

**Present Education System**

Due to various changes such as modernization, industrialization, urbanization, privatization, globalization as well as influence of Western culture accompanied many problems and evils in Indian society that cause declining ethical values in Indian education system (Pathania, 2011). This system has definitely increased literacy rate but not helped in creating educated persons in the society and as a result it does not produce ideal citizens in the country. The main objective of Indian students has remained how to take degree, to earn money and to be careerist

without consideration of ethical values and national spirit in their life.

Today the Indian society is bound to encounter new and perpetual problems. We see uncontrolled corruption and decrease in ethical values, unlawful activities, inhuman behaviour and immoral consumption, which is slowly breaking the structure of Indian society, nation and the world. It is high time to identify the Morality, Education and major causes of declining moral values in Indian education system.

*Causes of Ethical Deterioration in Education System*

**Privatization of educational institutes**

The education should aim at enriching human life, and who is there to ensure the quality and standard of values to be maintained under the existing catastrophic conditions and bring students to the anticipated ethics in values and beliefs. Universities award degrees and certificates without ensuring the related quality. Privatization of educational institutes is a major cause for the declining ethical values in education system. Privatization of education has emerged in several forms in the recent decade in India. Government allowed to opens self-financing private institutions with recognition, which may be termed as commercial private education institutions (Singh and Purohit, 2011).

With the mushrooming of these private institutes in the modern era, the education has acquired the status of a marketable commodity, where educational institutes are the traders and students are the customers (Garg and Kaur, 2012). These institutions started courses on any discipline without basic infrastructure and qualified teaching faculties. This kind of ethical deterioration not only has economic impact but it also has a severe impact on society.

**Lack of value education in curriculum**

Imparting value education was the main aim of the teachers of the ancient age (Pathania, 2011). Today people mostly live in nuclear families and parents are involved in their jobs and they cannot

sprout values at home. Present school curriculum lacks emphasis on value education. At present, value education is not started at home nor taught at schools in India. Although value education is included in the primary education curriculum but at the adolescent or adult stage, which are the most sensitive stages to build the character of the youth, the curriculum finds no space to value education. However, the present curriculum makes them perfect money makers, the best politicians, the well- known doctors, the skilful engineers, the greatest musicians, the marvellous actors but fails to make then realize a bit to their identity as human beings.

## Corruption in Education Field

The major cause of ethical degeneration in education system is rapidly spreading corruption. There was a time when corruption was only in government offices, private institutions, police stations etc. But, now-a-days corruption has spread its roots in education system also. Corruption in the education sector can be defined as "the systematic use of public office for private benefit, whose impact is significant on the availability and quality of educational goods and services as a consequence on access, quality or equity in education" (Hallak and Poisson,2001).

Corruption based on magnitude can be differentiating between 'grand' and 'petty' corruption: Grand corruption where high-level officials and politicians are involved for example, fraud in public tendering for school construction or textbook production. It usually has a high economic impact, whereas illegal fees paid by parents to school to get their children's admission or to pass their exams are some of the examples of petty corruption. However, it usually has a limited economic impact, but it can have a severe social impact.

## Inadequate Government Policies

After independence many commissions and committees were setup to improve Indian education system, but the improvement is not satisfactory because the curriculum is based on social and intellectual dimension of education and less weightage is given to values and morals. So, the impact of Indian education is not fulfilling its desired needs and aspirations. They have inadequate respect to the sacrifice of Indian freedom fighters; disobey their teachers, never sensitive to social and cultural heritage etc. Students are not compromising in life's responsibility as they find themselves helpless in life's testing circumstances.

The student's knowledge seems to be memorized and sharp but their skills, values, morals and spiritual developments are limited in present education system. If the present education system is allowed to continue, it will fast result in suspicious teacher-student relationship, increase violence in the society, corruption, crimes, disrespect of the parents, the fabric of joint family will be torn thereby resulting in nuclear families.

## Suggestions

In the present digital era, there is wide opportunity to make awareness of the moral values and ethical values among students. It is high time to take necessary action to inculcate moral and ethical values in their curriculum and have a practice of formal and informal discussion on daily routine in all aspects from personal to career.

## The following suggestions can be implemented

- Including moral and ethical values in their curriculum

- Teacher should be real initiator, inspirer and guiding person.

- Giving counselling to students based on their emotional behaviour.

- Moral science subject should be introduced till higher education level.

- Teaching through innovative methods to motivate them to get awareness.

- More community oriented activities should be arranged and social issues and their solutions should be addressed.

- Should arrange training to inculcate the values in their regular practice, control emotions, to

be compassionate and lovable, taking responsibility etc.

- Conduction of programmes regularly stressing the values such as personal values, social values, cultural values, spiritual values, national values, family values, universal values.

**Conclusion**

The Radhakrishnan Commission (1948-49) highlighted the importance and the need to unite spiritual training in the curriculum of educational institutions. The Mudaliar Commission (1952-53) stressed that student's character and the behaviour would depend on religious and moral instruction. The Ramamurthy Committee (1990) reviewed that the essential quality of education is, it must develop a set of values like love, compassion, social order based on truth and nonviolence and integrating the science with spirituality. Considering the fact that students spend a great part of their life with teachers and in turn teachers contribute significantly into overall 'quality of students' lives'.

There are numerous possibilities for teachers to influence the students to transform their attitude in good manner, and to feel that they can analyse their life style and behavioural attitude by understanding what is right, and deciding what they can commit for themselves and others, to create the kind of society they want to live in.

The declining ethical values in education system will give rise to unskilled professionals and undisciplined students. This trend needs to be addressed if India has to survive as a nation and acquire its due place in the world. Corruption in education, privatization, undue political interference and inadequate teaching pedagogy are the probable causes of ethical declining of Indian education system. The only way to arrest this deterioration is to provide value-orientation in Indian educational system.

Thus, there is an urgent need to reintroduce value-based education in the curriculum dealing specifically with human values, to redesign the fabric of Indian educational system. Education should not be business; the most important objective of education should be to equip the students with ethical values. In India, it is necessary to increase philosophical thinking, to equip the students with ethical values, study, research and moral development.

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# Perspectives on Rural Healthcare in Udupi, Karnataka

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*[Health must begin with the individual. Health is highly a personal responsibility on the one hand and on the other it is a major public concern. Although health is now recognized a fundamental right, it is essentially an individual responsibility. 'Self-care' means those health-generating activities that are undertaken by the persons themselves. To these must be added family planning which is essentially an individual responsibility. Rural health or rural medicine covers geography, midwifery, nursing, sociology, economics and telehealth. Hence, it is a multidisciplinary study.]*

The villagers in India are suffering and dying from preventable diseases, i.e. malnutrition, problems related to mother and child, non-communicable diseases. These people are also suffering from low level of literacy, poverty, malnutrition, and high rate of infant and maternal mortality rate. However, from the time of independence, several measures have been undertaken by the government of India to improve the health of the people, reduce infant and maternal mortality rate, improve life expectancy at birth, population control and improve rural health.

Lifestyle and personal health choices also affect the health and expected longevity of individuals in rural areas. Persons from rural areas report higher rates of smoking, exposure to second-hand smoke, and obesity than those in urban areas. Additionally, rural areas often have low rates of fruits and vegetable consumption even where farming is prevalent.

National Rural Health Mission) NRHM) was launched in the year 2005, which played significant role in providing primary healthcare services in the rural areas of the country. The National Health Mission encompasses two sub-missions namely the National Rural Health Mission and National Urban Health Mission. National Rural Health Mission seeks to provide accessible, affordable and quality healthcare to the rural population, especially the vulnerable groups.

The main aim of the mission is to establish a fully functional, community-owned, decentralized health delivery system with inter-sectoral convergence at all levels and to ensure simultaneous action on a wide range of determinants of health such as water, sanitation, education, nutrition social and gender equality. Healthcare delivery requires intensive human resource inputs.

India is in the midst of an epidemiological transition, whereby poverty-linked infectious, maternal and nutritional diseases exist in conjunction with non-communicable chronic illnesses (H Stowe Mc Marry). In recent years, India's liberalized economy has spurred rapid diet and lifestyle changes and propelled a swift epidemiological transition, whereby the non-communicable diseases now account for a majority of deaths in India (WHO 2015).

However, while India's burden of chronic disease is severe and growing, 31 per cent of the population still lives on less than Rs. 123.16 a day and 58 per cent people live on less than Rs. 200.94 a day (World Bank 2015). Our country still faces major challenges of pervasive poverty, resulting in a high burden of pre-transitional infectious and nutritional diseases.

The National Health Policy was endorsed by the Parliament of India in 1983 and updated in 2002. The National Health Policy is being worked upon

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further in 2017 and a draft for public consultation has been released. There are great inequalities in health between states. Infant mortality in Kerala is 12 per thousand live births, but in Assam it is 56.

According to World Bank, the total expenditure on healthcare as a proportion of GDP in 2014 was 4.7 per cent. According to a 2005 report, 60 per cent of India's children below the age of three were malnourished, which was greater than the statistics of sub-Saharan Africa of 28 per cent. It is considered that one in every three malnourished children in the world lives in India. The estimates vary across the country. It is estimated that Madhya Pradesh has the highest rate of 50 per cent and Kerala the lowest with 27 per cent.

Although India's economy grew 5.5 per cent from 2001 –2006, its child-malnutrition rate only dropped 1 per cent, lagging behind countries of similar growth rate. Despite health improvements over the last thirty years, lives continue to be lost to early childhood diseases, inadequate new-born care and childbirth-related causes. More than two million children die every year from preventable infections.

## Review of Related Literature

Good number of studies has been conducted on the importance of health and health related issues all over India. The major findings of a few works are summarized here. Schultz (1961) realized the importance of investment in health and found the linkage between health and economic growth. He argued that the large differences in earnings between whites' and blacks working on comparable activities; between those in south and north or west, etc. are reflections of differences in education and health. Poor health, nutrition and education lower their economic productivity which effects the growth of the country.

Austere et al (1969) showed the relationship between health inputs and health outcomes. Taking cross state regression model in the United States, they found that there exists a relationship between medical care and improved health

measured by age adjusted mortality. However, the study also found that environmental variables are also found to be important resulting in health outcomes.

Lalonde (1981) opined that the good health is the backbone of the social progress. A nation of healthy people can do things that make life worthwhile, and as the level of health increases so does the potential of happiness. Good physical and mental health is necessary for the quality of life which everyone enjoys. According to him improvements of health depends upon health care system, standard of living, proper sanitation measures for protecting public health and advances in medical science.

According to Gopal (1987), investment in health ensures enriching human capital. When people are healthy they contribute to the quantity and quality of production and consequently the country will develop and people will be benefited with the improved standard of living. Morgan and Scanzoni (1987), however, found support for the hypothesis that religiosity is related to lower labour force participation. They surveyed 325 female college students about their current religious devoutness and their intentions to enter the labour force and pursue a career. Religious devoutness combined religious values, feelings, and activities.

World Bank Records (1991) say that better diets, housing and control of communicable diseases have raised the quality of life everywhere. The benefits of good health flow well into the future as we know mother's health influences her child's health. Good Health confers on a person or group's freedom from illness and the ability to realize one's potential. Health is, therefore, best understood as the indispensable basis for defining person's sense of well-being.

Alsan, Bloom, Canning and Jamison (2007), reviewed the relationship between health and wealth. According to them health is an important factor in strengthening economies and reducing poverty. Using data from many countries, they have found evidence of a strong causal

relationship between health and wealth. They discussed the mechanism through which health may contribute to economic growth and poverty reduction. Healthier populations usually have higher labour productivity since workers are physically and mentally strong. People who are healthy live longer tend to save more, so increasing investment in physical and human capacity.

According to Chatterjee (2009), the reasons for vulnerability of the unorganized workers are irregular work, low economic status, little or no bargaining power, and lack of control over earnings, need to balance paid work with care for children and home, little or no access to institutional credit, training and information and lack of assets. Annual Income of the family is an important indicator of economic status of the family.

Dubey (1975), in his work "Social mobility among the professions" is of the opinion that the class of the respondents is determined by the subjective assessment of their own status. Under non-traditional sources the respondents' family members earn from business, petty-shops, agricultural labour, handloom business, non-government jobs and such other occupations.

**Objectives of the Study**

This study is carried out with the following objectives -

- To study the existing arrangements of rural health care in Udupi district.

- To examine the level of awareness on health among the rural people.

- To assess the commitment of primary health centres in community healthcare.

- To examine the methods adopted for household waste disposal in the study area.

**Methodology Adopted**

This study was conducted in Udupi and Kundapura Taluk in December 2017. The interview schedule was used as the Technique of Research. Primary data was obtained by preparing Interview Schedules and about 50 households were interviewed in Kallianpura, Uppuru, Havanje, Vandse and Kemmannu Gram Panchayats. Random sampling was used for data collection. Among the total 50 respondents, 68 percent are males and remaining 32 percent are females. Since most of the villagers are depending on agriculture the male members were available at home during the day time.

Secondary data was used from leading journals like *Economic & Political Weekly*, *Samaja Shodhana* and website of Ministry of Health, Government of India. The data collected through the interview method edited and tabulated for analysing the data. The data reveals that the people of this area have their own style of life. Since the random sampling method was followed, 72 per cent of the respondents belonged to Udupi Taluk, remaining 28 per cent of them was from Kundapura Taluk particularly from Vandse Gram Panchayat.

**Data Analysis**

*Occupation of Respondents*

Rural areas often have fewer job opportunities and higher unemployment rates than urban areas. The professions that are available are often physical in nature, including farming, forestry, fishing, manufacturing, and mining. These occupations are often accompanied by greater health and safety hazards due to the use of complex machinery, exposure to chemicals, working hours, noise pollution, harsher climates, and physical labor. Rural work forces thus report higher rates of life-threatening injuries.

The data in this study shows that the religion of the people also played an important role in deciding to take up the work they do. The data shows that among respondents interviewed, 40 per cent are the farmers, 36 per cent of them are wage earners, and 12 per cent were working in allied occupations. 10 per cent of them belonged to salaried class (government employee), and only 02 percent respondents in nonfarm sector.

### Occupational Status of Rural Women

The question related to the occupational status of the women is also asked by the researcher. In the study area 98 percent of the respondents are from Hindu religion, remaining 2 percent respondents from Islam and nobody from other religions working in this capacity. In the area taken for the study population of Hindu religion is high. A minimal percentage of women from Islam dwelling around the factories stick on to beedi-rolling and other self-employment activities. The women from Hindu families are also actively involved in self-help-groups (SHGs). They have their savings in SHGs and some of them have availed loans from SHGs for their personal reasons.

A small percentage of women are indebted. The Hindu women depending on beedi-rolling have less income and they said it is not possible to maintain their family expenditure, other works like coolie for daily wages, agricultural work, working under contractors was strenuous to them. Thus, most of them choose this work as an alternative to beedi-rolling.

The women in beedi-rolling are more prone to asthmatic problems. The working conditions are another important aspect of the unorganized sector, and are of particular importance to the manual workers. The assessment of working conditions of labourers is also important to have a deep understanding of their life. The working conditions imply the duration of working hours, nature of work, terms and conditions of payment and overtime payment etc.

### Health Issues among the rural folk

The data shows that among the respondents 08 per cent respondents have said that in last one year they/family members suffered from malaria, 04 per cent respondent said that they suffered from typhoid, no respondents suffered from jaundice, respondents 04 per cent suffered from chicken pox, 32 per cent suffered from other diseases than the one mentioned above (kidney stone, diabetes, allergy, ligament injury, throat infection, severe blood pressure), remaining 52 per cent of the respondents have said that they/ family members did not suffer from any disease from past one year.

It is seen from the information collected that 52 per cent of the respondents did not suffer from any disease for past one year. This shows the importance given by these people to their health and the care taken by them in order to remain healthy. According to Dr Amartya Sen "Development is not only progress in infrastructure, but also the ability of a person to lead a healthier life for long span of time". (Cited in Chandrashekhar T.R.).

### Preference of Health Centres by the People

Among 50 respondents, 48 per cent of them have said that they prefer primary health centre for the purpose of treatment, 36 per cent of them prefer private hospitals/clinic and remaining 16 per cent of them have said that they prefer government hospital for their treatment. It is because most of them are not aware of the difference and functions of private and government health centres. Few of them do not have the other options owing to their poverty. But the PHC plays a pivotal role in making the rural people to avail the facilities given by Government for uplifting the health of rural people. Marginalized groups also find it more comfortable for approaching the nearby PHC due to its people-friendly treatment and their availability.

### Satisfaction with the Treatment and Medicines in PHCs

The opinion regarding the satisfaction of the respondents on treatment in PHCs is collected. 64 per cent of them replied that they are satisfied with the treatment they received and remaining 36 per cent have said that they are not satisfied about the type of treatment they had. Majority of them are satisfied with the treatment because the clinics or hospitals are fully equipped for medical services. Another reason for their satisfaction is the duration of curing their sickness. Quality of services rendered by the medical staff and cheaper medication may also be the reasons for their satisfaction.

The data show that among the respondents interviewed, 80 per cent of them have said that they know about preventive measures taken for diseases and remaining 20 per cent of them have replied that they are not having the knowledge of preventive measures. Majority of the respondents know the preventive measures to maintain their health due to the awareness given by the health workers under National Rural Health Mission. Some of them also come to know from their elders in the community who are well versed in the homely medicine. The measures taken by government for leading a disease-free life is also a reason.

### Sanitation Facilities

The researcher tried to collect information regarding the sanitation facilities. Among the interviewed respondents, 52 per cent of them have said that they know about scientific sanitation facilities and remaining 48 per cent do not know about scientific sanitation. It is because the rural people are not so much educated on the health and sanitation issues. Sanitation is one of the important issues that play a significant role in making the surroundings clean and keeping human being free from diseases.

### Source of Drinking Water

Source of drinking water is also a factor in determining one's health. The above data show that 44 per cent of the respondents have good source of drinking water, 40 per cent of them rely upon pipe/tap water connection provided by the Panchayat, 12 per cent of them have tube-wells, and remaining 4 per cent of households are depending upon a neighboring pond. Since the plots of land in rural areas are very small, about 40 per cent respondents are not in a position to dig an independent well, so they are depending on pipe connection from Panchayat. Many of them opined that the water normally comes once in 03 days which is problematic to lead a comfortable life. Meanwhile increase in population and number of houses requires more water from day by day; it is another reason why pure drinking water is not available to all.

The question is also asked on the purification of water. Data show that, among the respondents, majority i.e. 60 per cent of them have responded that they are not purifying the water before drinking; only 40 per cent of them have said that they are using boiled water for drinking. None of them are filtering or using any chemicals for water purification. For majority of the respondents using the raw water has become a habit for them and their family members. This is a major risk in attracting the water-borne diseases.

### Knowledge of National Rural Health Mission

It is also proved that 76 per cent of them are aware of National Rural Health Mission and remaining 24 per cent of them are not aware of the same. Majority of them have access to primary health centres. PHC personnel provide adequate information about various facilities coming under National Rural Health Mission through their pamphlets, posters and handbills to these rural people. The data also show that 72 per cent of the rural people prefer allopathic treatment and 16 per cent of them prefer Ayurvedic medicines and remaining 12 per cent of them prefer homeopathy treatment. Since the allopathic treatment is more common in PHCs, rural people have preferred it not only due to its availability but also for the speedy recovery from their health problem.

### Availability of Health Services to rural people

People in rural areas generally have less access to healthcare than their urban counterparts. Fewer medical practitioners, mental health programs and healthcare facilities in these areas often mean less preventative care and longer response times in emergencies. The lack of healthcare workers has resulted in unconventional ways of delivering healthcare to rural dwellers, including medical consultations by phone or Internet as well as mobile preventative care and treatment programs.

There have been increased efforts to attract health professionals to isolated locations, such as increasing the number of medical students from rural areas and improving financial incentives

for rural practices. Health services in the near vicinity and its availability is another factor in maintaining the health of the people. 84 per cent of them have said that they are aware about the health institutions present in their village and the other 16 per cent have said that they are not having clear information about health services available.

This is due to the regular approach of health workers, ASHA workers in order to build awareness among the rural people to safeguard their health. For 92 percent of the households the distance from their home to PHC is less than 05 kms, remaining 08 per cent of them have said that distance from their home to PHC is more than 05 kms. Since majority of them have the accessibility of services of medicine they feel it is comfortable to get effective treatment and also to avoid further deterioration of health after taking suitable precautionary information and medical aids from PHCs.

Moreover, the services are economical; the economically marginalized or poor people can afford and make the best use of various schemes related to community health. 52 per cent of them are satisfied with the functioning of ASHA workers. Since ASHA workers are having good rapport with the rural community they are appreciated for their work and also the awareness built by them regarding different schemes related to community health.

*Awareness on Pulse Polio Drops*

Knowledge on Polio drops is also asked from the respondents and the information thus gathered reveals that all of them have the knowledge about polio drops. This is due to the regular awareness created by Government through mass media and by the health workers (ASHA workers). NGOs have also collaborated with Government to make this vaccination drive reach the people at the grassroots level. The 56 per cent of the respondents came to know about polio vaccination through TV/radio announcement, remaining 44 per cent of them came to know about polio vaccination from health workers who visited their home for building awareness about the same.

From the above data it is clear that 96 per cent of them have gone for complete child immunization. This is given more stress by the Government through National Rural Health Mission. Health workers regularly conduct home visits and inform about the same. Rural people have started cultivating awareness about the ill-effects if the child is prevented from getting suitable immunization.

*Attending the Health Camps*

The researcher observed the respondents' utilization of health camps. 36 per cent have attended the health camps during last one year and remaining 64 per cent of them did not attend the health camps. This is due to the lack of awareness and lack of information about the health camps. Even if some of them know about, they do not find time to attend the camps. Occupation of rural people also matters in impacting the health of rural folk. 52 per cent of them suffered from different health problems due to their occupations during the past 10 years. This may be because of the hazardous occupations that the people are engaged in. Respondents engaged in the occupations like carpentry, construction works, Beedi rolling, cashew processing etc., have more complaints of ill health.

A few interesting cases of health issues are also reported here. (i) Sulochan Suvarna one of the respondents has reported that due to his occupation (climbing coconut tree), he had suffered from kidney stone and took treatment from private hospital in Brahmavar. (ii) Another respondent Sri Jagajeevan, running a small tailoring shop (working alone), has said that due to the continuous dust from the clothes he suffered from dust allergy. He is taking medical treatment from nearby PHC continuously. (iii) Gopal Marakala is a having a cycle repair shop and he has reported that due to the contact with grease and other oils he has suffered from skin allergy.

*System of Domestic Waste Disposal*

Waste disposal is the activity and action required to manage waste from its inception to its final disposal. This includes, amongst other things, collection, transport, treatment and disposal of waste together with monitoring and regulation. It also encompasses the legal and regulatory framework that relates to waste management encompassing guidance on recycling. The study also shows that among the respondents, 36 per cent of people dispose their domestic waste to nearby free land as they are not getting the arrangements by their Panchayats for waste disposal, 28 per cent of them have told that suitable arrangements have been made by their Panchayat for disposing the waste but 36 per cent of them have indifferent attitude towards waste disposal who are of the opinion that they burn the solid waste and make manure of the degradable ones.

But burning of wastes gives rise to respiratory disorders and also maximizes air pollution. According to a study published in British journal LANCET, in 2015 there were 25 lakh premature deaths in India due to air pollution.

### Food consumption and health

Many of the villagers are prone to neglect their own dietary needs. They feel that they are too busy to eat right, used to putting the needs of their family first, or trying to adhere to an extreme diet that leaves them short on vital nutrients and feeling cranky, hungry, and low on energy. The specific needs are often neglected by dietary research, too. Studies tend to rely on different things that are stable and predictable, thus sometimes making the results irrelevant or even misleading to their needs. All this can add up to serious shortfalls in a woman's daily nutrition.

While what works best for one may not always be the best choice for another, the important thing is to build their dietary choices around their vital nutritional needs. The question is whether they are looking to improve their energy and mood, or to combat stress. A question was asked to study how many times the women workers consume food per day. The data to this question indicates that 4% of respondents are consuming food only one time per day, 66% of respondents consume two times a day, 26% of respondents consume food three times and remaining 4% respondents are consuming food for four times. Another important problem with these women is drinking very less amount of water; most of them skip the break intervals. Non-availability of pure drinking water is another problem of the factories in this area.

Women give less importance to mid-day meals and they lack awareness of nutrition. The reason for less amount midday meal is that they think taking the full meal will affect their afternoon work. The reason for consuming less amount of water is non-availability of pure drinking water. There are companies giving mid-day meals to its employees. But the number of companies is less. The data show the ratio of cashew processing factory facilitating mid-day meal. Only 10% (05 factories) of cashew processing factories provide mid-day meal facility to its workers and remaining 90% cashew factories do not provide this facility.

The general observation on the data makes discernible three sections namely, cutting, peeling and grading. Three sections also provide wages based on piece rate wage system. The choice of the sections depends on workers. The wages are different from one section to another section, but earning depends on individuals. In streaming, loading, unloading and roasting sections, gents are working for daily wages. Those who are working in cutting section, there are chances to be met with small injuries due to work burden but in peeling and grading section very less chances of accident. As per data, 56% of respondents are working in cutting section, 20% of respondents are working in peeling section and 24% respondents are working in grading section.

Dr Nagaraj who is working under this NRHM Udupi District said that private organizations and NGOs should collaborate with NRHM to make the services reach the grassroots level at a higher frequency.

**Conclusion**

Research shows that the healthcare needs of individuals living in rural areas are different from those in urban areas, and rural areas often suffer from a lack of access to healthcare. These differences are the result of geographic and demographic diversities. Government should invest more to uplift and safeguard the health of rural people. Awareness of health must be increased among the rural people. National Rural Health Mission (NHM) is playing significant role in making rural marginalized people to get accessibility and availability of effective healthcare services. But still the staff working under this mission is having double related to work and get half salary, which is a major issue. This is the main reason why majority of the contract laborers and part-time ASHA workers are unable to give their fullest contribution to the community.

Panchayats should take major responsibility for the scientific disposal of household wastes. This can also reduce the menace of burning plastics which contributes for respiratory disorders and also depletes the Air Quality Index (AQI) leading to air pollution. More and more health camps should be organized in Panchayats in collaboration with voluntary organizations, youth clubs, NGOs etc in order to create awareness among rural households about regularly monitoring their health.

Panchayat should make scientific arrangements for the disposal of waste either by giving contract to self-help-groups or by their own interference. Udupi City Municipal Corporation has put a full stop to this headache in their limits. A vehicle run by the City Municipal Corporation by playing awareness music travels each ward and public have to be ready with their waste packets to put inside this vehicle. The amount towards collecting the waste is collected with the house tax.

People living in rural areas also tend to have poorer socioeconomic conditions, less education, higher rates of tobacco and alcohol use, and higher mortality rates when compared to their urban counterparts. In this study majority of the respondents do not use any methods for purifying drinking water in the rural area. In rural India at the present context, unsafe drinking water is responsible for multiple incidents of diarrhoea and still others fall ill on account of Hepatitis A, enteric fever, intestinal worms and eye and skin infections caused by poor hygiene. Insufficient maintenance of the environment around water sources, groundwater pollution, excessive arsenic and fluoride in drinking water pose a major threat to India's rural health.

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# Determinants of Voting Behaviour
# in Tamil Nadu Elections

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[*In democracy voting is the most important and basic element. Voting is the power in the hands of the citizens to form a government for themselves in a democracy. Voting is the process in which they involve in politics indirectly. As the concept of democracy emphasises sovereignty lies with them, voting is the way they exercise their duty in democracy.*]

Voting behaviour is determined by various sociological variables like caste/clan, community/ethnicity, religion, political attitude, and political participation by means of political orientation. These variables are influenced by the cultural and regional factors in terms of political pressures, political groups, election campaigning and election manifesto. This ultimately results in the difference in voting behaviour at the national, state and local level.

## Research Method

A broad analysis of various determinants of voting behaviour at national, state and local elections is done. The determinants that vary at national, state and local elections were studied in detail. Results of 2014 Lok Sabha elections in Tamil Nadu is studied with Kanyakumari Lok Sabha constituency on the basis of sampling giving priority to the ruling party at the Centre. The results of 2011 state assembly and local government elections were studied to determine the combinations and variations of the determinants of voting behaviour. The study aims to prove that there exists a difference in voting behaviour with respect to the determinants in national, state and local elections.

## Voting Behaviour

The very basic feature of democracy can be identified as voting; hence it has become an important topic for research studies. A very systematic study and qualitative analysis is the key for this study of voting behaviour. In the political system with complex elections, the electorates' behaviour on voting their preferences and its study has gained much importance as it has proved as a collection of individual behaviour which is grouped on voting.

Voting is the democratic process through which the voters i.e., builders of democracy express their choice, choose preferences, select alternatives, follow ideologies, raise their concerns, come to an agreement, and support programs with respect to current issues and problems existing in the society. It is a special influence by the voters to choose their choice of candidates, political parties and solve their issues with respect to their cultural and socio-economic preferences in particular. Although voting seems to be a voluntary act, it is actually influenced by various factors like influence of caste, creed, community preferences, decisions of family heads and generally a stimulus developed as result of election campaign and election manifesto.

Electoral participation in different countries may be dependent on different factors, but it can't be stated that it depends completely on a different set of factors. Electoral participation and higher turnouts generally depend on their socio-economic conditions. It can be said that whenever there exists a sensitive issue it results in higher turnout in voting for elections. Also, when there is a high competition between the candidates it can result in higher turnout. These factors are common in every country although there might be a slight variation in magnitude of effects.

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**Determinants of Voting Behaviour**

There are two schools of thoughts regarding the voting behaviour study. One is sociological school of thought which emphasizes the socio-economic and ethnic status as the main influencer of voting behaviour. The role of social characteristics like religion, socio-economic status and influence of family are considered in this approach. The distribution of social characteristics varies from time to time in wide spread population, hence such factors cannot be taken as independent variables. Political parties and their candidates and other issues are considered as intervening variables. They are the immediate determinants of voting behaviour.

The other school of thought uses psychological and political approach. The psychological school has considered the three variables: party-identification, candidate-orientation and issue-orientation as significant factors. Party-identification means voters' psychological attachment to a political party. Candidate-orientation means the voters are much concerned about the candidate's personal qualities like performance capabilities, honesty, ethical values followed by him. Issue-orientation means voters are more concerned about the issues. Voters are more concerned towards the general issues than the specific issues. The voting behaviour studies so far conducted in India identified the factors such as socio-economic and political to be the key determinants of voting behaviour in India.

Voting behaviour in general is not decided by the individual alone, it gets influenced by the advice of a friend, candidate's profile and background, current issues at focus and the solution for it, personal ideology. We can certainly say that it is not a single factor which influences the voting behaviour. There are several factors at various combinations affect the voting behaviour of any individual.

**Party Identification**

In India, political party, its ideology and its program have a greater influence on the voting behaviour. Usually every political party has its own vote banks, which means whatever may be the situation people who have identified themselves as oriented towards one political party, always vote for that party irrespective of the candidate or any other factors. This can be identified as a factor known as political orientation. A strong supporter of a political party can change his stand if not satisfied with the activities of the party supremo or district party leader or local party leader. Another set of party men, irrespective of the issues they have with the immediate leadership, they stand by the party for its supreme leader and its ideologies.

Apart from that, there is another population who change their stand from one political party to another depending on the elections. These voters actually decide the vote shifts and swings in any election. Sometimes, if the performance of the political party after the elections is not up to satisfaction, the voters might shift their support. This type of voting behaviour exists due to the presence of multi-party system in India. Voters who always vote based on the political party can be identified as individual party activists, industrial workers part of labour associations linked with the political party, and also their family members.

**Groupism**

There is behaviour among the Indian voters to form groups based on the family preferences, labour associations, religious associations, language associations. They get together before the elections and decide whom to vote and it is followed by that group as a whole. This joint decision is taken before going to vote in polling booths. These types of groups influence the voting behaviour of the voters belonging to that particular group. Groups formed by voters of scheduled castes and tribes, voters of minority like Muslims, Christians, Jains, Parsis, Sowrashtras which is related to religion and language, influence the voting behaviour in a large way.

**Personality & Candidate Orientation**

Voters get influenced by the personality traits of a candidate irrespective of the party they belong to. Characteristic features like positive attitude; easily approachable, high helping tendency irrespective of the needy people and influencing capacity on government machineries, decides how the voters behave in the elections. Political parties also try to identify such a charismatic personality as the candidate for a risk-free winning of polls.

Voters get influenced by the candidates than the political party many times. There are also scenarios where some people have lost their political career after leaving that party, this happens only when the political party is strong. But in certain cases, the individuals are stronger when they have established themselves with integrity and contribution to the development of society as a whole. In such cases when they leave the political party due to difference of opinion, they either win the elections as independent candidate or they form a new political party and succeed in their political career.

## Current Issues

Voting behaviour is mainly influenced by the issues pertaining to that period and the intensity of the issues which directly or indirectly affects the society. People with strong political affiliations always stand by the decision of their parties towards these issues. Voters generally consider how the political parties ideologically approach these issues. People who have formed an opinion on these issues will prefer the political parties which align with them. The issues, its priority and its impact on the society greatly influence the voting behaviour in terms of solutions proposed by the contesting political parties in election.

## Religion and Community

Political leaders always wish and try hard to get the support of religious leaders. At the time of elections, they visit them and promise to provide many welfare and promotional schemes for them with respect to their religion. At national level, every religion has an orientation with certain political party, who supports them in every aspect of security and development. There exists a great influence by the religious leaders on voting behaviour, as there is a tendency to vote the political party as per the advice of the religious leader. Although a secular country, politicians always think in terms of getting the votes of minorities like Muslims, Christians, Sikhs, Jains etc., Almost every political party works on the basis of religious and community orientation.

Apart from religion, community plays an important role in voting behaviour. Similar to the religion and its leader, caste and its leaders play a dominant role in electoral politics. Especially, scheduled castes and scheduled tribes' leaders' bargain with the political parties for the benefits to their community. In certain cases, they have their own political parties and they form alliances with bigger political parties and bargain few numbers of seats to contest, for their whole community votes.

Religion-based political parties like Muslim League claim as representative of Muslims, Akali Dal claims as representative of Sikhs, Bharatiya Janata Party by its ideologies known as representative of Hindus. Likewise, Lok Dal represents farmers, CPI represents industrial labourers, CPM represents workers as a whole including agriculturists. Voters mostly vote on the basis of religious considerations. Political parties select their candidates from a religion which is majority in that particular constituency. This is even evident in the politics of other developed nations.

## Social Status

Candidates belonging to different status class of the society contest elections. Voters consider the social status of the candidate also while voting. Hence, social status as a factor plays a pivotal role in voting behaviour. Electors are emotionally attached to the social factors and influenced easily by the related social issues. Although, marginalization of casteism was prohibited, it still dominates the voting behaviour. Caste has become the major factor in deciding the voting

behaviour of the electorates. Also, this factor plays a bigger role in rural than in urban area. Here comes the role of social status based on the higher caste and lowers castes. Voters of higher caste people always opt to vote for same or equivalent higher caste candidates rather than a lower caste candidate. This is evident in national politics of many developing countries, where the richer class prefers to vote for right wing party and the poor prefer to vote for the left-wing party.

## Lingual factor

Language is a major factor in determining the voting behaviour. This is due to the reason of people's attachment towards their language/ mother tongue. Political parties give importance to language factor at the time of selecting the candidates belonging to majority lingual group in that particular constituency to win the elections. Electorates are much concerned about any issues related to their language and tend to vote for their lingual group candidate irrespective of the political party also.

## Age

Age is also one of the major factors in determining the voting behaviour. Here, there are two aspects of age, which have to be considered. One is the age of the voters and the other is the age of the candidates. There is always a trend in voting among the youths and first-time voters to vote for young candidate. Usually, they are attracted towards the young candidates rather than aged politicians. In general, electors tend to choose matured candidates rather than younger and inexperienced politicians.

## Sex

The sex of the candidates is also one of the main determinants of voting behaviour. In India voters often tend to vote male candidates rather than female candidates. This is based on the fact, the success rate of men are consistently more than the women candidates at the poll, as there is a belief that men are much suitable in politics than women. Due to the policy of 33% of seats reserved for women in local government elections, we could see women succeeding in politics. But it can be assured that such women candidates are always operated by their husbands or family members in the background. Usually, men in politics prefer their wives/ sisters/daughters to contest in the election if their constituency happens to be reserved for women.

The sex of the voters also determines the voting behaviour. In India women are mostly uneducated and due to this reason either they don't prefer to vote by themselves rather they follow their husband's/father's/brother's/son's preference in voting the candidate. Due to the reason that Indian society is much of male dominated, male voters always prefer to vote men. But now there seems to be a change occurring in this trend. A strong proof of this can be illustrated by the number of women entering the legislative assemblies and Parliament as members, and some of them being appointed as ministers also.

## Education and Income

Education and income of the voters now have become one of the key determinants of voting behaviour in India. In developed nations, highly educated and high-income category people tend to participate increasingly in the politics, whereas the less educated and the low-income category people participate less in politics as they are not interested in the actual outcome of the poll results. Contrary to the developed nations, in India it is the other way around, where there is more participation in politics by the low-income and illiterate category than the high-income and literate category of people.

The main reason being less educated and low-income category people are being brain-washed easily for petty amount of cash to vote for the politicians. The money for vote concept is one main reason for such a trend in India. Also, the literates and upper middle/high class people are not much worried about the election results, as they have come to a conclusion that their votes cannot change or clean the dirty politics. As most of the population in India is illiterate or semi-

literate, the political parties, caste associations, language associations, religious associations, regional associations etc., manipulate with the sentiments of these people in the name of caste, language, religion, and regional issues.

## Money Power

It is a usual practice in Third World countries to give and receive money for votes, due to the dominant poor class in the society. Political parties have a regular practice of distributing money, gifts and articles for voting them. Voters too are interested in receiving such things for casting their votes. This practice is very common not only in India but almost in all Third World countries. Due to this practice of offering money/gifts to the voters, usually the rich candidates dominate the elections in getting success. This practice is otherwise known as vote bribing. This is commonly known secret to the society as a whole. Political interest groups and associations get into bargaining for supporting a certain political party by assuring that their class of votes would be cast in favour of them.

But overall, this money factor is not a major determinant of voting behaviour. This is proven when the candidates have lost the elections in spite of spending crores of rupees as bribe for votes. This happens when the majority of the voters are against a political party then money can't be a major determinant of voting behaviour. In case if the strength of major contestants of the elections is all equal, money might play its role significantly.

## Local Issues

It is the major determinant of voting behaviour at all levels of elections like national, state and local. Many successful political leaders have lost the elections failing to give importance to the local issues. National parties lost their elections at state level failing to concentrate on the state level issues. Track records of national parties during the national elections in Tamil Nadu are enough to prove that local issues are the major determinant of voting behaviour. Major issues at the state level in Tamil Nadu like fishermen issues against Sri Lankan navy, Cauvery water issues etc., have reflected consistently many times in national elections. So far, no major national level party was able to win a huge number of Lok Sabha seats out of total seats in Tamil Nadu.

## Factionalism

Factionalism is a very common factor in Indian politics. This characteristic feature exists both in national parties and state parties. This is seen irrespective of the political parties at all levels from national level to state level to district level to village/town/city level. But its effect is more in terms of local government elections when compared with state or national level elections. It is a well-known story about the factionalism in Congress party not only at the national but at levels of state, district and even to village and ward level in cities/towns. But the same is also prevalent in other political parties to a certain level which has affected the election results. In some cases, it even exists in political interest groups and associations. The term politics has become a usual slang to be used everywhere when there exists factionalism. The term politics has been used in general replacing the term factionalism.

## Election Campaign

Election campaigning done by the political parties during elections and its reach determines the voting behaviour at a large scale. Political parties involve in election campaigning at various levels using various methods. They form a separate committee and strategy for every election at national, state and local level. Campaigns are designed in such a way they attract the voters towards them. All the welfare programs and schemes formulated by the political party for the welfare of the people is drafted and finalized as election manifesto. The entire election campaign revolves around the election manifesto and the candidates. Election campaigning is done by all means using all the available mediums. Mass communication plays

a major role in election campaigns, which targets the major population.

## National Politics & Role of Determinants

The major determinants of voting behaviour identified in national politics are party identification, groupism, personality & candidate orientation, current issues, religion and community, social status, language, age, sex, education and income, money power, local issues, factionalism and election campaign. As far as national politics is concerned almost all the factors of voting behaviour play an important role. National parties have their own vote banks which vary from state to state. In some states they have a bigger vote bank but, in some states, very small vote bank.

In the 2014 General Elections, BJP was able to gain lot of seats in northern states and other parts of India but only one seat in Tamil Nadu. One of the major reasons for this was that the BJP was having a small vote bank in Tamil Nadu. Groupism also played an important role in winning this one seat in Tamil Nadu. The Lok Sabha constituency of Kanyakumari won by Pon. Radhakrishnan had the effect of groupism factor of voting behaviour. This constituency was dominated by Hindus and BJP being a representative party of Hindus won the elections remarkably as their population is more than 51%. The winning candidate Pon. Radhakrishnan is also well-known for his personality traits which had a major influence among the voters.

As already discussed, the age factor of the candidate plays a major role in the voting behaviour. Here in Kanyakumari, Pon. Radhakrishnan, aged around 62 years at the time of election, was well known for his experience and maturity in handling the issues. This was also a major reason for his victory in 2014 elections, when entire Tamil Nadu witnessed a different trend.

Being in the second rank in literacy rate among all the Lok Sabha constituencies of Tamil Nadu, the factors of education and income had major influence in this constituency. This constituency had always differed from rest of Tamil Nadu; the people had different feeling rather than Dravidians as rest of Tamil Nadu had.

After BJP had announced Narendra Modi as the prime ministerial candidate, they concentrated much on the election campaign widely. Headed by its party chief of that time Rajnath Singh for its election campaign committee, BJP concentrated on various programs covering the economic development, infrastructure up-gradation, eradication of corruption, E-Governance, open government, accountable administration etc., in their election manifesto. This election manifesto and wide spread election campaigning using the digital media had greater influence in the overall victory in 2014 Lok Sabha enabling the BJP to win 282 seats of its own (BJP's alliances not included) out of 545 seats.

This overall national trend was reflected only in this constituency of Tamil Nadu. Due to high literacy rate and highest per capita income, the trend was different in the constituency of Kanyakumari, from rest of Tamil Nadu. Like developed nations where literates participate more in voting, a similar pattern existed in this constituency resulting in the victory of Pon Radhakrishnan, who become the Minister of State for Road Transport & Highways, Shipping in Narendra Modi's cabinet.

Kanyakumari Lok Sabha constituency consists of the following state assembly constituencies - Kanyakumari, Nagercoil, Colachal, Padmanabhapuram, Vilavancode and Killiyur. Undoubtedly, Congress has considerable amount of vote bank in these assembly constituencies; nevertheless, the party lost the elections in Lok Sabha. This stands as proof that voting determinants vary at the time of national and state elections. The other reason for INC to lose the elections was the existence of high degree of factionalism within the party. Throughout India, factionalism exists at all levels right from the top headquarters-level to the grassroots level of INC. Once known as the fortress of Congress

party, it is now the only winning constituency for BJP in Tamil Nadu.

Although there was a different trend throughout the Tamil Nadu in the 2014 national elections where AIADMK was dominating, they lost the elections in Kanyakumari constituency due to the factors like groupism, personality and candidate orientation, religion and community, age, social status, education and income, factionalism existing in Indian National Congress and aggressive election campaign of BJP. All these factors favoured the winning of BJP and AIADMK lost even though they won 37 out of 39 Lok Sabha seats in Tamil Nadu. The other factors like current issues, local issues, language, sex, money power didn't have major influence in this constituency.

As far as Tamil Nadu is concerned, it varies from rest of India in terms of voting for the national elections. This trend has been there for a very long time since 1967 dating back to the times of DMK founder Dr C.N. Annadurai. There was a trend where national parties had to make alliance with state parties to win the elections. In those time an entirely different scenario existed, where the national parties gained more number of seats in alliance than the state parties. The reason behind this being as all the powers were vested with the Central Government, state parties needed the help from central government for the purpose of getting financial aid and allotments and implementation of development programs and schemes in the state.

This trend was there till 1999, after which the state parties started dominating the seat-sharing while forming alliances for national elections. This breakthrough came into existence only after the formation of coalition government by the state parties and other national parties in mid- nineties. For the last two decades, state parties are actually dominating the seat-sharing and also winning the major portion of the seats contested and they are in the commanding position vis-à-vis the national parties in terms of giving support in Parliament and getting benefits for the overall growth of the state.

**State Politics & Role of Determinants**

The major determinants of voting behaviour in state politics are party identification, groupism, personality & candidate orientation, current issues, religion and community, social status, language, age, sex, education and income, money power, local issues, factionalism and election campaign. In the Tamil Nadu state assembly elections of 2011, all these factors played a major role. In Tamil Nadu, there is a traditional vote bank for INC, DMK, ADMK, CPI, CPM which is almost decades old. This vote bank consistently gets raised with population growth. The other parties based on caste and religion also have their own vote banks. Voters belonging to these vote banks, always vote for the political parties to which they are oriented or inclined, irrespective of the local or current issues.

The other major determinant is groupism, which includes casteism, linguistic issues and religion, and all these play a major role in Tamil Nadu's electoral politics. As far as Tamil Nadu is concerned caste system is deep-rooted and has spread at different levels of society. Hence, its influence over the voting behaviour is bigger. It is an observed pattern in the elections for the state assembly; voters tend to vote to the candidate belonging to their caste.

Political parties in Tamil Nadu are very particular in selecting the candidates of majority caste people in the constituency. Also, religion is considered in the similar manner while selecting candidates for religious sensitive constituency. Some religion-based political parties in Tamil Nadu are: Manithaneya Makkal Katchi, Christian Democratic Front. Especially in Tamil Nadu, the voting behaviour of minorities like Christians and Muslims plays a major role in electoral politics.

Along with the caste and religion, language too joins the list of major determinants of voting behaviour. For example, in Madurai there are some legislature constituencies where majority of people speak Sowrashtra language. Political parties in such constituencies often select

candidates of Sowrashtra community, whether ruling or opposition. This is very common if both the parties are of equal strength, otherwise things can change in a different way. In such a case, the personality traits of the candidate and orientation come into play. Voters might not give much importance to same community candidate when they have a candidate with very strong personality traits.

The 2011 state assembly election results are self-explanatory for the voters' behaviour towards the solution of issues prevailing during that period. The major problem was electricity deficiency and irregular supply by the previous DMK government. This had affected the agriculture, industries and manufacturing, trading and even the studies of youngsters. All these issues had polarized the neutral voters, who didn't belong to the vote banks of any party, towards the ADMK party and ultimately resulted in a big victory.

As far as the issues are concerned, any issues related to the State List as per the Constitution of India, they always get reflected in the state assembly elections. When the political parties propose a solution for local issues pertaining only to certain districts, and when the voters are convinced with that proposal, they tend to vote for that party.

Education and income are one of the major factors in state elections, where illiterates and less- educated people and people belonging to low-income group are dragged towards the money for votes. Money power and election campaign have a major impact in the voting behaviour in state elections. It is a known fact, although not openly discussed, that the concept of vote bribing or money for vote has become a common phenomenon in recent times. For last two decades, this has become a dominating factor of voting behaviour. But the result of this factor also varies with constituency, candidate and political party. Some of the overriding factors of money power are local issues, personality traits of the candidate and factionalism.

Although factionalism doesn't dominate at a larger scale, it has its own effects at the constituency level. Political parties normally do not fund the candidates with regards to bribing for votes. Hence, only well-to-do politicians get the tickets to contest in elections. But at times when it happens to be by-elections or very important persons are contesting and it becomes a matter of prestige to win certain constituencies, political parties do fund the candidates for ensuring victory in elections.

It is a kind of mixed trend that exists when it comes to the study of state assembly elections. Overall, the election campaign is designed in such a way that all sorts of people belonging to different community, religion, language and social status are offered welfare and beneficiary schemes. The other factors like age, sex, factionalism have only a minimal effect on the overall cumulative voting behaviour in state assembly elections.

State assembly elections and their outcomes for past ten years clearly make it discernible that the party identification, groupism, personality & candidate orientation, current issues, religion and community, money power, local issues and election campaign are the major determinants of voting behaviour while social status, language factor, age, sex, education and income and factionalism tend to become minor factors.

**Local Politics & Role of Determinants**

Elections for local government are not treated with much importance by political parties when compared to the national or state elections. Usually, the newly-formed state government conducts the local government elections through election commission. Mostly, the voting behaviour of the voters during this election will be towards the ruling party. The voters belonging to 'vote-banks' always vote for their parties irrespective of the issues pertaining to the area.

But the voters, who are considered neutral, mostly take a stand towards the ruling party or towards the party to whom they have voted in the state assembly elections. In local government elections

or elections for Village Panchayat, Municipality and Corporations, the determinants of voting behaviour are the same as that of national and state elections but their intensity of impact varies with factor to factor.

With party identification being the major determinant, next comes the groupism factor, where the votes of political pressure groups, religious groups, language groups, community groups and associations play a major role. It is very common where the independent candidates win the local elections in a considerable count. This is due to reason of existence of groupism behaviour in any particular area. Whenever there are certain issues pertaining to the candidate of popular political party, voters belonging to groups tend to vote for the candidates belonging to their groups.

Sometimes the leaders of the groups themselves select the candidates from their groups to contest the elections, and in some cases the leaders themselves contest the elections and also win. Such a trend is visible only in local elections. Another major reason for Independents getting elected irrespective of belonging to groups is due to their own personality traits which attract the voters.

Apart from these, the age of the voters and age of the candidates also plays a major role in affecting voting behaviour at local elections. The elections are usually conducted for the positions of members of Panchayat or municipality or corporations. The role and responsibilities of these members vary in a large scale when compared with the members of state legislature assemblies and Parliaments. Hence, voters are always tending to vote youngsters who are very active in public life. They also believe in only such candidates who can take care of the local issues pertaining to that area.

At the same time, they also consider their personal life and judge whether they are really eligible for such positions. For higher positions like chairman or mayor, they prefer to vote only the experienced and matured candidate. It is well known that local governments are the training ground for the higher-level politics in legislative assembly and Parliament. As far as sex is concerned, the female voters always have a tendency to vote for female candidates. But in the case of Tamil Nadu, female candidates mostly contest only in the women reserved wards.

Other than these, the factor of factionalism plays a very dominant role in determining the voting behaviour in local elections. As the local government elections are held, usually the politicians at the medium and lower grades participate in large numbers. Also, the politicians who haven't got seats or who haven't won the state assembly or Parliament elections try to contest for the position of chairman/mayor. Hence, the party workers and lower cadres contest in local elections, which entail the possibility of catapulting factionalism at its maximum.

Political parties, either ruling or opposition or any other, have tough times in selecting the candidates and making them win, as there will be very tough competitions. All the characteristics of factionalism will be evident only during the times of local elections. Only the candidates who are successful in tackling this factionalism will be successful in elections and ultimately in their political career. Sometimes, the same party people won't vote for the candidate announced by their party as a result of prevailing factionalism.

Party identification, groupism, personality and candidate orientation, current issues, religion, community, age, sex, local issues, factionalism and election campaign are the major determinants affecting voting pattern in local elections while social status, language, education and income, money power are minor determinants.

**Conclusions**

Voting behaviour is determined by various factors like party identification, groupism, personality & candidate orientation, current issues, religion and community, social status, language, age, sex, education and income, money power, local

issues, factionalism and election campaigning process. In case of national elections in Tamil Nadu, all the above-mentioned factors play an equivalent role in determining the voting behaviour. But, there exists a general trend where state parties had upper hand in terms of seats sharing and winning the elections for Lok Sabha. This further improved in favour of the state parties where they started to dominate fully in Lok Sabha elections from the 1990s onwards.

As far as the state elections are considered, the major determinants of voting behaviour are party identification, groupism, personality & candidate orientation, current issues, religion and community, money power, local issues and election campaign. While factors like social status, language, age, sex and factionalism are only the minor factors. In case of local government elections, the major determinants of voting behaviour are party identification, groupism, personality & candidate orientation, current issues, religion, community, age, sex, local issues, factionalism and election campaign. While social status, language, education and income, money power are minor determinants.

Results of 2014 general elections in the Lok Sabha constituency of Kanyakumari are studied for analysing the voting behaviour and its determinants in terms of national politics. The outcome of 2011 assembly elections in all assembly segments of Kanyakumari Lok Sabha constituency was analysed to find the difference in voting behaviour from national and state elections. Overall summary outcome of the 2011

local elections were also referred to find out the trend, which aligns with ruling party. It is clearly evident from this whole study that, although the voting behaviour is determined by various factors in general, but it varies in intensity and impact with respect to national, state and local elections.

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# Causes of Child Labour among
## Tea-Tribes of Nagaon, Assam

Dr. Anuradha Singha* & Prafulla Saikia**

[*It is absolutely accepted that child labour is the curse for economic growth of the country. The communities which have the realisation about the development of the potentialities of children are sure to be developed because they are dedicated to their aim of child development. In a developing country, the responsibilities of the parent/guardian to their child is quite less. The socio-economic factors play an important role in this regard. The gap between income and poverty generally creates the child labour. Where there is the child labour, there is the lack of human capital accumulation. So, this article highlights on socio-economic factors (like occupation, income, education) responsible for child labour among tea tribes.]*

Child is the base for the growth of the nation. As such child is the asset of the country. Human capital determines the directions of the utilisation of idle and under-used scarce economic resources of the country. It is, therefore, allowed to grow in an environment which is essential for making eligible and skilful on social, emotional and educational needs. It is, thus, necessary to offer specific efforts to create facilities for the child as future citizens and human capital of the country (M. Gautam-2006).

Child labour is the great challenge for the most economically deprived population. Child development is the negligible part of such economically challenged people. Their prime motive is the survival rather than personal development (Shandilya et. al. 2006). Economic activities degrade the physical, moral and social development of the children and affect the rapid economic growth of the country. The employment of the children in an early age is said as child labour which is the obstacle to attend school.

International Labour Organisation (2010) states that born to parents who themselves were uneducated at their childhood force their children to work as labour, thereby, continue nurture child labour from generation to generation that is chained to a life of poverty.

Child labour is the world-wide problem that calls for serious attempts to ban the magnitude of the problems on the part of policy makers, researchers and society, political groups in international, national and regional level. However, child labour problem is still found at all levels, but the magnitude of child labour varied country to country.

### Definitions of Child Labour

Burra (1999) stated that a child labour was inclined with a child who was deprived of the right to education and childhood. In her definition, it is clear that the working child either at home or outside home is absent from school attendance and hence, skilled human resource is inadequate for rapid growth rate of the economy.

Child labour means those children working in between the age group of 6 and 15 years who are not attending school and like to toil under an employer for learning some trade as an apprentice (Singh, 1998).

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18th International Conference of Labour Statisticians, Geneva (2008) stated the composition of child labour in three different activities as-

a) Hazardous work (including long work, night work, unhealthy environment, unsafe equipment, heavy load, dangerous locations and abuse).

b) Worst forms of child labour (including slavery, used for prostitution, pornography, forced begging and stealing). Morally degraded anti-social activities of the children are the worst forms of child labour.

c) Other forms of child labour (depending on school age 5-14 years of child and weekly hours worked). Age and time related activities of children that create the problem to expose child potentiality.

From the above study, the term Child Labour is interpreted in two different ways: Firstly, as an economic practice, secondly, as a social evil. In the first context, it signifies employment of children in gainful occupations to support family income. Economic crisis and indebtedness are the root cause of such type of child labour. The second sense of child labour is generally used. In assessing the nature and extent of social evil, it is necessary to take into account the character of the jobs on which children dedicated for the owner. The danger is that they are denied.

**Profile of Kaliabor Subdivision**

Kaliabor subdivision is in Nagaon district situated at a distance of 48 km. from Nagaon Town. Kaliabor was the head quarter of Borphukans during the Ahom era. The Nagaon District (spelled by British as Nowgong) is one of the largest districts of central Assam which is demarcated by three sub-divisions as Nagaon, Hojai and Kaliabor till December, 2015. At present it has two sub divisions as Nagaon and Kaliabor since January, 2016, declared by Assam Government.

Block Development Offices and tea tribe household in Tea Estates of Kaliabor subdivision are given below:

| Block | No.of Tea Tribe Households in T.E |
|---|---|
| Kaliabor Block | 2768 |
| Pachim Kaliabor Block | 6531 |
| Segment of Bajiagaon Block | 1476 |
| Segment of Lawkhowa Block | X |
| Total | 10775 |

Source: 2011Census

Tea tribes who are well known as Adivasi people (i.e. indigenous people in South-Asia) were brought by the British East India Company from various parts of the country for the purpose of doing service in the tea estates which at present occupies a predominant place in the economy of the State [Singh, (1998); Sarma, Gadapani, (2013); Kurmi, Suchil, (2015)].

Since the 1860s, when the first batch of indentured labour were brought into Assam from present day Jharkhand, Chhattisgarh, Orissa, West Bengal, and Andhra Pradesh. There were occasional clashes between the management and the tea garden labour in Assam (Sanjay Barbora, July, 1999).

**Objective of the Study:**

1. To find out the socio-economic factors of child labour prevalence in the study area.

2. To find out the area of child labour among tea tribes.

3. To study consequences of child labour.

**Methodology**

It is an explorative study. It follows both qualitative and quantitative method of data collection. A schedule questionnaire is used to collect the primary data collection in the study area. The sample size is 620 households out of

10775 households based on confidence interval (for sample size is large) at 99% and margin error at 0.05. The respondents are the parent/ guardian of the children. In the analysis part tabulation, average and percentage is used.

**Interpretation**

Table-1 represents the family composition of the respondents. Total number of adult (age group 18-60) is 1701, children (age group 6-14) are 809, infant (age group 0-5) is 405, elderly people (age group above 60years) is 92 found from 620 respondents.

**Table: 1:**

**Distribution Family Members (in Average)**

| Family Member | | Bajiagaon | | Kaliabor | | Pachim Kaliabor | | Total | |
|---|---|---|---|---|---|---|---|---|---|
| | | Average | Total | Average | Total | Average | Total | Average | Total |
| Adults (Age:18-60) | Total | 2.9 | 572 | 2.7 | 534 | 2.7 | 595 | 2.7 | 1701 |
| | Male | 1.6 | 325 | 1.3 | 265 | 1.4 | 311 | 1.5 | 901 |
| | Female | 1.2 | 247 | 1.3 | 269 | 1.3 | 284 | 1.3 | 800 |
| Children (Age: 6-14 Years) | Total | 1.4 | 286 | 1.4 | 287 | 1.1 | 236 | 1.3 | 809 |
| | Male | .9 | 171 | .9 | 180 | .7 | 148 | .8 | 499 |
| | Female | .6 | 115 | .5 | 107 | .4 | 88 | .5 | 310 |
| Infant (Age: 0-5 years). | Total | .5 | 105 | .7 | 141 | .7 | 159 | .7 | 405 |
| | Male | .2 | 42 | .3 | 60 | .4 | 77 | .3 | 179 |
| | Female | .3 | 63 | .4 | 81 | .4 | 82 | .4 | 226 |
| Elderly People: (Age: 61- above). | Total | .3 | 62 | .1 | 22 | .0 | 8 | .1 | 92 |
| | Male | .2 | 31 | .1 | 10 | .0 | 3 | .1 | 44 |
| | Female | .2 | 31 | .1 | 12 | .0 | 5 | .1 | 48 |
| Total family member | | 5.1 | 1025 | 4.9 | 984 | 4.5 | 998 | 4.9 | 3007 |

Source: *Field Investigation during 2016- 2017*

Table:2 explain the occupational status of the household. Workable people in the family are adults and children. As per field investigation, total number of occupied adults is 1458 out of 1701 and total number of occupied children is 494 out of 809. It means, total numbers of child labour is 494, i.e. 61%.

Table:2: Working Family Member Distribution of Surveyed Sample

| Working Family Member | | Bajiagaon | | | Kaliabor | | | Pachim Kaliabor | | | Total | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Mean | Total | % | Mean | Total | % | Mean | Total | % | Mean | Total | % |
| Adult age:18-60 | Male | 1.6 | 325 | 64 | 1.3 | 265 | 54 | 1.4 | 308 | 67 | 1.4 | 898 | 62 |
| | Female | .9 | 183 | 36 | 1.1 | 222 | 46 | .7 | 155 | 33 | .9 | 560 | 38 |
| | Total | 2.5 | 508 | 100 | 2.4 | 487 | 100 | 2.1 | 463 | 100 | 2.4 | 1458 | 100 |
| Children Age:6-14 | Male | .7 | 136 | 63 | .5 | 90 | 70 | .4 | 95 | 63 | .5 | 321 | 65 |
| | Female | .4 | 79 | 37 | .2 | 38 | 30 | .3 | 56 | 37 | .3 | 173 | 35 |
| | Total | 1.1 | 215 | 100 | .6 | 128 | 100 | .7 | 151 | 100 | .8 | 494 | 100 |

Source: *Field Investigation during 2016- 2017*

Table:3 shows the literacy rate of the parent/ guardian of the children. The illiteracy percentage of parent/guardian is 47.7% and the literacy rate is 52.3% in the study area. In the female category of study, two respondents refused to cooperate. Female literacy has positive impact on child development.

**Table:3: Educational Level of Parent/ Guardian**

| Educational Level | F/M | % | M/F | % |
|---|---|---|---|---|
| Literacy | 352 | 56.7 | 294 | 47.8 |
| Illiteracy | 268 | 43.3 | 324 | 52.2 |
| Total | 620 | 100 | 618 | 100 |

Source: *Field Investigation during 2016- 2017*

Explains the monthly income of the respondents. 16.9% respondents have less than Rs. 1500 monthly income and in this category Bajiagaon Block is in the highest percentage. 51.3% respondents earn between Rs.2000- 4999. In this category Kaliabor Block has the highest percentage (76.5%) and the lowest in Bajiagaon Block (9.0%).

**Area of Child Labour**

Major areas of child labour working are: Small Tea Garden (30.2%), domestic work as slavery (25.7%), working in Private Unorganised sector (3.8%), agricultural field particularly at the time of harvesting and plantation of crops (14.8%), quarry (12.6%), hotel (0.6%), brick kiln (0.2%), street business (2.2%), diary/cattle/poultry farm (9.3%) and factory (0.6%). The highest percentage of child labour is found in small tea garden because most of them are adjacent to tea estates. They employ them for tea plantation work.

**Reasons of child Labour**

Important reasons of child labour in this study area are the gap between wealth and poverty. Child labour is primarily based on income of the family. The size of family member also impacts on child labour. Child labour is found highest (215) in Bajiagaon Block due to less income earned by the family. The other reasons are: parental loss (12.6%), parental separation (6.9%), shortage of food (8.3%), anti-environment (16.6%), abuse from Family Member (1.4%) and working for indebtedness of parents (8.5%). Child labour is highest (65.8%) due to poverty.

**Consequences of Child Labour**

1. Child labour deprives the children to attend school. In the field investigation it is obtained that the drop-out rate is very high (45.1%) in class IV. In this stage, the employer likes to

recruit the child. The illiteracy percentage of child labour is least. It is the good symptom of child development in front of illiterate and ignorant poor parents/guardians. It affects the human capital formation since, educational qualification is least. They are eligible for handling traditional apparatus.

2. Children being the child labour are suffering from health disorder. 57.3% child labour are swamping in health disorder by various diseases like malaria, diarrhea, anemia, skin disease, respiratory problem and eyesight problem. Highest percentage 39.6% of child labour is suffering from malaria.

3. Child labour is consecutive process in the study area. If one generation is interested to work from early age (below 14 years) without knowing the immense potentiality of child then the growth of the community will be affected. They thought that return on education is less than earnings. The tea tribe community confirmed to get service in the garden having no preference in educational qualification. Ultimately, it affects the community as a whole.

**Remarks**

It is undoubtedly said that child labour is a socio-economic crime where a child is compelled to invest his childhood to earn bread for himself and family, depriving from playground, school and healthcare. Child labour has no union and hence, no way of demanding facilities and wage hike. In consequence, they are lowest paid ceaseless workers in a labour market. In such a situation, there are limited opportunities for acquiring skilled workers and return to education.

Plantation Labour Act, 1951 enables to ban completely the child labour in the tea estates of study area. However, in the field works, it is found that children are toiling in and outside the tea estate as mentioned in the analysis of area of child labour.

The present children are the future of the nation. The government is urged to implement the poverty alleviation programme among tea tribe community so as to ban the unnecessary employment of children. The NGOs and social activists should work together against the practice of child labour.

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