

PUBLIC ATTITUDE ON COMPLIANCE TO LAW IN KERALA: AN ANALYSIS

*Thesis submitted to
the University of Calicut in partial fulfillment of
the requirements for the award of the degree of*

DOCTOR OF PHILOSOPHY IN POLITICAL SCIENCE

by

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DECLARATION

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Ajith. P.G

ABBREVIATIONS

AD	-	Anno Domini
AI	-	Artificial Intelligence
ADGP	-	Additional Director General of Police
ANOVA	-	Analysis of the Variance
BC	-	Before Christ
BCE	-	Before Common Era
CPC	-	Civil Procedure Code
CrPC	-	Criminal Procedure Code
D-Dad	-	Digital de addiction
DGP	-	Director General of Police
FIR	-	First Information Report
IPS	-	Indian Police Service
MSP	-	Malabar Special Police
NPC	-	National Police Commission
NRI	-	Non-Resident Indian
PhD	-	Doctor of Philosophy
SPC	-	Student Police Cadet
UDHR	-	Universal Declaration of Human Rights
UN	-	United Nations
VIP	-	Very Important Person
24/7	-	24 hours a day, 7 days a week

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ABSTRACT

The process of Political modernization in India commenced with the adoption of the constitution of India on January 26th 1950. Many successful principles of governance were adopted from different countries around the world as a part of modernisation efforts. Rule of law is one of such principles of modern governance and subsequently many associated structures and institutions were adopted to implement it. The adopted structures and institutions become successful only if they have a supporting political culture and behavior. But Unfortunately in India the imported new structures and institutions had to work with traditional culture and behaviors. This incongruity led to the development of Riggs' prismatic-sala model.

In this background this research aims to investigate the attitude of people of Kerala towards compliance to law. The study is intended to address questions like why people obey or disobey laws in Kerala society, the factors influencing compliance with law, public attitude towards law and punishment. It was identified that there are four basic factors which shape compliance to law, like personal moral values, social pressure, deterrence and legitimacy. In traditional societies people basically obeyed laws because of personal moral values and social pressure. With the establishment of the state, the factor influencing public compliance to law became deterrence. State makes laws and forces the people to obey those laws with certainty, severity and harshness of punishment mechanisms. Subject-ruler difference is very prominent in such a society. Rulers force the people to obey the laws with the help of deterrence mechanisms.

Deterrence based governance is not very effective, it needs a lot of resources and it's very expensive. With the establishment of modern national states with democracy and republicanism, the difference between the rulers and subjects drastically reduced. The ideal democratic republicanism visualizes a commonwealth, where everyone is a ruler and a subject. Rational legal authority became the base of governance and voluntary compliance with law is accepted by all. So it is a journey

from personal moral values to voluntary compliance based on the acceptance of rational legal authority. Law enforcement will be effective only if it is based upon the factors shaping compliance to law. Blindly adopting reforms from highly developed countries without considering the local factors shaping compliance to law will lead to lawlessness and anarchism. Additionally, the research considers the role of the primary law enforcement agency, the police department, as a secondary objective of this research. It explores the public perception of the police and vice versa. Examining why policing remains a challenge despite numerous reformatory efforts. Furthermore, the researcher analyzes various police reforms in the light of the survey results on public attitude towards laws and the factors shaping compliance to law.

Key Word: Political modernization, public attitude on complaints with law, public attitude towards police, police attitude towards public.

സംഗ്രഹം

ഇന്ത്യയിൽ രാഷ്ട്രീയ നവീകരണ പ്രക്രിയ ആരംഭിച്ചത് 1950 ജനുവരി 26 ന് ഭരണഘടന നിലവിൽ വന്നതോടെയാണ്. ആധുനികവൽക്കരണ ശ്രമങ്ങളുടെ ഭാഗമായി വിവിധ രാജ്യങ്ങളിൽ നിന്ന് നിരവധി ഭരണ തത്വങ്ങൾ സ്വീകരിച്ചു. ആധുനിക ഭരണത്തിന്റെ അത്തരം തത്വങ്ങളിൽ ഒന്നാണ് നിയമവാഴ്ച. നൂറ്റാണ്ടുകളായി ജാതീയതയിൽ അധിഷ്ഠിതമായ ഒരു അസമത്വ സമൂഹമായിരുന്നു ഇന്ത്യ. നിയമത്തിന് കീഴിൽ എല്ലാവരും തുല്യരാണ് എന്ന് തത്വം ഇന്ത്യൻ സമൂഹത്തിന് തീരെ പരിചിതമല്ലായിരുന്നു. തുടർന്ന് നിയമവാഴ്ച നടപ്പിലാക്കുന്നതിന് വേണ്ടി പുതിയ ഘടനകളും സ്ഥാപനങ്ങളും സ്വീകരിച്ചു. ഇങ്ങനെ സ്വീകരിക്കുന്ന ഘടനകളും സ്ഥാപനങ്ങളും വിജയകരമാകുന്നത് അവയ്ക്ക് പിന്തുണ നൽകുന്ന രാഷ്ട്രീയ സംസ്കാരവും പെരുമാറ്റ രീതികളും ഉണ്ടെങ്കിൽ മാത്രമാണ്. എന്നാൽ നിർഭാഗ്യവശാൽ ഇന്ത്യയിൽ പുതിയതായി സ്വീകരിച്ച സ്ഥാപനങ്ങളും ഘടനകളും പരമ്പരാഗത സംസ്കാരത്തോടും പെരുമാറ്റത്തോടും കൂടി പ്രവർത്തിക്കേണ്ടിവന്നു. ഇത്തരം പൊരുത്തക്കേടുകളെ കുറിച്ചുള്ള പഠനമാണ് റിക്ലിന്റെ പ്രിസ്മാറ്റിക് സലാ മോഡൽ.

ഈ പശ്ചാത്തലത്തിൽ നിയമം അനുസരിക്കുന്നതിനുള്ള കേരളത്തിലെ ജനങ്ങളുടെ മനോഭാവം അന്വേഷിക്കുകയാണ് ഈ ഗവേഷണം ലക്ഷ്യമിടുന്നത്. എന്തുകൊണ്ടാണ് കേരളത്തിലെ ജനങ്ങൾ നിയമം അനുസരിക്കുകയോ, അനുസരിക്കാതിരിക്കുകയോ ചെയ്യുന്നത്? നിയമപാലനത്തിനെ സ്വാധീനിക്കുന്ന ഘടകങ്ങൾ, നിയമത്തിനോടും ശിക്ഷയോടും ഉള്ള പൊതു സമീപനം എന്നീ കാര്യങ്ങൾ വിശകലനം ചെയ്യുന്നു. ധാർമിക മൂല്യങ്ങൾ, സാമൂഹിക സമ്മർദ്ദം, ശിക്ഷയോടുള്ള ഭയം, നിയമവ്യവസ്ഥയോടുള്ള കൂറ് എന്നിങ്ങനെ നാല് കാര്യങ്ങളാണ് നിയമത്തിന്റെ അനുസരണം രൂപപ്പെടുത്തുന്നത് എന്ന് തിരിച്ചറിഞ്ഞു. പരമ്പരാഗത സമൂഹത്തിൽ കൂടുതലും ധാർമിക മൂല്യങ്ങളും സാമൂഹിക സമ്മർദ്ദവും കാരണം ആളുകൾ നിയമം അനുസരിച്ച് പോന്നു. എന്നാൽ രാഷ്ട്രത്തിന്റെ രൂപീകരണത്തോടെ ഭരണകൂടം നിയമം നിർമ്മിക്കുകയും അത്തരം നിയമങ്ങൾ ശിക്ഷാസംവിധാനങ്ങളുടെ പിൻബലത്തോടെ അനുസരിക്കാൻ ജനങ്ങളെ

പ്രേരിപ്പിക്കുകയും ചെയ്തു. എന്നാൽ ശിക്ഷാരീതിയിൽ അധിഷ്ഠിതമായ നിയമവാഴ്ച ഫലപ്രദമല്ലാത്തതും ധാരാളം ചെലവേറിയതും ആണ്. ഭരിക്കുന്നവരും ഭരിക്കപ്പെടുന്നവരും തമ്മിലുള്ള അന്തരം വളരെ കൂടുതൽ ആണ് ഇത്തരം ഭരണ സംവിധാനങ്ങളിൽ. ജനാധിപത്യവും റിപ്പബ്ലിക്ലിസവും ഉള്ള ആധുനിക രാഷ്ട്രങ്ങൾ സ്ഥാപിതമായതോടെ ഭരിക്കുന്നവരും ഭരിക്കപ്പെടുന്നവരും തമ്മിലുള്ള അന്തരം കുറഞ്ഞു. നിയമപരമായ അധികാരം രാഷ്ട്രത്തിന്റെ അടിസ്ഥാനമാക്കിയും നിയമം സ്വമേധയാ അനുസരിക്കുന്നത് വ്യക്തികളുടെ കടമ ആകുകയും ചെയ്തു. എന്നാൽ ഇന്ത്യയെപ്പോലെ പുതുതായി സ്വാതന്ത്ര്യം നേടി ആധുനികവൽക്കരണം സ്വീകരിച്ച രാഷ്ട്രങ്ങളിൽ ഈ മാറ്റം സ്വാഭാവികം ആയിരുന്നില്ല. പുതിയതായി സ്വീകരിച്ച ഘടനകൾക്കും സ്ഥാപനങ്ങൾക്കും പിന്തുണ നൽകാൻ വേണ്ട രാഷ്ട്രീയ സംസ്കാരവും പെരുമാറ്റ രീതികളും ഇന്ത്യൻ സമൂഹത്തിൽ വളർന്നില്ല. ഇത്തരം സാഹചര്യത്തിൽ നിയമവാഴ്ച തന്നെ അപകടത്തിൽ ആകുന്നു. കൂടാതെ ഈ സാഹചര്യത്തിൽ പോലീസ് വകുപ്പ് നേരിടുന്ന വെല്ലുവിളികളും പഠനവിധേയമാക്കുന്നു. നിരവധി നവീകരണ ശ്രമങ്ങൾക്ക് ശേഷവും പോലീസിംഗ് എന്തുകൊണ്ട് കേരള സമൂഹത്തിൽ വെല്ലുവിളിയായി തുടരുന്നു എന്നും ഈ ഗവേഷണത്തിൽ പരിശോധിക്കുന്നു.

സൂചക പദങ്ങൾ : രാഷ്ട്രീയ നവീകരണം, നിയമത്തിനോടുള്ള പൊതുജന മനോഭാവം, പോലീസിനോടുള്ള ജനങ്ങളുടെ മനോഭാവം, ജനങ്ങളോടുള്ള പോലീസിന്റെ മനോഭാവം.

CHAPTER 1

INTRODUCTION

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1.1. Introduction

The adage ‘attitude designs life’, underscores the importance of attitude in molding the life of an individual. If the attitude is positive, it is the driving force that helps an individual to subdue obstacles and fosters resilience. Not only environmental factors but heredity also play an important role in conditioning a person's attitude. Likewise, the attitude of people towards laws and regulations determine a society's progress. The attitude of people towards law is shaped by so many factors over a period. Civilizations have been established by the attitude of people living in a society. The public attitude towards compliance with law plays a crucial role in shaping and sustaining civilization.

Positive attitude towards the laws establishes order, cultivates trust among inhabitants, nurtures a culture of cooperation, and ultimately contributes to the stability and progress of societies. A positive attitude towards laws creates voluntary compliance to law, whereas a negative attitude may lead to disobedience. Through the socialization process the attitude may be transmitted from one generation to the coming generation. As a result of the political socialization process a political culture is formed in a society and which determines the relationship between the rulers and the ruled. Political culture also shapes the general attitude towards compliance with laws. Authority of the state may be derived from legitimacy, deterrence, tradition and charisma. Whatever attitude we are having today is the process and outcome of a historical journey (Kashima, Yoshihisa, et al, 2015).

Through this paper, the researcher is trying to analyze the public attitude of people of Kerala towards law. Kerala is a part of a bigger sub-continental entity; India, linked politically, administratively, economically, socially, culturally and geographically. The ecological setting of Kerala society lies in the bigger framework of India. Even though the study is focused on Kerala society, it has its roots in the broader Indian perspective. This study is based on modern political science concepts like political modernization, political structures, political culture, political socialization, ecological setting, secularization of political culture and the like. Laws are regulations over human behavior to live peacefully in society. The early laws

were in the form of ethical and moral values which later transformed into customs and practices. Religion also played an important role in building order and justice in the society. Religion created moral and ethical values among people to bring order to society. Religion tries to make the people moral and ethical by portraying the images of hell and heaven. Images of severe and harsh punishments after death compelled human beings to lead a virtuous life. Religions promote order and peace in the society through a spiritual deterrence.

The peculiar nature of traditional regulations is that they are not universal. It applied only to a particular tribal group or ethnic group or religious group. Lately, through various stages of evolution, the state emerged as the sole representative of a particular society and state-made laws replaced all other regulations. The modern nation-state system consolidates and converges all diverse factions in a society. This is particularly important for a diverse society like India. From the ancient period onwards India is known for its diversity. The State is supposed to address the material world issues of human beings rather than spiritual matters.

In the modern period with the arrival of British rulers, consolidation of India as a nation-state happened along with the acceptance of rule of law. The universal nature of the rule of law knitted the diversity of India under a nation-state system. After attaining independence, Indians tried to modernize Indian society and polity through a progressive modern constitutional framework (Singh, 2012). While framing the constitution, the constituent assembly accepted all the principles and practices of good governance from other countries and eliminated all the pitfalls experienced by others and assimilated them with the Indian conditions. There were no different opinions regarding the modernization process.

New political structures were adopted like Parliamentary Democracy, Republicanism, Rule of law, Socialism, Secularism, Quasi-Federalism and the like. In the developed western countries these modern political structures emerged naturally on the foundation of modern political culture and political behavior. In the west, all modern political structures have a long evolutionary history. The modern political structures and associated political behavior and culture developed

simultaneously and naturally. Authority of the modern political structures are based on legitimacy whereas the traditional political structures depend on tradition and charisma (Beetham, 2012). The traditional political structures in India before the creation of the new constitution was largely operated by the traditional political culture and behavior. With the adoption of the constitution, the modern adopted structures had to work with the traditional political culture and behavior.

After seven decades of independence, if we observe the political modernization process in India, we may have a mixed feeling of success and failure. On the one hand, the trust and legitimacy of the many modern institutional structures are declining. Why did most of the modern structures fail?. Questions like this can only be answered through analyzing the political culture and ecological setting of Indian society. Indians had adopted various successful structures from all around the world and operated it with the traditional cultural patterns. By the way the traditional cultural patterns are superimposed on the modern political structures (Inglehart, & Baker, 2000). The attitude of parliamentarians, bureaucrats, police force, magistrates, and above all, the entire people, worked mostly within the traditional cultural patterns. Parliamentary structures can be copied and implemented but the attitudes of people sitting in the parliament are designed by the ecological setting of Indian society.

This is true regarding all modernization efforts. India may adopt the successful Scotland yard Police model but it may not work in the Indian scenario. The Indian Police force is very much a cross-section of Indian society. Indian democracy still revolves around the traditional caste, religious, language, ethnicity issues and never on the platform of development, modernization or secularization. Political structures can be installed easily but to flourish, it needs the ecological setting correct. Every political structure requires a political culture to operate. For example, the principle of Rule of law can be legally established in a society but how effective it is, to be determined by the social and cultural setting in which it is supposed to function, that matters. Equality before law becomes a reality only if it has gone deep into the very social fabric. In India, the principle of equality before

law is applied to a caste-ridden unequal society which had thousands of years of historical past. Likewise, every modern structure Indians adopted had to work behind the clouds of traditional value-laden society.

There exists a close relationship between public attitude towards law and civilization. Civilization can be built on the strong foundation of law and order. If the attitude of people towards law is positive then the people by themselves will follow most of the laws most of the time. If the public attitude towards law is negative then the issue of law enforcement arises. Majority people in the society obey laws only because of enforcement mechanisms initiated by the law enforcement agencies like the police and the court. Why people obey or disobey laws is actually shaped by the attitude of the people living in that society. Many studies in the field in the western world revealed that factors like legitimacy, deterrence, peer pressure and morality determined compliance with law. The factors that determine general compliance may vary from society to society and time to time. This research work is intended to investigate the attitude of people in Kerala state towards law.

Why do people obey or disobey state made laws? Which factor determines compliance with law? What is the public attitude towards law and punishment? Law enforcement mechanisms in a society will be successful only if it is framed in accordance with the factor shaping compliance to law. The purpose of the study is to find out the major factor shaping compliance to law in Kerala society. The study also examines the problems of the main law enforcement agency, the police department. Why does policing in India remain a challenging factor even after so many years of self-rule? How far are the police reforms by the factors shaping compliance to law?. Further the researcher also analyzes the reasons for the failure of many police reforms in the light of public attitude towards police and police attitude towards public. Not many studies happened in the stated area, particularly in Kerala society.

1.2. Background of the study

On the 26th day of January 1950, the political modernization process officially began in the Indian subcontinent. With the inauguration of the constitution of India, new political structures and institutions were adopted with new governing principles and practices. Then successful models from all other countries were assimilated beautifully into the Indian constitution. The Constituent Assembly has tried to copy all principles of good governance and administration and avoid all pitfalls that have happened to others. They have taken into consideration the existing local conditions in India as well. New institutions and structures like Parliamentary democracy, Republican form of government, Rule of law, Secularism, Socialism, and Quasi-Federal structure were adopted. Many were a continuation of an earlier political development process that started during the British period. However, the commencement of the constitution can be considered as the beginning of the political modernization process in India.

Political modernization is a modern concept that emerged in Political science during the 1960's and 1970's. It means an improvement in political structures, political culture and Political behavior. The concept was contributed by Gabriel Almond, S.M. Lipset and Walt Rostow. When India emerged as an independent nation, political modernization as a process began. New political structures and institutions were created which were expected to work on rationalization of authority, political differentiation, equality, political participation and secular political culture. Political structures have to be operated with a modern political culture and political behavior. For political modernization, the three indicators have to be operated simultaneously; political structures, political culture and Political behavior(Riggs, 1960). But, unfortunately, this never happened in the case of many newly independent countries in Asia, Africa and Latin American countries. There, the new structures were created but operated with traditional political culture and Political behavior. India faced a similar situation after independence. The new Republican constitution and its structures were forced to operate in a traditional cultural and behavioral background.

Fred. W. Riggs' Prismatic-sala model exactly and meaningfully elaborated the predicament of the newly independent countries. They initiated the modernization process but happened to be mid-way, due to the heavy influence of traditional cultural and behavioral background. In India, the traditional values of caste and religion hold its position over issue-based, development-oriented politics. The Rational-legal authority, as expected to dominate, is overshadowed by the charismatic-traditional authority. Monarchy was replaced with a parliamentary democracy only in name.

Even now in India, the death of a political leader is still accommodated by the succession of his son or daughter or wife. Even the constitution and its structures legitimated the traditional caste hierarchy. Reservation based on caste and religion added legitimacy to the traditional caste and religion. Through the reservation policies legal sanction has been given to an institution based on customs and practices. In India, even now elections are contested on caste and religious platforms. Whatever reforms and development happening in the developed world can be adopted easily but can't be operated as simply. The political culture and behavior suitable for the adopted structures often never met in practice. This is one of the limitations of India's political modernization process. Still, Indians are adopting so many working models from other Western countries but these models have to operate in India's traditional ecological setting.

This is the foundation setting of the study titled as "Public attitude on compliance to law in Kerala: An analysis". Rule of law and the modern police are such new institutions or structures adopted by the Indians as part of the modernization process. The concept of equality before law and equal protection of law were unknown to Indians before the British rule. Likewise, a modern trained and disciplined police force was also a British contribution. So, new structures were planted in the Indian subcontinent, through this study how far these structures have grown and how far the supporting political culture and political behavior have developed are investigated. By measuring the attitude of people of Kerala towards laws and its implementation structure, the Police force, we can understand the depth

of the political modernization process. What attitude people of Kerala generally have towards laws, why do people obey laws, which factors shape compliance with the law, and whether the police reforms happening in the police department are by the attitude of people towards law and policing are being investigated.

The concept of Rule of law can be adopted easily but the ecological setting in which it has to operate is very important. The Indian ecological setting was for thousands of years not based on equality. It is a rather highly hierarchical, caste-ridden society. Every Indian is caste born, caste nurtured, and finally caste taken. Modern structures like parliamentary democracy, republicanism, rule of law, socialism and secularism have to work on this ecological setting. New political culture and political behavior have to be developed to support the implanted structures. Our educational systems failed to inculcate the necessary culture and behavior needed for the implanted structures to operate. For example caste reservation in educational institutions and jobs actually legalized traditional caste as a reality. On this background, India could never achieve secularization of political culture demanded by the modern political structures. So the modern structures were forced to accommodate caste as a social reality. Through this study, an investigation is set to measure the attitude of people towards law and policing in Kerala.

1.3. Statement of the Research Problem

The Rule of law has been a British colonial contribution to India. Later with the adoption of the constitution of India in 1950, it became one of the main pillars of the political modernization process in India. For thousands of years of known history of India, Monarchy was the most preferable form of government. Whims and fancies of the rulers became the rule of the land. People obeyed laws because of fear of punishment associated with non-compliance. Monarch was the custodian of 'dandaniti' in the society from ancient period onwards in India. Political modernization brought new structures like republicanism, parliamentary democracy, rule of law and the like. Successful political structures from other countries can be copied easily, but its performance largely depends upon political culture and political behavior existing in Indian society. The ecological setting in which the structures and institutions need to operate matters a lot. Blindly adopting laws and

its implementation mechanisms without understanding the cultural settings in which it needs to operate would lead to many law and order issues in the society. In Ancient Indian philosophy, the principle of dandaniti denotes the art of using force to bring order and peace in the society. Errant elements in the society were suppressed by the power of punishment mechanisms by the king. Deterrence mechanisms were used to control crime and ensure justice in the society from time immemorial.

Under the effect of modernization, the legitimacy factor was expected to replace the deterrence factor. Many modern police reforms were based on legitimacy factors. Success of police reforms depends on the attitude of people towards law and punishment. Even after so many reformatory measures, policing in India still remains a problem. Knowledge of the factors which shape compliance with law is very important as reformatory measures. The researcher through this study analyzed the problems facing police forces in India particularly in Kerala based on the attitude of people towards laws and governance. Through the survey, an effort has been made to find out the factors shaping compliance with the law in Kerala society.

1.4. Objectives of the study

1. To find out the relationship between public attitude and law enforcement.
2. To explore the general attitude of people of Kerala towards law and punishment.
3. To find out the main factor which shapes law abidingness in Kerala society.
4. To revisit the ongoing police reforms based on the findings of the research.

1.5. Hypotheses

1. The public attitude towards law and punishment is a decisive factor in determining the success or failure of law enforcement.
2. The factors shaping law abidingness vary from time to time and place to place.
3. Deterrence constitutes the most powerful single factor determining compliance with the law in the state of Kerala.

4. Many law enforcement problems in Kerala society are the result of the colonial legacy of the Police department and the people.

1.6. Methodology

For conducting the study on the topic “Public attitude on compliance to law in Kerala - An analysis”, a mixed method approach was adopted that combines both qualitative and quantitative research methods. A comprehensive understanding of the topic is required to explore the various factors influencing public attitude towards compliance with the law. Public attitude is created in any society overtime through a historical process. So a historical investigation of Kerala society through document analysis is done. Analyzing the relevant documents, policy papers, administrative system reports, and various reports related to the legal system in Kerala is done. This provided a broader contextual framework for understanding the development of public attitude towards laws in Kerala society. An understanding of a broader Indian social perspective is beneficial as Kerala was part of the British Indian Empire.

The modern legal system in Kerala was a product of the colonial British Empire. Public attitude towards laws and governance can be better understood by exploring the then political culture and Political socialization process happened overtime. So historical document analysis is taken to illuminate the evolution of public attitude towards laws and governance. By conducting a survey using a questionnaire to gather quantitative data on current public attitude towards compliance to law is done. This survey is very important as it can draw a large database regarding public attitude towards laws. A structured survey questionnaire having Likert Scale questions explored and measured attitudes and perceptions related to compliance with the law. In order to measure the legitimacy of the governing body and laws, questions related with perceived fairness of the legal system are included. Demographic questions are included to understand the variables influencing compliance with law in society. Questions related to various factors like legitimacy, deterrence, morality and peer pressure which shape compliance with the law are included. Among these factors which one is dominated in shaping compliance to law in Kerala society is also explored. All these data would be beneficial to analyze the ongoing police reforms in Kerala society, which is the

secondary objective of the study. Semi-structured interviews with various stakeholders like police officers, judges, teachers, advocates, journalists were done to gain deeper insights into the issue.

Modern political structures and institutions demanded rationalization of authority, differentiation, equality, secularization of political culture, fair procedure and the like. But the real ecological setting of Indian society lacked all these features. Reforms will have an effect only if it is addressing the real problems existing in the society. This research is an effort to dig deeper to understand the public attitude towards laws and its main implementation agency, the police force. This study has all-India relevance as Kerala society is a cross section of bigger Indian society.

1.7. Universe of the study

People of Kerala state above the age eighteen years constitute the universe of the study. An estimated population of more than 3.51 crore is the total population of Kerala state in 2023. So more than 2.5 crore constitute the universe.

1.8. Sample size

As the population of this study is huge, a sample of 384 was selected randomly by convenient and judgemental sampling. Formula for calculating sample size is shown below.

$$\text{Unlimited population: } \eta = \frac{z^2 \times \rho(1-\rho)}{\epsilon^2}$$

z is the z score

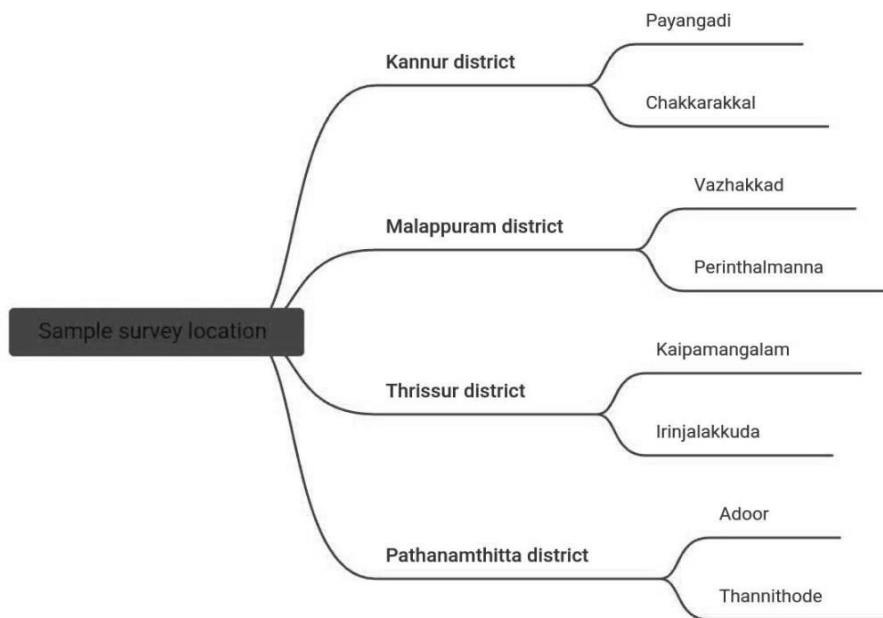
ϵ is the margin of error = 0.05

ρ is the population proportion

Assume a population proportion of 0.5, and unlimited population size. z for a 95% confidence level is 1.96.

$$\eta = \frac{1.96^2 \times 0.5(1-0.5)}{0.05^2} = 384.16$$

Thus for the unlimited population, a sample size of 384 people would be necessary. For effective policing the Kerala State was divided into two Police Zones - North and South Zone and each is headed by an Additional Director General of Police (ADGP). The North Zone comprises districts of Kasaragod, Kozhikode, Kannur, Wayanad, Malappuram, Palakkad and Thrissur. The South Zone comprises the districts of Thiruvananthapuram, Kollam, Pathanamthitta, Alappuzha, Kottayam, Ernakulam and Idukki. From each Zone two districts were randomly selected and from each of these districts two police stations were randomly selected, one in the rural area and one in the urban area. Thus eight police stations are selected. From the area of each Police station 48 persons are surveyed by a judgemental sampling with the demographic profile of Kerala society in mind.



After the data collection statistical tools like Correlation analysis, Chi-square, ANOVA , Tukey Post HOC Test, T-test are used to identify the relationship between variables regarding quantitative data. To facilitate more understanding of quantitative data, charts, graphs and tables are used. Thematic analysis of qualitative data, extracted through semi-structured interviews, focus group interaction and historical analysis are done to conclude. Both qualitative and quantitative findings are combined to validate and complement each other in this study.

1.9. Plan of work

The whole research work can be divided into eight chapters. The first chapter is the introductory chapter which states the foundation, objectives, hypotheses, sampling techniques and literature review. The literature review helped to link past studies in the field and establish research gaps. The second chapter discusses the theoretical framework of the study along with the evolutionary journey of law and justice through ages. The third chapter discusses the issue of law enforcement and policing in Kerala. This chapter analyzes the public attitude towards police and vice versa. The fourth chapter was meant to discuss various police reforms that happened in Kerala overtime. Based on survey results, an analysis was also done about various Police reforms. The fifth chapter is data analysis. The sixth chapter is inferential analysis. Various statistical tools like correlation, Chi-square, ANOVA, Tukey Post HOC test, T-test are used to analyze the survey data. The seventh chapter discusses findings, suggestions, conclusions. Major recommendations were included to conclude the study on the last chapter.

1.10. Limitations of the study

The huge and diverse population of Kerala state was the primary limitation of this study. The study was conducted on a small sample of 384 to represent a huge and diverse population. From the methodology perspective, mixed sampling techniques of both quantitative and qualitative research were used. The police station circle where the respondents reside was randomly selected. Convenient, non-probability sampling was adopted to get almost all major diversity of the universe. This may be a limitation of the study. As far as survey questionnaires are concerned there is a risk of response bias. Many people were reluctant to reveal their true attitude towards laws. The findings of this study should be taken with caution due to the limitations described above. Future research should be conducted with a larger, and more representative sample to address these limitations.

1.11. Major concepts used in the study

Attitude - In this research work attitude is used as a tendency to evaluate some object, person, issue or event. It can be defined as a person's way of thinking, feeling, and behaving towards a particular person, thing, or event. It has got three components - cognitive, affective and behavioral. Attitude can have positive, negative and neutral dimensions.

Civilization - Civilization is used to describe a developed society having art, culture, agriculture, technology and a system of governance. It represents a complex human society characterized by the development of state, society, urbanization, and an economy. Civilization creates power centers and governance. Civilizations have rich cultures that include art, literature, music, and religion.

Civic Sense - It is the awareness and willingness to participate in the civic life of a community or society. Civic sense includes, respect for laws, paying taxes, respectful of others, political participation, community involvement, environmental awareness and volunteerism. It helps to create a more just, orderly and efficient society.

Community Engagement - It is the process of working collaboratively with the community to build relationships and trust. It is the process of involving community members in the planning, implementation and evaluation programmes. It is the way to build relationships between community members and an organization. Community needs and perspectives are considered in decision making.

Compliance to Law - Compliance refers to the act of following laws and regulations made by the state. It is the act of adhering to the laws and regulations of the state. Compliance to law is an essential part of being a responsible citizen. Everyone living in the society is aware of their legal obligations and committed to following the laws of the state.

Constitution - A set of fundamental principles that constitutes the legal basis of a polity. It establishes the structure and powers of the government and the rights

of the governed. The Constitution provides a framework for the government and protects the rights of the governed. It can be written or unwritten.

Constitutional Governance - A system of government in which the powers of the government are limited by a constitution. The fundamental principles of governance should be on the basis of the constitution. The government cannot act outside of the powers that are granted to it by the constitution. The government must respect the rights of the citizens as included in the constitution. By respecting the constitution and the rule of law, governments can create a more just and equitable society.

Corrective Justice - It means the rectification of wrongs that have been done to individuals or groups. Corrective justice is used as principles of retribution and restitution. Punishment should fit the crime and compensation should match the losses. It focuses on the restoration of balance after a wrong has been done. It is focussing on restoring victims to their original position.

Deterrence - It is a strategy of the state to discourage crime by the threat of punishment. By creating fear among the subjects compliance with laws are accomplished. It is a fundamental principle of criminal justice and is based on the idea that criminal behavior can be controlled by threat of punishment. Effectiveness of deterrence depends upon severity of punishment, certainty of punishment and the timeliness of punishment.

Distributive Justice - Fairness in the distribution of goods and services in the society. Fair and equitable distribution of resources, benefits and losses. A fair distribution of goods and resources can lead to increase in social cohesion, reduce poverty and improve quality of life for everyone.

Enforcement - Activity of police department to enforce laws by investigating, finding, deterring, or punishing people who violate the rules and norms governing the society. Enforcement is the process of ensuring that laws, rules or regulations are complied with. It helps to ensure that everyone is treated fairly and the law is respected. It is an essential part of the legal system.

Enlightenment - A philosophical movement that began in Europe in the 17th century, which believed that the world could be understood through reason and observation. It gives importance to reason, individual freedom, tolerance and progress. It helped to lay the foundation of the industrial revolution and the rise of modern government. It was a time of great intellectual and social change.

Justice - In this research work the term justice is used as the fair and impartial treatment of all people disregarding all distinctions. It is concerned with fairness, equity, and the correction of wrongs. There are different theories of justice, but they all share the common goal of treating everyone fairly and wrongs are made right. It helps to create a more equitable society.

Legitimacy - It means the government or authority has the right to rule. People living in the state accept the authority of the government to rule them. Legitimacy may be derived from Tradition, Charisma and Rational-Legal authority. Legitimacy helps to ensure that people obey the law and cooperate with the government. When people believe that the government is legitimate, they are more likely to obey the laws and regulations and work to achieve the goals of the government. It is essential for the stability and functioning of any society.

Liberalism - Liberalism is a political and moral philosophy which gives importance to individual rights, limited government, political equality, private property rights, free market and equality before law. Liberalism sought to replace hereditary privilege, state religion, absolute monarchy, divine right of kings and conservatism. It has been a major force in building the modern world.

Matriarchal System - Women tend to hold positions of power in the society such as family, religion, business and government. Women hold the majority of power positions and authority. Women are often responsible for making decisions in the family and community. The descent traced through the female line is the peculiar feature of the matriarchal system.

Monarchy - A form of government in which a king or queen rules the state. The monarch is the head of the state for life or until abdication. There are absolute monarchies and constitutional monarchies.

Moral values - Moral values are principles that guide an individual's behavior and help him or her to distinguish between rights and wrongs. It can be the standards of good and evil that guide a person's actions and decisions. They help us to lead good and meaningful lives.

Oligarchy - A form of government in which a small group of people holds power. The base of the group may be nobility, fame, wealth, education, religious, political or military control. Oligarchies can be very stable and prosperous, but they can be corrupt and oppressive.

Patriarchal System - Men tend to hold positions of power in the society such as family, religion, business and government. Women were often relegated to subordinate roles, and their rights and opportunities were limited. It is based on the belief that men are superior to women. The descent is usually traced through male.

Peer Pressure - Members of social groups with similar interests, experience or social status likely to influence a person's values, beliefs and behavior. Members of a peer group are more likely to be influenced by dominating beliefs, values and behavior in the group. Peer pressure can be both positive and negative.

Political Modernization - Political modernization is used as a process of change in a political system from traditional to modern. Key dimensions of political modernization are rationalization of authority, differentiated structures, capacity of the system to meet demands, equality, active political participation and secularization of political culture. It is a complex process of change in the political structures, culture and behavior.

Procedural Justice - It is a concept in the field of ethics and law. The key aspects of Procedural justice include fair procedures, transparency, participation, accountability, consistency, neutral and impartiality.

Public - The concept of public is used in this research work as an abstract sense to refer to the general population of a particular society. The public can be a diverse group of people with different backgrounds, beliefs and opinions.

Renaissance - A revival of classical art, science, literature in Europe from 14th to 17th century, marking the transition from the dark ages to the modern age. It was a time of new ideas, new discoveries, and new achievements. It had a profound influence on the progress of humanity.

Trust Deficit - It is the lack of faith or belief in one's government or its leaders and law. There may be many reasons like past experiences, corruption, lack of transparency, and lack of accountability. It has many negative consequences like reduced cooperation, reduced social cohesion, increased conflict and increase in inequality.

Utilitarianism - Utilitarianism is an ethical philosophy which judges every action on the basis of greatest happiness of the greatest number. Goodness of every action is based on consequences. It believes that right action is one that produces the greatest good for the greatest number of people.

1.12. Review of Literature

Literature review is arranged in a thematic setting of literature related to factors shaping compliance with the law, public attitude towards police, police attitude towards public and police reforms in India.

Factors shaping Compliance to law

Tyler (2006) in his book tries to find out the reasons for compliance to law or non compliance to law in American society through an empirical study. Through the study the author tries to establish that there are some factors such as legitimacy, deterrence, morality and peer pressure that influence compliance or non compliance. He found out that American people obey laws because of the legitimacy factor. Tyler and Darley, (1999) an analysis is done in an article regarding the factors shaping law abiding character among people living in a society. They found that

factors like legitimacy, deterrence and morality shape compliance to law. They concluded that deterrence is the least important factor in shaping compliance. Morality and legitimacy are the decisive factors in shaping compliance. In traditional societies it is morality which is dominating. In the modern political systems the dependency factor is legitimacy and it can be cultivated among people.

An article by Benson(1981) describes the attitude of American people about police force and their performance. Author considers the police as the most visible agent of governmental authority. Data for the study was gathered through telephonic interviews. People's rating about the police performance was generally high. But variations are clear on the basis of race, class and political alienated groups. People belonging to Black community were more alienated and their attitude towards police is comparatively less.

Legitimacy

Tyler and Trinkner, (2017) in their book illustrated the role of legal socialization to increase the legitimacy of the political system. Legal socialization is possible through the action of various agencies like family, school, social groups, political parties, law enforcement agencies and judges. Legitimacy of the political system can be cultivated in a society through the active involvement of socialization agencies. Legal socialization will cultivate compatible values and cultures for the political system. Legitimacy of any political system depends on the attitude of people towards law and governance and attitude of rulers towards people.

Paternoster et al. (1997) on reconceptualizing the Milwaukee Domestic Violence Experiment came to the conclusion that following fairness of proceedings by the police authorities, subsequent assault can be avoided. Fair procedure by the police authorities have more impact on aggressors than probable arrest and punishment. Assaulters refrain from violence when they are better treated by the police. Experiment has proven that more than deterrence, legitimacy indicators have more effect on controlling crime. Tyler, (2006) in an article tried to prove that legitimacy as the most important factor shaping public attitude on compliance to law. Because of the legitimacy factor, the people living in a state believe that it is

obligatory for them to follow the laws created by the rulers. Such obligatory tendencies will make the political system more stable. People would be more cooperative with the government. Voluntary compliance with laws will follow overtime. The rewards and punishments associated with deterrence theory are less effective than legitimacy.

Tankebe and Liebling, (2013) offer insights into the relationship between legitimacy and compliance with laws. When people living in a particular society feel that the legal system and legal processes are fair and impartial, people are more likely to voluntarily obey the laws. The effectiveness of the criminal justice system largely depends on legitimacy. They further conclude that the cultural and historical factors shape legitimacy to a particular system. Legitimacy of the legal system promotes voluntary compliance to law. Bingham, (2011) in his book covers issues like rule of law and its importance in a democratic society. Rule of law can ensure legitimacy of the system and which in turn creates voluntary compliance among people. He stressed that rule of law should be a living concept in a country and that will make the system legitimate. Legitimate systems assure voluntary compliance with laws. Hart et al. (2012) book explores the nature of laws, legal system and the role of judges in making the legal system legitimate. They discussed concepts such as obligation, duty and sanction. Validity of laws should be based on its source rather than the moral value or content. A legitimate legal system ensures voluntary compliance among people. Durkheim, (2013) believed that institutions in the society create social facts like laws, customs and moral codes in the society and which shape individual behavior and maintain social order. Institutions create and enforce social norms and which shape legitimacy. Social facts are established and transferred through the process of socialization.

Deterrence

Beccaria, (2016) believed in social contract and surrender of individual rights to the state. State will make and administer laws to control the behavior of individuals. Law and order can be safeguarded in a state by Swift, certain and severe punishments. Punishments should be in proportion to the crime and must be applied

equally among citizens. To make the punishment mechanisms more effective there should be procedural fairness in its implementation. Bentham, (1830) believed that punishments have great utility in increasing the overall happiness of the people. In his opinion punishments should serve as a deterrent to future law breakers. He believed in proportionality of punishments with regard to the crime or damage done through illegal activities. Harsh and severe punishments can deter potential law breakers from engaging in criminal activities.

Becker, (1968) applied economic principles to the study of individual behavior with regards to crime. Human beings because of rationality do the cost benefit analysis before every action. Benefits can be financial benefits or mental satisfaction. Costs involved are severity of punishments, the chances of getting caught, and delay expected in the judicial system etc. Criminals believe that chances of getting caught and punished are rare. Criminal activities in the society can be controlled by police surveillance, severity and swiftness of punishments.

Wilson and Kelling, (1982) described the broken window as a symbol of disorder and neglect in the neighborhood. This disorder further leads to crime and antisocial activities in the society. Their theory is based on the notion that if minor offenses are not properly addressed and taken action on time then it would lead to the complete breakdown of the entire system. Addressing minor offenses at the right time sends a warning to potential offenders. Their theory is underlining the importance of Swift, severe and certain punishments against criminals and that will prevent potential criminals from engaging in crime. Wilson and Petersilia, (2010) have conducted an empirical study on the effect of capital punishment on homicide. They concluded that the severity of punishment could prevent people from indulging in criminal behaviors. Severity of punishments could prevent potential law breakers from doing that.

Wilson and Herrnstein, (1998) argue that some individuals in society are more vulnerable to criminal behaviors than others. They found that hereditary and environmental factors contribute to creating criminals in society. Severity of punishments including death sentence can act as an effective deterrence on such

people. Criminal elements may be transferred to their gene through heredity. Social environment also shapes the criminal mentality among some people. Ehrlich, (1973) explores the deterrence effect of capital punishment on controlling crime in society. Through an empirical study the author concluded that each capital punishment prevents three to eighteen murders in society. Death penalty creates fear among potential law breakers as human beings are rational creatures who do cost benefit analysis before every action. Paternoster et al. (2016) in their work elaborated deterrence theory through cost benefit analysis. It is because of fear of punishment that people refrain from certain things that an individual otherwise wants to do. Crimes in a society can be reduced by apprehending and punishing offenders. Judicial system in a society depends heavily on punishment. Definiteness, swiftness and intensity of sanction prevents a person from committing a crime.

Nagin, (2013) summarizes that the sureness of punishment for a crime is more effective in controlling criminal activities in the society than harshness of punishments. In his opinion increasing punishments will not bring down the crime rate in the society. But if the possibility of getting caught and punishment is certain then that will be more deterring a person from committing a crime. Certainty and surety of punishments will deter an individual from engaging in illegal activities. Sherman, (1993) in an article suggested that deterrence will have an effect on controlling crime only if a fair procedure is attached with it. If fair procedure is not observed while executing punishments then criminal activities in the society will increase. In his opinion punishment mechanisms will have a deterrence effect only if it is executed with a fair procedure. If police and courts are following fair procedures to treat citizens then the crime rate in the society will come down. Piquero, et al.(2011) in their review work elaborated the gap between deterrence theory and practice in controlling crime in society. Authors tried to find out various conditions under which the deterrence factor is more active in controlling crime. Severity, swiftness, and certainty of punishment mechanisms may not be effective in reducing crime rate in the society.

Robinson and Darley, (2004) explained why deterrence theory may not work in the case of habitual criminals. Criminals often do cost benefit analysis with regard to chances of getting caught, low conviction rate and delay in the judicial process. Deterrence factor may not work if the criminals are not aware of the various punishments. Even if they know, they do not mind it because of social, psychological, situational or drug influence. Habitual criminals might have been under the influence of happiness or pleasure that they experience by performing an illegal activity.

Limitations of Deterrence Theory

Cai, (2020) in his article tried to prove that both rehabilitation theory and harsh punishment theory failed to bring down the number of prisoners in America. Successive governments in America tried both theories but the crime rates are increasing day by day. Author concluded that the widening gap between rich and poor, imbalanced educational system, racial discrimination and increased social problems are the major reasons for the increasing crime rates in America. Addressing these social problems could bring down the number of prisoners. Mauer, (2004) in the article tried to prove that a human justice system could effectively address the increasing number of prisoners in America. He established that mass imprisonment could have an impact on crime rate but not as high as the supporters of deterrence theory claimed. Positive social interventions like community policing and restorative justice will have more impact than deterrence. Andrews and Bonta, (2010) have demonstrated that increasing punishment mechanisms failed to bring down the crime rate in American society. Through psychological analysis of human behavior they negate the effect of deterrence on controlling human behavior. They further conclude that deterrence mechanisms create a lot of financial burden on the government. They give more importance to rehabilitation of offenders to reduce criminal activities in the society.

Frase, (2005) tried to substantiate that in order to make the criminal justice system more effective, punishments must be reformed. Severe and harsh punishments should be used prudently and economically. The first part of the essay

described various punishment mechanisms like deterrence, incapacitation, and rehabilitation. The second part is dealing with the idea of reducing retributive punishment to control crime. Harsh correction measures are not good for society as well as the offenders. So adequate precautions should be taken before implementing harsh and severe punishments. Sanction should be in proportion to wrongdoers criminality. Criminal justice system would get more support if the system is following proportionality and uniformity. Tyler, (2001) argued that the motivation to obey laws is not fear of punishments for breaking laws, but rather legitimacy and morality. Procedural fairness is the most important criteria that can cultivate legitimacy to the political system. Lack of trust and confidence in police and court is due to lack of procedural fairness. Low legitimacy leads to greater law breaking behavior among people.

Social Pressure

Milgram & Gudehis, (2009) conducted a series of studies to find out why people obey laws in a society. They found that people are more likely to obey laws if they are having a social network of relationships. People generally don't want to spoil their reputation by disobeying laws when they are living in a social circle. Study revealed that group pressure influences people's attitude towards law. Asch, (1951) concluded that social pressure has a considerable influence on human behavior. People are ready to do certain things because they like it but because of peer pressure. In every society there are certain acceptable behavior patterns and people living there have to follow such behavior traits.

Tyler, (2006) explores several factors which shape compliance to law in a society. He found that in some societies peer and social pressure are influencing people's behavior of obeying laws. People living in a social group have a tendency to follow socially accepted moral values. Cialdini and Goldstein, (2004) in an article highlighted the role of social norms in shaping compliance to law in a society. Every society has its own accepted norms and values which are followed by everyone in the society. People generally don't want to spoil their image in the society.

Personal Moral Values

Cooter, (2000), offers an explanation that internalized norms are more valuable than deterrence based compliance with laws. The basis of deterrence theory is that the rational man calculates the cost and benefits of an action before committing it. This will ultimately lead to law breaking and it is very expensive. If the laws are internalized then compliance with laws is not an issue in the society. Majority people obey laws by conviction and conscience. Warnock, (1996) illustrated that compliance with laws is a moral virtue that every individual living in the society should follow. These moral values of obeying laws should be internalized by an individual from early childhood onwards through family, school, community and society. Apart from family schools play an active role in the internalization of moral norms. Traditional societies largely depend on internalized moral norms for law and order in the society.

Kant, (2005) tried to convey the idea that people obey laws not because of fear of punishments, but because of morality. Moral things are the right thing to do and are universal and applied to all human beings. All moral actions are done for the sake of duty and are based on our autonomy as rational beings. People voluntarily obey laws because of internal motivation created by the morality cultivated deep inside of each individual. Hart et al. (2012) compliance to law is largely based on morality of the individuals. They established that laws are essential for leading a civilized life. Laws will be voluntarily obeyed by the individual if it is based on moral factors. More than deterrence and legitimacy factors, moral factors shape obedience to law among people. It is the cheapest and most efficient way of establishing peace and order in society.

Raz, (2009) argued that the legitimacy of any political system is based on morality, that is promotion of common good. Authority is not based on coercion or force but based on morality. In his opinion, authority of any political system depends on morality. People obey laws only if it promotes common good. Dworkin, (1986) states that legal obligations upon individuals should be grounded on moral values in the society. People are more likely to obey laws if it is based on moral

principles. People are obligated to follow moral values as they are the fundamental principles in society. Compliance with laws is shaped by the moral factor prevailing in society.

Finnis, (2011) argues that there are certain fundamental natural moral values inherent in human beings. Compliance with laws is maximum if laws are based on those moral principles that are inherent in that society. Laws of the state should be created to fulfill the interests of all members of the society. Voluntary compliance with laws will be possible only if it promotes common good. Waldron, (1999) states that the legal system of a country should be based on moral principles of that society and that it should promote the worth and dignity of all individuals living in that society. If the laws of the state are framed according to the moral principles existing in the society then voluntary compliance with the laws will be maximum. People generally obey laws because of moral factors shaping compliance with laws. Gao and Zhao, (2018) explored why Chinese people obey laws and it is empirically proven that morality induced compliance is stronger among Chinese people than legitimacy factor. Second factor shaping compliance is severity of punishments and the third factor is procedural fairness. Further the study established that China is a law abiding society shaped by morality.

Police in India - Problems

Raghavan, (2003) identified main problems with the Indian police force as corruption, political interference, and lack of political will. Over politicization is the main problem affecting the credibility of the Indian police force. Professionalism has been hijacked in the police force. Ruling party utilizes the police force for oppressing political opponents. Bhardwaj, (1978) analyzed Indian police problems to colonial legacy that police are totally responsible for the quality of community life. Police as a major law enforcement agency image compounding the problems. Police community engagement can solve many problems of the police force and the public in general.

Verma, (2005) elaborated why policing is a challenging task in India where the legitimacy of the authorities have been eroded and criminal elements enjoying

patronage, crime, and corruption became the order of the day. The colonial government designed the police system for order maintenance and no direct responsibility to the general public. Police reforms failed because of the lack of willpower of rulers to implement it. Ruling class utilizes the police force to oppress their political opponents. Bayley, (1983) described the stress on Indian police force by partisan politics in India. He established that politicization has contributed to the decline of rule of law in India. Police force became a puppet in the hands of political leadership and they utilized it for political gain.

Albrecht and Green (1977) revealed in a study conducted in America found that a negative community outlook towards police creates police- public polarity. Study was based on data analysis collected from four different samples of western states. The study concludes that the community's attitude towards police is part of a wider intricate attitude towards the system of legal justice structure and does not exist in separation. The inefficiency of the legal justice structure creates a rift between people and police. Maiti (2001) illustrated that there is a common widespread suspicion among Indians that the police force is alienated from the Indian civil society. Indian police lack discipline, honesty and efficiency. The modern Indian police is structured as a defender of the establishment. Chande (1997) made an analytical study regarding the attitude of the government, the political parties, the public, and the media, about the police department. The findings established that the rulers used the police to perpetuate their rule. Srivastava (1999) made an extensive study on the topic of the role of police in a changing society. He examined the reasons for the lack of public support and confidence in the police force in India. He also examined the reasons for the constraints and limitations of the police force.

Lamani and Venumadhava (2013) have made a detailed account of evolution and development of the Indian police force from ancient period to modern period. They found that corruption is the common factor which connects ancient police and modern police. The authors tried to discuss various aspects of corruption within the police force and they also suggest some measures to control corruption among

policemen. Shah (2009) documents the way in which every day hectic working hours and working conditions contribute to human rights violations. This work is a police version of reasons for the police abuse. Indian police are overstretched by workload, political interference to protect criminals, corruption, and lack of cooperation and support from the public. He also added recommendations to change the face of the police force.

Solutions

Tyler(2004) describes that the legitimacy of police will bring cooperation and support of the people and that would ultimately lead to the success of policing. Policing will be successful only if people voluntarily cooperate with the police. Voluntary compliance with laws and the main enforcement agency, the police will happen only if the legitimacy of the police force is guaranteed. Legitimacy can be increased through fair procedure, transparency and equal treatment of people. Procedural justice greatly increases the legitimacy of the police and that contributes further obedience to law.

Levi et al. (2012) have made an extensive survey of New Yorkers about the factors that shape social support for enforcement activities by police. They found that legality and fair process have created more public support for police than other factors like conviction rate and performance. Legitimacy of the police force will have more impact on compliance to law than deterrence factors. Legality and fair procedure from the part of the police authorities gather more social support. Bridenball and Jesilow (2008) in a study tried to point out that there exists a clear relationship between public attitude towards police and the productivity of police. The study was based on an interview of 535 residents of Santa Ana through stratified random sampling and its analysis. Their study concluded that through public contact, police should understand community concerns and address them immediately. So that people would have a positive attitude towards police and that would increase the legitimacy of the police force.

In the article Tyler (2001) has conclusively established that legal authorities like police and courts are evaluated by people on the basis of fairness of procedure

while exercising their authority. Public trust and confidence in legal authorities would be more if they were courteous, considerate, genuine and generous. Courts are often valued on the basis of costs and procrastination. Police are valued on the parameters of regulating crime. But both the courts and police are more appreciated for procedural fairness. Kumar (2012) in his article examines the Janamaitri programme in Kerala state to analyze the impact of it in changing the attitude of people towards the police department. It focused on studying the impact of the programme to change Police - public relations, better behavior of the people and police, greater accessibility, greater sense of security among the people. The study demonstrated the importance of community policing in developing countries. Madan and Nalla (2015) in an article explored the role of procedural justice, police performance, professionalism and integrity in building up the satisfaction level of the people with regard to the police department in India. They examined the citizens' perception of police in India through a survey analysis. Priyamvada et al. (2020) establish that internal security threats emerged within the state and can be effectively addressed by community participation. The application of the community policing concept will be an effective mechanism to fight against internal security threats.

1.13. Research Gap

Compared to the western developed countries not much study had taken place in India regarding the exploration of public attitude towards law and punishment. In the developed world they usually have the practice of creating structures and institutions on the basis of existing culture and behavior. They usually practice evolutionary systems on the basis of reality. Political modernization became a headache for the developing world when they tried to superimpose a modern structure on traditional cultural settings. So the gap for the study has basically emerged on the platform of political modernization. Exploring the attitude of the public towards laws and analyzing how this attitude is in accordance with the expected behavior and culture. Finding out the factors which shape compliance to law in Kerala society and analyzing how far the police reforms are in accordance with the factor shaping compliance with law.

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CHAPTER 2

COMPLIANCE TO LAW - THEORETICAL FRAMEWORK

2.1	<i>Introduction</i>
2.2	<i>Historical Outlines of the Development of Law and Justice</i>
2.3	<i>Factors Shaping Compliance to Law</i>
2.4	<i>Theories Regarding Compliance to Law</i>
2.5	<i>Public Attitude on Compliance to Law</i>
2.6	<i>Public Attitude towards Laws in India</i>
2.7	<i>Conclusion</i>

2.1. Introduction

The journey of human beings from the primitive archaic beginning to the age of artificial intelligence and information technology is rather spectacular and extraordinary. One factor which dramatically changed human life is the creation of laws to regulate and control human behavior. The story of the creation of laws and regulations to control human life was rather evolutionary in nature. It is an evolutionary process deeply embedded in seeking justice. The common platform that links the primitive tribal society and the modern digital society is the presence of laws and regulations. In the primitive societies justice was based on customs and practices and in the modern societies it is in the form of state-made laws, which controls every aspect of human life. Today, in every organized society, order, justice and harmony are built upon laws. We used to celebrate the saying that the laws are the foundation stone of entire human civilization. Laws provide a framework that defines acceptable behaviors, sets boundaries for human actions and outlines consequences for non-compliance. The existence of laws to regulate and control human behavior is the foundation of all development.

The value of laws in the development of human life can be easily perceived by looking around the life of other creatures. All other creatures continue their age-old practices and way of living for ages. The first lion on the earth lived and behaved exactly the same pattern as today's lion. No change in the way in which it catches its prey, the way in which it kills, it tears the flesh, the way in which it consumes it. This is true about all other creatures except human beings. The superior intellectual abilities compelled human beings to better ways of living. Improved quality of living is always associated with peace and order. Peace and order is associated with justice. Because of their superior intellectual powers, human beings realized the importance of rules and regulations to establish peace and order. To execute any game, rules are necessary, likewise human beings realize the importance of laws and regulations for a better existence.

Civilizations have been created on the foundation of law and justice(Sandel, 2019). It would not have been possible to lead a life that we enjoy today without the

power of laws and governance. The concept of justice further strengthens civilizations. Justice is deeply rooted in laws and regulations. The existence and continuation of any civilization depends upon how it addresses the idea of justice. From the historical experience it is proven that if justice is ensured to all members of a society, then the possibility of continuance of that civilization is more. The history of law and justice is a journey from primitive, pastoral, archaic life of human beings to the modern, information technology man. On that journey, he experimented with many institutions, philosophies, 'isms', governments and administrative systems. The purpose behind all experiments was one, to lead a peaceful and comfortable life. On that journey, he realized, peace and order is possible only if justice is assured to all. To ensure justice, laws and rules are necessary.

In this chapter mainly five themes are discussed. The first part deals with the historical outlines of the development of law and justice among human civilization, from the primitive ancient period to one dealing with modern constitutionalism. It's the journey of evolution of human society from simple archaic society to the creation of a national state system and beyond. The second theme is the concept of compliance with the law and the various factors influencing compliance to law. The third part deals with various theories developed during the course of the journey of human beings towards civilization and justice. Why human beings obey laws is being explored by various theories regarding compliance to law. The fourth part deals with the public attitude towards compliance to law and examines the various factors shaping public attitude towards law. And the fifth part deals with the public attitude towards law and justice in India. India had a profound history of thousands of years of self rule and comparatively a short period of colonialism. The attitude of people of India towards law and justice are shaped by multiple factors. An analysis is done to find out which theory regarding compliance to law is applicable to Indian conditions on the basis of public attitude towards laws. Stress of the political modernization process in shaping compliance to law in the Indian society has also been analysed.

2.2 Historical Outlines of The Development of Law And Justice

2.2.1 Meaning of Law

The concept of law refers to a system of rules, regulations, and norms that control the behavior and conduct of individuals, organizations and government within a country. Laws are mechanisms to control human behavior. If each individual is behaving as if he likes it, the result is disorderliness and chaos. Today, human life is characterized by predictability, compared to other animals' lives. Laws and governance have given that predictability. If human beings could sleep comfortably inside their home, it's not because of the power of doors and windows. It's because of the power of laws and governance. It's out of that power we are traveling, it's because of that power that nobody is hurting us. It's not because of our strength, it's because of the power of laws, that we are celebrating our life. If there is no law and order, then survival of the fittest will be the natural law governing us. All other creatures except human beings are destined to live a life according to the natural law.

Today, if we could discuss development, it is possible because of the predictability given to our life by the laws. When human beings are living in a society, some form of control is necessary. Since human beings are social, laws and regulations are inevitable. Human behavior is being regulated in such a way that one individual is not a threat to other people living in the society. So long as everyone living in a society is following laws and regulations then there is justice for everyone and that society is likely to exist for a long time. Developmental instincts of human beings compelled human beings to observe and follow laws and regulations(Miller, 2019).

Earlier laws were in the form of customs and conventions. The Patriarchal and Matriarchal systems were created and controlled human behavior within the family. Religious values also created laws and regulations for its followers. Later with the establishment of state and polity, laws are framed by the state. Earlier, Monarchy was the system of governance and the king created and executed laws and regulations. Monarchy was replaced with rule of few and many to deliver justice and

governance effectively. Later with the establishment of modern democratic governance, specialized bodies of legislative, executive and judicial bodies were created to make, execute and interpret laws. With the establishment of constitutional limited government, rule of law replaced rule of men. So today every nook and corner of the world is under the governance of laws. The entire humanity is chained by laws and regulations and which become the foundation of freedom for all.

2.2.2 Order to Flourishing: the Power of Laws

Laws ensure a social order by setting an acceptable behavior for individuals and communities. A social order is created by regulating the behavior of individuals. Laws define the boundaries for human action. Do's and don'ts are set by laws and each individual is expected to follow laws. Certain limit was put on the actions of individuals to protect the freedom of others living in the community. Freedom of each is ensured by limiting others' actions. Laws establish standards of conduct and behavior, separate rights and responsibilities, and serve as a means to resolve conflicts. Laws ensure individual rights and freedoms (Paine, 1792). Such a legal framework is essential for the establishment of a civilization.

Civilizations would last long only if it ensured dignity, equality and justice for all. Whenever people live together there arises the possibility of conflicts. Laws ensured a conflict-resolving mechanism. In the modern period rule of men is replaced with the rule of law. The Rule of law ensured peace in the society. Modern legal frameworks provide conflict-resolving mechanisms. Laws limit powers of individuals as well as the rulers. In the modern period, economic development of a country is closely associated with the administration of laws. Laws create social cohesion within the society by ensuring justice for all. Laws generally define crimes and set punishment to deter people from doing it(Beccaria, 2016). Punishment mechanisms discourage people from committing unlawful activities. So we can say that modern civilization is largely indebted to rule of law for the establishment and maintenance. Laws and regulations promote social harmony, protect fundamental freedoms, ensure conflict-resolving mechanisms and ensure progress and

development. Let's examine the evolutionary journey of law, justice and governance from early civilization to the current world.

2.2.3 Egyptian Contribution to Law and Justice

In order to trace the evolution of law, we have to look back to the early civilization. We have a civilizational history of Greek, Mesopotamia, Indus and Chinese. It is beyond doubt that the growth and development of all these civilizations happened because of some form of order and governance (Kennedy, 2011). Order and peace are possible only if some laws are being practiced. In the early period, it can be customs, usages or practices that have occupied the space of laws. It is beyond doubt that the development of civilizations is closely connected with laws. The earliest written law codes come from Mesopotamia, the land between the rivers, the Tigris and the Euphrates rivers, which were the cradle of civilization. Human Civilization is thousands of years old. Humans invented agriculture some 12000 years ago, and agriculture was the foundation for large and complex states. These states had complex forms of social organization and permanent institutions, permanent forms of authority and power (Harari, 2014).

Long before humans formed states they lived together in societies and these early human societies had customs and which brought order. Customs were an early form of laws. But the change of agriculture and the rise of states meant that laws could be made; and laws were enforced by the state. Egyptian law dating back to 3000 BC was based on 'Maat'. In ancient Egyptian society 'Maat' refers to the concept of truth, balance, order, harmony, law, morality and justice. 'Maat' was actually a goddess, who personified these concepts and regulated the stars, seasons and the actions of all living and non-living things. It was believed that 'Maat' had brought order from chaos at the moment of creation. 'Maat' represents the ethical and moral principles that everyone was expected to follow throughout their daily lives. King would describe himself as the personification of 'Maat'. 'Maat' controls all things together in an indestructible unity. Those who break its orderliness are punished. Primitive states gave importance to ethical and moral values in the society. 'Maat' called the wealthy to help the less fortunate, give bread to the hungry,

and cloth the naked. Growth and development of Egyptian civilization happened out of its Orderliness (Shaw, 2003).

2.2.4 Contribution of Mesopotamia

In Mesopotamia, the ancient Sumerian ruler Ur-Nammu fabricated the first law, the Code of Ur-Nammu, before 2200 BC. It includes provisions like fines as compensation for personal injury. It deals with the daily issues of the people living in that society (Mallory, 1992). In Babylonia around 1760 BC, the king Hammurabi codified the Babylonian law and inscribed it in stone. The Code of Hammurabi is one of the earliest and most complete written legal codes in history, and it had a significant influence on the development of law in other cultures. It was believed that Hammurabi received the code of justice from 'Shamash', the Babylonian God of justice. There are altogether 282 laws in the Code of Hammurabi. These laws cover a wide range of topics, including criminal laws, civil laws, and family laws. The laws are written in the form of "if-then" statements, such as "If a man steals an ox, he shall be put to death."

The Code of Hammurabi prescribed specific punishment for each category of crime. It ordained severe physical punishment for the perpetrators. "If a man puts out another man's eye, his eye too shall be taken off"- the law code of Hammurabi. The laws were enforced by Hammurabi, who stated in the preface to his code that he was chosen by the God 'Marduk' to be the king of the Babylonians. He announced that he would promulgate this law to protect the rights of the oppressed. So from the ancient period onwards people valued the importance of deterrence to bring order and peace in the society. This is a repetitive theme throughout the history of justice; that the law be fair and clearly important, that it be given in the name of the oppressed. The king who claims to seek justice by following a law that protects the oppressed. So the shift from "power" to protecting the weaker in society is clear. The law code includes procedural rules, contract rules, liability rules, family rules, etc. It is based on the principle "the punishment should fit the crime". The court should dictate a punishment on the offender which is exactly and literally the same as the offense he committed. So from the ancient period onwards people valued the

importance of deterrence to bring order and peace in the society. Most of the laws of the land arose out of customs. The king observes the customs of the society(King, 1912).

2.2.5 Homer's Iliad- A Poem of Justice

Homer's Iliad is a poem of justice. It's a story about the advance of justice. A crime and the chase of vengeance serve as the background of the story of Iliad. The poet Homer says, justice is something more than vengeance, and corrective justice is not simply revenge. Homer lives on the borderline between the dark ages of Greece, when society is stateless and there is no clear government. It's a warrior society organized around warrior households which is deeply primitive, agricultural, pastoralist economy with little trade, with no writing, with no written law and in which all affairs are basically private. Even the consequence of murder is considered purely private and the retribution for homicide is revenge. Revenge is basic to the law in that society. He portrayed a society without jails, without judges, without police(Fagles & Knox, 1991).

One message from Homer's Iliad is, the state of civilization is better. It represents progress towards a just society. It is a type of society that has a government, with formal, permanent institutions, and written laws. In the advanced stage, the state acts as an intermediary between the murderer and the murdered. Murder is still considered a personal wrong. It is still a wound between two parties - the killer and the victim. In a slightly more advanced stage, which we might consider the third stage, murder is seen as more than a private matter between two parties. Crime is considered as a public thing and the institution of third-party prosecution was born. It represents the evolution of civilization to a fairer system. Crime is seen as a violation of the social fabric of society. Then, in the fourth or advanced stage, which is more familiar to us, appeared. The police investigate the crimes and the prosecutors determine the punishment according to the principles of the rule of law(Finley, 2002). Homer's Iliad picturised the wonderful transformation of traditional lawless society to a society based on law and justice.

2.2.6 Law Code of Draco

The law code of Draco reflected the social and political conditions of ancient Athens. It is one of the earliest attempts at codifying laws in ancient Greece. Overtime, some of Draco's laws were reformed by later Athenian lawmakers. The law code is related to the name of the king, Draco, and in fact we get the word "Draconian" from it, which means extremely severe, because the laws of Draco provide exceptionally severe punishments for almost every type of crime. The main issue that Draco had to solve was the issue of violence in the society. By codifying the laws, Draco made the state as the final arbiter of justice in all cases of homicide. Now homicide cases are judged by a body of magistrates. And Draco's homicide law gives mediation to public bodies, fixed fines and penalties. Draco believed that severe and harsh punishments can establish peace and order in the society. The punishments were incredibly severe and in proportion to the crimes. One positive aspect of Draco's code was its emphasis on equal treatment under the law. Regardless of social status the laws are applied equally among all citizens(Gagarin, 1986).

2.2.7 Ancient Athens - Pioneering Democracy

Athenian democracy began to take shape in the sixth century BC. Athenian democracy was shaped at its beginning by one of its most formidable figures: the great Athenian legislator, Solon. The Athenians were ruled by an oligarchy before the rise of Solon. In the earlier period, the king had executive and judicial powers, but the king had no legislative powers to make laws. He was only a judge who collected customs and executed justice on the basis of it. But during Solon's Greece, a new phase began, the birth of the state legislation. The idea that society can make its own laws by the state. In Athens, during his time, the society was divided between the rich and the poor in which the wealthy landowners were effectively in control of the society. In 594, Solon was elected chief magistrate and he reconditioned the Athenian constitution, which was at that time a true oligarchy, to a democracy. He created new rules like third party prosecution and state made laws. Homicide law evolves from being a purely private matter of revenge, to a publically

mediated system. That makes crime public, and Solon in fact says that he would wish that if a crime was committed that any member of society would feel like they were victims. He codified laws and made the legal system more transparent and accessible to all citizens. He also created an appeal to trial by jury. Athenian juries, were enormous popular juries on which any individual citizen regardless of property rank could serve, would be one of the foundations of democracy(Ober, 2006). The reforms of Solon in 594 set the Athenian constitution on the path towards democracy. Reforms related with the election of officials and the administration of justice (Raaflaub, Ober, & Wallace, 2008).

2.2.8 Sophists - Teachers of Wisdom

The radicalization of Athenian democracy made it the cultural capital of the world during the 5th century BCE. It saw a boom in creativity, literature, philosophy, architecture, history and countless other areas of life. Part of that Athenian intellectual atmosphere was the rise of the sophists. The word sophists comes from the word "Sophia" which means wisdom. The sophists are lovers of wisdom, teachers of wisdom. The sophists came to Athens and are radical teachers of a new kind of philosophy. Sophists challenged the idea of absolute and objective truth, including morals and legal truths.

Sophists are something like scientists, they contemplated the nature of the cosmos. They have ideas like the sun is made of fire, ideas like all matter is composed of atoms, indivisible units. Their new science threatened the fabric of the old social order and its traditions. Socrates, Plato and Aristotle are responding to the challenge of the sophists in their own way. Sophists were the first to articulate some fundamental questions about justice in society. The sophists are an intellectual movement, and they would raise fundamental questions about the nature of morality and justice that have reverberated throughout the rest of human history. The two terms fundamental to the sophists' thinking are 'nomos' and 'physis'. Nomos means law or custom. Physis means nature. Sophists gave importance to the nature of everything. Sophists emphasized practical wisdom and the importance of adapting to the needs of a particular situation. The sophists challenged Greek traditional

morality(Guthrie, 1969). Later thinkers like Sophocles disagreed with the sophists in his 'Antigone', the great Greek tragedy. In Antigone, Sophocles upheld the view that even the laws of the king can be disobeyed if it is against custom or traditional morality(Kitto, 2011).

2.2.9 Socratic Vision of Law

Socrates was an Athenian moral Political philosopher in the classical Greek period. Socratic vision of laws was deeply influenced by his commitment to seeking truth, wisdom, and moral virtue. He believed that laws should be just and aligned with ethical principles. Socrates revealed by questioning the beliefs of ordinary people about morality and virtue. Socrates seems to teach that all virtues are reflections of wisdom. Socrates achieved great fame through his public philosophy. People know about Socrates' philosophy through the writings of his own student, Plato.

In 399 BC, Socrates was accused of three charges: corrupting the youth, introducing new Gods, and not worshiping the state God. In the midst of democratic Athens, Socrates was brought before a jury of ordinary Athenians. Socrates was accused, and he defended himself, his tradition, his moral life. Socrates was not prepared to change his ways or apologize for his philosophy. Socrates was convicted and sentenced to death. Socrates' views on laws were amazing. The sanctity of state laws should not be allowed to be broken even at the cost of his own life was his view. Breaking a law means you are destroying or attacking the country. You owe your existence to the country, even more than to your parents. For the first time in the history of mankind, a man emphatically expresses the supremacy of state and state made laws (Kraut, 1984).

2.2.10 Platonic Justice

Plato's Republic is a text that combines ethics and politics. In the Republic, Plato creates an ideal imaginary society where justice reigns. The Republic makes three fundamental contributions to law justice. One, The Republic says that justice is more than simply a contract, not to harm each other. The second fundamental

contribution is that the Republic recognizes justice as a way of life by declaring that the state is individual writ large. And the third contribution of the Republic is as a statement about the importance of the common good. The Republic envisions a society that aims at the common good, the shared good. The logical conclusion of the Republic is the idea that the common good is the highest good. Plato had witnessed the failings of democracy; the dangers of democracy. Plato's Republic looks to create an ideal constitution that would guarantee the pursuit of the common good (Bloom & Kirsch, 1968).

The pursuit of justice in Plato's dialogue "The Republic" begins in conversation with Cephalus, who says justice is doing no harm. It continues with the challenge of Thrasymachus, who says justice is the interest of the strongest in society. It has nothing to do with morality or tradition. The dialogue continues with another interlocutor, Glaucon, about what is morality? What is good? Glaucon offers the idea that some things are good in and of themselves, and some things are good because of their consequences. Justice is good because it has good consequences is the position of Glaucon.

The rest of the Republic is Socrates' response to Glaucon. He tried to defend a position in which justice, in which all of morality is somehow that which is good in and of itself - independent of its consequences. Glaucon says justice is obeying the law, and the laws are created out of self interest in competition. Individuals create laws to keep each other from harming one another. Society is this sort of mutual agreement of not doing harm to one another. Therefore, Justice is obeying the laws that come out of this compact. Justice is good because of its consequences. Justice is good because it prevents us from harming one another. Justice is simply obeying the laws that we have created because you want to avoid the punishments. Justice is simply a set of conventions that we obey not because they are good in themselves, but because we fear the consequences of disobeying the law (Bloom & Kirsch, 1968).

For the rest of the dialogue in the Republic, Plato pursues the idea that in fact justice is good in and of itself. Plato says that the foundation of human society is

mutual need and differences in ability of individuals. The ideal republic would have three classes; the rulers, soldiers and workers. In this society there would be a small set of rulers who would be the best, who would have the abilities that would allow them to guide the state. The ruler in Plato's ideal state is philosopher King. There would be a class of auxiliaries or soldiers who serve a protective function. They enforce the rules and serve a military role. And then there are workers, the common laborers who produce the agricultural products that will feed and nurture the society. Differences in ability translated into different roles and these differences allow individuals collectively to pursue a greater good. Ruling classes have no private property and private family. State should be a community to pursue common good. So among ruling classes there exists a community of property and community of wives. The women and children should be in common. There exists a system of education to support this establishment.

Plato tried to make a connection between political morality and individual morality by saying that the state is individual writ large. He made a city-soul analogy that runs throughout the central book of the text. The individual soul has three parts; reason, spirit and appetite, corresponding to this the state has got three classes; rulers, soldiers and commoners. Plato says that the individual, like the city, is just when these three elements are in harmony. Justice is a sense of inner harmony and balance in the human soul. A just individual is one whose reason rules over their desires and appetites. Justice is achieved when individuals and classes prioritize the well-being of the entire community over personal interests. Plato tried to establish that justice is good in and of itself when a state has achieved a state of harmony among its three classes (Bloom & Kirsch, 1968).

2.2.11 Aristotle's Concept of Law And Justice

The great Greek political philosopher Aristotle, was the founder of constitutional analysis. He analyzes the nature of political societies and provides a scientific basis for consideration of constitutions. The Greek word for constitution is 'politia', means way of life, set of laws, set of orders, way of ordering political life. In book one of Politics, Aristotle describes the origin of the state. Aristotle says that

the human state is an association that exists by nature. State is not a convention, it's not a creation of human action; it's not a creation of human will. It's something that exists by nature. State is an association. State is a group of humans that are bound together in a certain way.

The seed of the state is the family. Family is natural. Humans naturally exist in reproductive units in order to continue the generation of the species. Out of family though, humans began to band together into villages out of mutual need. The villages, in fact, band together to form the polis, the city-state. So the state is the sovereign unity that forms out of the very nature of human beings. So human beings are 'zoon politikon', that is we are natively suited to live in a polis. Aristotle says that human beings alone have two faculties that make them suited to live in a polis: they have speech, and they have moral reason. No other animals have moral reasoning in the way that human beings do. Human beings can recognise injustice. He further says because of these natural capacities, humans can only flourish, they can fully achieve their excellence, only in a state.

Aristotle says state is a unit that exists by nature to promote human flourishing. That the state is an association that has a purpose, that purpose is 'eudaimonia' means flourish (Lord, 2013). Aristotle's constitutional theory focuses on the forms and functions of the constitution. He also classified various constitutions as ideal types. He adopted two criteria for the classification. One, the number of people who exercise power and secondly the end or objective of the state. There is a correct and deviant version of rule by one, few and many. Aristotle's correct form of government constitutes rule for the common good. His deviant form of government constitutes rule for the governing's narrow interest. In Aristotle's classification, democracy has negative connotations, the people, the common people rule in their own interest. Aristotle's political philosophy is based upon the idea that power and property should be distributed according to merit, according to excellence (Pakaluk, 2005).

2.2.12 Oriental Concept of Law And Justice

Ancient India and China had their own independent schools of legal principles. 'Dandaniti' dealt with the principle of law and justice in ancient India. Errant elements in the society were suppressed by severe punishments was the central theme. Kautilya's Arthashastra, around 400 BC dealt with so many areas, like government, law, civil and criminal court systems, ethics, economy, market, trade, diplomacy, war, duties and obligations of a king. Only a powerful king can protect his subjects by maintaining law and order. He had given importance to external relationships with other states as well. He explores minute details of state administration along with issues of social welfare and collective ethics(Kangle, 1986).

Manusmriti, can be considered as the crystallization of an accumulated knowledge in ancient India during 100 BC. It is in a dialogue form between teacher and students, who are eager to learn about the various dimensions of dharma. Manusmriti represents a set of rules ever actually administered in Hindustan. It created a social order which is hierarchically arranged castes based on 'Karma phala' philosophy. Your position in the society is determined by the accumulated results of the past deeds. Each caste is expected to perform their duties voluntarily. The primary duty of a king is to establish dharma in the society. When a caste man is performing his expected task voluntarily, dharma is done (Doniger, 1992).

2.2.13 Cicero's Legacy: Reinventing Law

Cicero, who lived from 106 AD, became one of the central political figures of the late Roman Republic. He is a philosophical figure who introduced the tradition of Greek political thought to the Roman world. Cicero's philosophical system is deeply ethical. He is an important representative of virtue theory. He believed that a good life is a virtuous life. Cicero is a theorist of justice and considers justice as a virtue. Justice is a human quality that we cultivate within ourselves individually and collectively.

Cicero says that justice consists of four qualities. He says, justice is first of all, not harming others. Secondly, Justice means respecting property rights of other individuals and of the Republic itself. Thirdly, justice means fulfilling your pledges. Justice is keeping your word. Fourthly, justice is doing benefit for others according to their worth and your ability. For Cicero, the just person is one who cultivates these four qualities within themselves, and it is this kind of person who is a good man or a woman and a good citizen (Everitt, 2003). The ethical philosophy of Cicero underlined the importance of a society based on law and justice.

2.2.14 Legacy of Roman Law and Legal System

The age of Alexander was the beginning of an age of empires. The ‘polis’ itself would retreat behind the power of much larger political structures that would rule over vast territories. The enormous period of Roman influence can be classified into different phases: the Monarchy, the Republic, and the Empire. The Monarchy, which traditionally lasted from 753 BC to 509 BC, is the early period of Roman history when Rome was a truly primitive cattle town of not more than a few thousand people at the most. From 509 BC to 31 BC, we called the Roman Republic. It's the age when the Romans live without the rule of a Monarch, without a king. It's one of the longest experiments in all of human history of a civilization that tries to live without a single ruler, without a king. All people living in the state identify the state as a commonwealth; a common property and that they are ready to sacrifice their everything including life for the protection of the state.

In 31 BC, a Roman general began to consolidate his single rule. So this period of Roman history, beginning in 31 BC and lasting until the fall of the Roman Empire, which we might consider to be the 5th century AD, we call the Roman Empire. It is an extraordinary period when Roman culture, Roman values spread throughout the Mediterranean world and made Latin, the basis of European culture for centuries. The Romans have an enormous part in the history of law and justice. Roman law is itself the foundation of many continental legal systems up to this day, and it has an extraordinary influence even beyond Europe. The influence of Rome can be considered broadly in three terms: the influence of the idea of the Republic,

the idea of Roman law, and the influence of Christianity as a universal religion(Stevenson, 2004).

The legal system of Ancient Rome spread across a period of a thousand years from the twelve tables of 449 BC to the Corpus Juris Civilis (529 AD) by Roman Emperor Justinian 1. Justinian undertook a great act of compiling and systematizing the Roman law. During his reign he issued a compilation that synthesized hundreds of years of legal tradition into an orderly and easily grasped single whole. Justinian issued three texts that would synthesize the great body of Roman law. Roman law became the basic framework for civil law. Roman law served as a basis for legal practice throughout the western continental Europe. Later when colonial rule spread to other countries, Roman law also spread.

Romans contributed that the law should be written in order to prevent the magistrates from applying the law arbitrarily. The law of the twelve tables is the first legal text in Rome. It contained specific provisions designed to change the then existing customary laws. Roman law developed in the Republican period, it became more complex, more sophisticated. Roman law developed with Roman society. Rome's most important contribution to European legal culture was the emergence of a class of professional jurists and of legal science. It was a period of extraordinary prosperity and it was a period of law. They placed tremendous authority in the figure of the jurist. The Roman period is an age of rule of law and an age of individual freedom. There is a classical Roman law that says: freedom, 'libertas' is the natural power of a man to do as he pleases. That is the ideal of the rule of law under the Roman emperors. They believe that they protect the freedom of ordinary people across the empire by enforcing the law(Watson, 1991).

2.2.15 Faith and Jurisprudence

Side by side with these developments in the state-sponsored law, various religions throughout the world contributed to the emergence of law and justice. Early Greek, Indian and Roman people were polytheists. Judaism brought out monotheistic religion in the ancient period. Ten commandments are an earlier example of religion replacing state in terms of law and justice. The ten

commandments are a guide on people to lead a virtuous and moral life. Religion often prepares human beings for life after death. The detailed description of heaven and hell in the religious textbooks is to compel individuals to lead a virtuous and moral life.

After Judaism, Christianity also contributed to law and justice. The story of Jesus is part of the history of the Roman Empire, and the teachings of Jesus which would become the core of a new outlook. To understand the significance of the teachings of Jesus for the history of law and justice, we can identify three core teachings that would forever impact the history of law and justice. One is the idea that 'righteousness is the purpose of life. Two, the idea that all human beings have fundamental dignity and three, the idea of universalism.

The sermon on the Mount starts with the statement that the blessed are the poor, blessed are the meek. Jesus announced that he is teaching a kind of social valuation that fundamentally overturns the values of this society. Jesus values the poor, the outcastes, the prostitutes, in a way that is highly unfamiliar even to Greco-Roman philosophy. For Jesus, righteousness is the end of life. Morality is about internal transformation and motivation. The teachings of Jesus are fundamentally spiritual and emphasis on love of others. Paul says, in Jesus Christ, there is neither Jew nor Greek, free nor slave, male nor female. That is a radical change in the ancient world.

Further, Islamic laws and jurisprudence developed during the Middle Ages also contributed to the legal systems. Islamic laws mainly derived from the Quran and Hadis. Those who follow the teachings of prophet Muhammed will be blessed by having a place in heaven. And those who violate the moral laws will be perished in hell. In India, Manusmriti and other dharmasastras offered Hindu, the ideals of law and justice. Hinduism is rather holistic in nature and accommodates all living and nonliving things in the system of justice. The destiny of every creation is embedded in its own karma. Karma and dharma explained every aspect of life, not only of humans, but all creation. Birth, death and rebirth will continue until all the

accumulated 'karmaphala' has gone. It is the same 'spirit' that emerges as different forms of life.

2.2.16 Insights of Social Contractualists

The Renaissance spirit awakened Europe out of the dark ages. The Dominance of reason over faith contributed to the evolution of art, science and philosophy. Questions regarding the evolution of the state, individual rights, and the relationship between the two are dominating the scene. Philosophically a new school of thought emerged, the social contractualists, who explained the above mentioned ideas quite astonishingly.

The Leviathan of Thomas Hobbes is a profound defense of royal power. Hobbes offered an account of why the king's power in this society was just, legitimate, authoritative, and sovereign. It represents a fundamental turning point in the history of thinking about law and justice. In the Leviathan, Hobbes turned against Aristotle in two fundamental ways; one, on the origins of political society and two, on the end of human life. Aristotle says that man is a political animal and the state itself is natural.

Hobbes says that the state does not exist by nature. State is a creation of human beings. By nature, humans are in a stateless condition. In the state of nature, humans are motivated by self-interest, they are motivated by glory, motivated by power, self-preservation and their desires. And this inevitably brings them into conflict with one another. So for Hobbes the original state of mankind isn't political; it's in fact competitive. People are isolated and they are at war with each other. Hobbes has a very bleak view of what motivates human beings, it's their self-interest, it's their desire for self-preservation. Humans in the state of nature came together and formed an agreement to vest sovereign authority in a single government because of their self-interest.

Humans agreed to invest their power, to surrender their natural liberty to a sovereign who would protect them. So for Hobbes, state is a creation of human beings driven by their self-interest, by their desire to come out of this condition of

fear, and of war of all against all. Hobbes gives a vision of why a sovereign power like a king is a just situation. The second great departure in Hobbes philosophy from the tradition of Aristotle is in his vision of what the human being is and what the purpose of the human being is. Aristotle's politics are based in his teleological view of nature. Aristotle believes that things in nature have a 'telos'; they have an end, a purpose, an aim towards which they tend by their nature, and it is true of human beings. For Aristotle, this telos for human beings is 'eudaimonia', happiness or flourishing. For Aristotle, flourishing, happiness is the life lived according to virtue through the use of reason.

Hobbes turned away from this vision. In the *Leviathan*, he says explicitly, there is no ultimate end. There is no highest good. Because our desires are continuous. Felicity or happiness is the continuous pursuit of desires. A materialistic view of human beings as a creature with desires that will struggle with other creatures over finite resources like property and glory. *Leviathan's* authority is absolute and the subjects do not have a right to disobey, abolish, or overthrow their sovereign government. The power of *Leviathan* is not incompatible with their freedom. Justice for Hobbes is only obeying the laws of the state. Law is only the creation, that is the convention of human beings to escape the miserable state of nature. Justice is obeying the laws that exist. Hobbes *Leviathan*, the sovereign's role is to bring peace, to bring civilization, to bring order to the unruly anarchy of human desires (Gert, 1972).

John Locke, another English philosopher, defended a vision of constitutional governance and individual freedom. Locke begins by arguing like Hobbes that humans exist in a state of nature. He emphasized that people in the state of nature are free and equal. They have rights to life, liberty and property. The state is created in order to secure these rights. Locke sees the origins of the state in an act of agreement, in a compact or contract created among the individuals in a society. For Locke, the fundamental act of creating a civil government is an act of individual consent, by which people surrender some of their rights and their powers. So

Locke's vision of a contractual agreement between individuals to create a state is the beginning of the modern tradition of liberalism.

Locke says, property pre-exists the state and the state is created to protect property. God created the earth and he gave it in common to all human beings, but individual human beings own themselves. Locke's view has been called a theory of possessive individualism. In the state of nature, the earth is given to humanity as a whole, individuals own themselves and they begin to mix themselves with nature through the use of their labor. So humans have rights, they have claims to the things that they have made out of their labor. State in fact, called into existence in a social contract in order to protect the claims to oneself, and to one's labor, and to the fruits of one's labor(John & Peter, 1960).

2.2.17 Utilitarian Ethics

Utilitarian ethical philosophy basically believed that the purpose of the state and its laws are to bring maximum happiness to the maximum number of people. Utilitarian philosophy was an enlightenment product. The fountain of the Scottish enlightenment was Francis Hutcheson. Hutcheson's thought is crucial for the development of 18th century thinking, especially about the nature of justice. Hutcheson belongs to the tradition that says that happiness is virtue. Hutcheson defended the idea that virtue is a genuine kind of benevolence, not a kind of self-interest in disguise. He invented a sixth and seventh sense. The sixth sense is a perception of beauty. Humans have some kind of faculty within us that perceives beauty, that is somehow innately part of our individual architecture as a human being, and that leads us to appreciate beauty for its own sake. Even more important for a philosophy of justice is his seventh sense, the moral sense. He thinks that human beings have a kind of natural morality.

Hutcheson argues that happiness isn't simply pleasure, that happiness isn't simply the sum of a kind of positive physical sensation. His philosophy would defend the idea that there is virtue, there is a morality in and of itself that can be cultivated in human beings. He believes that the governments are created in a social contract to protect individual rights like life, liberty, and property, and that the

purpose of the state is the protection of these. He is the first person to articulate a formula for morality. That act is moral which promotes the greatest happiness for the greatest number(Hutcheson, 1993).

Cesare Beccaria's systematic statement of the principles governing criminal punishment were published in his great work 'Dei delitti e delle pene' in 1764. The work represents a major advance in criminological thought. The main theme of the book is founded on the utilitarian philosophy that the government should stand for the 'greatest good of the greatest number'. The objective of the penal system in his opinion is to achieve a balance between severity and law and order. The severity of punishment is to maintain security and order in the society. In his opinion the effectiveness of the criminal justice system depends on the certainty of punishment rather than its severity. Penalties should be in proportion to the degree of offense. Beccaria's theory exerted significant influence throughout the western Europe. However, he was against capital punishment. Beccaria believed that human beings are rational creatures and apply it toward making choices(Young, 1983).

A new way of thinking about the nature of law and justice is systematized by Jeremy Bentham. Utilitarianism in some ways can be said to go back to Epicureanism in the ancient world. Epicurus, who was a hedonist who believed that the only calculus of good was the presence of pleasure and the absence of pain. In the opinion of Jeremy Bentham, a law is just that produces the greatest amount of happiness for the greatest number. Human beings are ruled by two sovereign masters: pain and pleasure. Bentham's idea of utilitarianism draws out the tendency of the enlightenment to focus on happiness and refocuses on the word, 'utility'. Utility means a whole vision of what is good. Utility is measured purely by the presence of pleasure and the absence of pain.

Bentham's utilitarianism is a highly universalistic, progressive and egalitarian way of thinking about morality. The utilitarian calculus says that what matters is the result, what matters is the consequence. There aren't somehow rights or duties that are inherent in the nature of the rules themselves. What matters are the results, the ends justify the means. It is a materialist philosophy that says all that

matters is secular, all that matters is the balance of pleasure and pain in this world. Justice in the society lies in maximization of pleasure and minimisation of pain in the aggregate. So it can justify the violation, the harm, the pain, that's inflicted on a single individual if the pleasure that's created in others, in the aggregate, outweighs it. He put forward a vision of a government that ruled for the greatest happiness of the greatest number. He argued that punishment should be proportionate to the harm caused. He emphasized the importance of deterrence in the criminal justice system. He believed that punishment should not only deter future crimes but also provide opportunities for rehabilitation and reform. He argued that punishments should be based on the severity of the crime committed and it should fit the offense. His Panopticon model aimed to create a constant state of surveillance and discipline in the society (Bentham, 1983).

John Stuart Mill, a figure who represents the finest expression of British utilitarianism in the 19th century, would become the most able exponent of utilitarian philosophy. Mill tried to refine many of the coarser aspects of Bentham's utilitarianism. For Bentham, all pleasure is the same, the measure of the pleasures is fundamentally quantitative. Bentham does not distinguish between various types of pleasure. Mill's utilitarianism argues that there are qualitatively different pleasures. Mill argues that humans have certain natural capacities and that humans experience a kind of higher pleasure when they fully develop and experience and use those capacities. Capacities like reason, and so for Mill there is a sense in which some pleasures are achieved through the fulfillment of our nature, that which most separates us from animals and other creatures. It envisions man not simply as a machine that seeks pleasure and avoids pain, but as a particular kind of creature that is endowed with certain capabilities and the fulfillment of pleasures through those capabilities is the fulfillment of our nature (Ryan, 2016).

2.2.18 Reshaping Law and Justice in the Era of Industrialization

The Industrial revolution is a complex phenomenon and it has its roots in the scientific revolution. As people have gradually realized that they could harness the discoveries of science to technological innovation. The Industrial revolution would

move people off their farms and into the factory. Manufacturing would eventually overtake agriculture as the dominant sector. It would cause the growth of cities. The Industrial revolution would change the nature of human societies by increasing the level of productivity(Ashton, 1997). One of the first great observers of the industrial revolution is the Scottish philosopher Adam Smith. He is the founding father of classical economists. The Wealth of Nations of Adam Smith is the great text of the early Industrial revolution.

Adam Smith asks one great question: why are some nations wealthy? Smith realized that Great Britain and its society are wealthier than other parts of the world. The very first book of Wealth of Nations, Smith gives the answer, the division of labor. The division of labor and specialization in a particular aspect of the production process make some nations wealthier than others. In his opinion if there is a universal opulence in the society, it is the result of division of labor. If there is a general plenty, a universal opulence, that diffuses itself even to the lowest ranks of society, it is because of the division of labor. So the economic growth is unleashed by the process of industrialization, by the division of labor. So this process of transformation is on balance, highly beneficial across the society, that it has broad distributive effects, that are positive.

Smith says that this general opulence that the division of labor creates isn't a result of some grand design. For Smith, human beings are naturally economic creatures. We have an innate tendency to trade, barter and exchange. So the direct corollary of the division of labor is the rise of the market, a place where they trade commodities. Through the division of labor and the trickle down effect, justice is done for everyone in the society(Smith, 1937).

2.2.19 Marxian Perspectives on Law and Justice

Karl Marx, like Smith, is an observer of industrialization. But unlike Smith, he is more skeptical about industrialization. He focuses on the negative consequences of the industrial transformation. Marx came to focus on the oppressed, those who were powerless in the context of industrialization. Marx is worried not just about the distributive consequences of the industrial revolution but the

transactional consequences. Because Marx thinks that the wage contracts in his society are unfair, that they are a violation of the principles of justice. Capitalism overrun and eventually transforms the whole feudal order. It does so in property relationships by creating specifically the kinds of absolute property rights that are essential for capitalism.

The old institutions of feudal hierarchy have been replaced with a new capitalist hierarchy. Although everyone is free and equal, some people own the property. They own the means of production, the bourgeois. Those without property, must live on their wages are the proletariats. Marx thinks that the capitalist system is one of exploitation, in which those who own the means of production exploit the proletariat, who lack the means of production. And he sees the essential point of this exploitation in the arrangement of the wage contract and for Marx the wage contract is no guarantee of justice. Wage contract is a profound violation of transactional justice (Milios & Dimoulis, 2018).

Marx believed that, the bourgeois freedom, the declaration of natural rights, the guarantee of equal liberty to all is a veil. That allows the people having the means of production to exploit the proletariat who live only off their wages. Marx's economics and philosophy is grounded on a labor theory of value, which is present already in Smith. The capitalist, those who own the means of production, exploit the wage market. They exploit the labor market by trying to pay laborers as little as they can and reaping profits off of the exploitation. Marx has to prove that the price is unjust.

Marx argues that the labor value is what really makes the value of a commodity. But the capitalists, through exchange, are able to extract unjust profits from the sale of the commodities and pay the proletariat an unjust low wage that they have to agree to out of human desperation. And so Marx sees the market as inherently exploitative and the state and its laws are instruments of oppression and exploitation. The capitalist utilizes the state and its laws to oppress the working class. Emancipation of all will happen only in a classless and stateless society, where everyone lives according to each one's needs(Tucker, 2017).

Adam Smith and Karl Marx had been puzzled when they turned to the problem of prices and value. So this truly giant problem that is essential for a theory of justice would only be solved in the late 19th century. It would first be resolved by a young British scholar, William Stanley Jevons. Jevons is the discoverer of the theory of marginal utility. It is a great breakthrough that leads to the breakdown of classical value theory and the rise of neoclassical economics. Labor doesn't cause the value of something. Value causes people to labor. Labor isn't the source of value, usefulness is the ground of value.

The utility or usefulness of something is not an intrinsic quality. The utility of something lies in the addition that it makes to a person's happiness. Utility exists in the value that is added, in the additional happiness that's produced in an additional quantity of a thing. This is the idea of marginal utility. It's a profound idea that will ultimately come to explain how markets work and how prices work. Price of a thing is an equilibrium between supply and demand. Jevons explains prices in terms of marginal utility, the additional amount of happiness, that people get from an additional quantity of something. It's an advance on the theories of Smith and Marx, and one that has profound implications for a theory of justice (Jevons, 1879).

2.2.20 Transforming law and Justice by Liberalism

Like liberty, the concept of equality is also important in the domains of distributive, corrective and transactional justice. For Milton Friedman, equality of opportunity means that all people are protected in their natural liberties and have the same opportunity to exercise their freedom in the public sphere. This is a formal equality of opportunity, meaning that it's a kind of legal or constitutional equality (Friedman, 1953).

John Rawls, another American left wing philosopher, in the last generation of the 20th century, remains an inspiration for American liberalism. Rawls is famous for his monumental 1971 publication, "A Theory of Justice". Rawls theory of justice, is a touchstone of modern liberalism and its conceptions of justice. In the theory of justice, Rawls says we have to act from what he calls the original position and what this requires is to operate as equal individuals behind a "veil of ignorance".

That means that you don't even know what you will be after the design of this society. Rationally design a social and institutional order according to the principles of justice. Operating from behind the veil of ignorance is a way of ensuring a truly rational and just order, because you don't know when you design it, where you will end up in the social order that it produces. It's a way of designing the rules that must govern a just polity.

Rawls articulates some of the conclusions that would come out of this way of ordering a social contract. First, it would guarantee the maximization of each individual's liberties in a way that is consistent with the equal liberties of everyone else. Rawls political theory is grounded in a kind of egalitarian liberalism, and so it sees individuals as agents that should be free, that they should have liberty. Secondly, this society has to fulfill the commands of distributive justice.

In describing his vision of distributive justice he articulates two principles. One is that it must embody a fair equality of opportunity. For Rawls, differences of wealth are problematic, and so he is not willing to accept differences in wealth in the same way that Friedman is. People must be provided with a position that allows them to have a fair equal opportunity. So this is where institutions like education or welfare can ensure a more substantive equality of opportunity that would allow people not simply to have equal rights, but to have equal opportunity. Everyone has the same chance. Rawls' vision of distributive justice goes further. He articulates what is known as the difference principle. Any difference of wealth can only be just if it benefits the least well off member of society. So Rawls' vision of equality and justice is extremely robust. It goes beyond formal equality, the equal protection of rights, and it goes beyond fair opportunity. Any differences that emerge, can only be justified if they help those who are on the bottom (Rawls, 2020).

2.2.21 Rule of Law: Modern Pillar of Justice

Modern state is following the rule of law as the fundamental principle of justice. It is essential for a just and democratic system. Rule of law prevents arbitrary exercise of power in a country. It establishes supremacy of law and ensures equality of all before law. It is a system in which laws are created fairly, applied

consistently to maintain order and to promote justice. A fair and transparent procedure for making and implementing laws are embedded in the concept of rule of law. Rule of law ensures a legal certainty, that people can predict what if someone is not obeying laws. An independent and impartial judiciary is a must for rule of law. It ensures that the disputes are settled fairly and impartially. The respect for human rights and liberties are involved in the concept. It is against the rule of individuals.

The rule of law is essential for maintaining a just and orderly society. It provides a framework that protects individual rights, maintains public trust, and promotes social stability. It creates an environment where citizens can have confidence in the legal system, and where justice is administered impartially and fairly (Bingham, 2011). Some key elements of rule of law are the following;

- Supremacy of the law
- Equality before law
- Due process and fair procedure
- Legal certainty and predictability
- Independence of judiciary
- Access to justice

2.2.22 Constitutionalism: Safeguarding Law and Justice

Constitutionalism refers to a system of governance and a political ideology giving importance to the principles and provisions of the constitution. A constitutional government has to function according to the principles and provisions of the constitution. The Constitution establishes a fundamental framework and principles of governance. A constitution outlines the basic rights and freedoms of the individuals living in a particular country. It defines the structure of the government and distributes powers among various branches of government. The Constitution serves as the supreme law of the land and it lays out the fundamental principles that guide the governance of a country. The Constitution upholds the principle of rule of

law, ensuring that all are equal before law. It establishes a legal framework that provides checks and balances on the exercise of governmental powers and promotes justice and fairness.

Constitutionalism often includes the principle of judicial review, which grants the judiciary the authority to review the laws and government actions to ensure their constitutionality. Constitutionalism serves as a framework for the democratic governance, ensuring that the government in power is accountable, limited, and respectful of individual rights. It significantly influences the legitimacy of the political system by providing a fundamental framework for the exercise of political power. It establishes the legitimacy of the government by demonstrating that those in power are accountable and subject to the same legal principles as the citizens they govern. By establishing the rule of law, checks and balances, protection of rights, democratic processes, and mechanism for accountability, constitutionalism enhances the legitimacy of the political system. Constitutionalism ultimately fosters voluntary compliance with laws among people when they understand the legitimacy of the government (Grimm, 2016).

2.2.23 UDHR : A Blueprint For Law and Justice Among Humanity

The Universal Declaration of Human Rights provides a powerful framework for promoting law and justice for all people living in the world today. When the people started thinking beyond their nationalities, gender, ethnicity, religion or any other status in terms of justice, UDHR became a reality. Since its adoption, it has played a central role in establishing law and justice among human beings. It has provided a common standard of human rights that all the countries can strive to uphold. It creates a shared understanding of what it means to be treated justly and fairly, and has provided a framework for holding governments accountable for their human rights records. It has helped to promote the rule of law for the entire humanity. It ensures that all are treated fairly and justly, regardless of their social, economic and political status.

The establishment of the International Criminal Court was based on the UDHR, which can prosecute individuals for the most serious crimes of international

concern. The UDHR has been used to challenge the laws and practices that discriminate against people. It has been used to support the rights of the refugees and the asylum seekers. The declaration has helped to raise awareness of human rights abuses and has provided a moral framework for demanding justice. A global platform based on law and justice for the entire humanity is the outstanding achievement of the UDHR (Hannum, 1995)

Thus we have gone through the evolutionary journey of law and justice from the primitive, archaic society to the modern, global, digital world. It has taken thousands of years to accommodate the people, who are having some distinctive identity, maybe nationality, ethnicity, religion, language, gender, color of the skin and so on. We have seen practices in the ancient primitive societies, where justice was associated with customs and practices. Later small states were organized on the basis of laws, particularly state made laws. Empires were created and the concept of universal law and citizenship were created. Traveled through the medieval period to the age of enlightenment and the national state system. On that journey we have experimented with various governance patterns, various philosophies and ideologies to eliminate injustice. On that journey even the definition of justice has been redefined many times. Classical liberalism created Marxian thought, which later created a more refined version of liberalism, that is Modern liberalism. Modern liberalism created the ideal welfare state for the greatest happiness of the greatest number. Lethargy and inefficiency of state sponsored development led to the ideal of Neo liberalism and Globalization.

How in the whole journey of justice, discrimination as the base of justice has been replaced with accommodation and acceptance. We had time and practice, even the great Aristotle never realized that the practice of slavery is injustice. What is regarded as justice at some point of time in history may later emerge as grave injustice. Institution of slavery, caste discrimination, racial discrimination, gender discrimination etc where once followed and practiced as justice. Finally we reached a point of accommodating the differences and diversities and providing adequate space for all through rules and regulations. Today the ideal concept is rule of law

and democracy and ensuring justice to all. Even the once impenetrable boundaries of National State systems are falling down and in its place the concept of Global village is emerging on the pillars of law and justice for all.

2.3 Factors Shaping Compliance to Law

Compliance to law means the people living in a society are willingly and consistently following rules, regulations and other legal requirements created by the government. It has got various dimensions like obeying laws, regulations, court orders, contractual obligations and other legal duties. The People are most willing to follow the obligations entrusted by the authorities. People also refrain from actions which are prohibited or declared illegal by authorities. The degree of compliance makes the state civilized or otherwise. People having high civic sense usually obey most of the laws most of the time, most willingly. For the smooth functioning of the society compliance to law is most important. It ensures social order, justice and peace in the society (Levi, Tyler, & Sacks, 2012). There are so many factors influencing compliance to law

- Social norms and values
- Legitimacy factor
- Trust in the rulers
- Deterrence and punishment
- Civic sense of citizens
- Procedural fairness
- Personal and situational factors

Social norms and values shape individuals' perception of what is right and wrong and what is expected in society. Social norms are shared expectations and accessible behavior within the society. When there is a strong normative expectation of complying with the laws, individuals are more likely to comply with the rules to avoid the social disapproval or stigma. Likewise, the internalized values are deeply

held beliefs and principles that guide the individual's behavior. Through the process of socialization social norms and values are transmitted from one generation to the next. If a person is living in an environment where lawfulness is valued and reinforced, they are more likely to comply with laws (Tyler, 2006).

The concept of legitimacy refers to the credibility, fairness and justifiability of laws and authorities. When the people believe that the legal system is legitimate, they are more likely to comply with laws by themselves. Legitimacy creates a sense of moral obligation and a belief that obeying laws is the right thing to do. It promotes a sense of duty and encourages people to act in accordance with the legal system. When a legal system is considered as just and fair, the people are more likely to comply with the laws as a moral and social obligation. When the legal system is seen as legitimate, individuals are more willing to cooperate with the law enforcement agencies. Legitimacy reduces the likelihood of conflicts and promotes the peaceful resolution of disputes within the society. The legitimacy of the system reinforces the idea that deviating from the legal norms is unacceptable and carries social disapproval (Tyler, 2006).

Trust in the rulers greatly influences people's compliance with the laws. High levels of trust encourage cooperation and increase confidence in the political system. When the people have trust in their rulers, they are more likely to perceive the government as legitimate and view the laws and regulations as fair and just. Those in power are trustworthy and have their best interests at heart to make the people comply with the laws. Positive role models of the rulers encourage the people to follow the laws voluntarily (Tyler, & Huo, 2002).

Deterrence and punishment influence the people's compliance with the laws by creating fear of consequences. The threat of punishment and the actual enforcement of consequences act as deterrence, influencing individuals to follow the laws. The Deterrence theory suggests that the people are deterred from engaging in unlawful activities when they believe that the potential costs outweigh the benefits. Swift, certain and severe punishment mechanisms discourage the people from

committing crimes. When the consequences associated with the breaking of laws outweigh the benefits, the chances of disobedience are less (Heart, 2008).

A strong civic sense promotes among the citizens a sense of duty towards the country, respect for the public resources, consideration for fellow citizens and active citizenship. People having high civic sense contribute to the wellbeing of their community and abide by the laws voluntarily. People understand that compliance with laws is essential for maintaining the social order, harmony and peace in the society. People's awareness of the well-being and the rights of other fellow citizens encourage them to behave responsibly (Putnam, 2000).

Procedural fairness means the procedure and process used to make and implement decisions in the society are fair and just. If the people feel that there exists a fair procedure in the political system then they comply with the laws voluntarily. It enhances the legitimacy of the authorities and institutions. When the people believe that the decision making process is unbiased, transparent and consistent their compliance will be higher. Fair procedure increases the trust and confidence in the system and the people will have an intrinsic motivation to follow the rules and norms (De. Cremer, & Tyler, 2007).

Personal and situational factors affect people's compliance with laws. Personal factors like morality, attitudes and beliefs, perceived risks and consequences, and self-control and impulsivity can impact compliance. Situational factors like, presence of surveillance and enforcement, social norms and peer influence, accessibility and clarity of laws, procedural fairness, and other socio economic factors shape people's compliance with laws (Tyler, 2006).

2.4 Theories Regarding Compliance to Law

There exist a lot of theories regarding why people obey or disobey laws.

- Deterrence theory
- Social control theory
- Legitimacy theory

- Self-control theory
- Moral development theory
- Labelling theory

2.4.1 Deterrence Theory - This theory assumes that people are rational-decision makers who weigh the potential costs and benefits before doing any action, whether legal or illegal. It suggests that by increasing the severity, swiftness and certainty of punishment mechanisms will discourage illegal activities. Deterrence theory suggests that by the fear of consequences people are deterred from engaging in illegal behavior.

According to this theory compliance to law can be achieved by two types of deterrence: specific deterrence and general deterrence. Specific deterrence focuses on deterring an individual, who had a criminal background from repeating it. Negative consequences of punishment experience dissuade the individual from repeating his illegal activities. General deterrence aims to deter the general public from engaging in criminal behavior through the experience of those who are punished. When people witness others being penalized for their illegal activities, they will be less inclined to engage in similar behavior due to the fear of facing the same consequences. The perception of a high probability of being caught and punished serve as a strong deterrent factor. Certainty, severity and swiftness of punishment deter people from engaging in illegal activities.

Cesare Beccaria, an Italian philosopher and criminologist, in his "On Crimes and Punishment"(1764) argued that punishment should be based on the principles of deterrence, proportionality and certainty (Beccaria, 2016). Jeremy Bentham, an English Utilitarian philosopher expanded upon Beccaria's ideas and stated that the purpose of punishment should be to maximize overall social utility, which includes deterrence as a means to prevent future crimes (Bentham, 1830). Further Gary Becker an American economist applied economic principles to the study of criminal behavior and argued that individuals make rational decisions based on expected costs-benefits analysis (Becker, 1968). Another American, George L. Kelling is

known for his theory of broken window policing, arguing that maintaining order and addressing minor offenses can help deter more serious crimes (Kelling, & Wilson, 1982). Lawlessness or anarchism happened gradually in any society, so the best available option is taking even minor offences seriously.

2.4.2 Social Control Theory - This theory argues that the people comply with the laws basically due to the existence of social bonds and attachments they have with others. The People obey laws not because of fear of punishment or the internalized moral values. People who are having strong social bonds with the family, school, peers and community are more likely to obey the laws and social norms. When urbanization is at its peak, these social bonds and attachments become weaker and the people may be encouraged to do illegal activities. Strong attachments to family, friends create a sense of responsibility and concern about their opinions, which can discourage illegal activities.

Travis Hirschi, in his influential work " Causes of Delinquency "(1969) introduced the concept of social bonds, explained conformity with social norms and laws (Hirschi, 2017). Walter Reckless, who proposed the containment concept argued about social bonds in controlling criminal behavior (Reckless, 1961). Further John Hagan has contributed to the social control theory through his research on the effect of social bonds on crimes and delinquency (Hagan, 1994). Robert Sampson provides empirical support for the social control theory by examining the influence of social bonds on individuals' criminal behavior (Sampson, Raudenbush, & Earls, 1997).

2.4.3 Legitimacy Theory - This theory confirms that when people feel the legal system as fair, just and consistent with societal values, they are more likely to comply with the laws voluntarily. Individuals comply with the laws when they perceive the legal system and its authorities as legitimate and worthy of their respect and obedience. Legitimacy can be derived from fair procedure, transparency, trustworthiness etc. When the people feel that the legal processes are conducted in a fair and transparent manner, they are more likely to comply with the laws. Trust in law enforcement agencies like the police, courts and legal authorities increases

legitimacy of the system. Legitimate authorities increase the voluntary compliance if there exists fairness of procedure, justice, trust and normative alignment.

Tom R. Tyler is an important advocate of legitimacy theory. His work focuses on the role of procedural fairness and legitimacy in shaping people's attitude towards legal authorities and their willingness to comply with the laws (Tyler, 2003). John Braithwaite has made significant contributions to the legitimacy theory, particularly in the context of restorative justice. He argues that by promoting the legitimacy of legal processes and involving communities in the resolution of conflicts can enhance the compliance and reduce the crime rates (Braithwaite, 2007). Furthermore, Robert J. Sampson highlights the role of collective efficacy, social cohesion, and informal social control in fostering legitimacy and compliance with the laws within the neighborhoods (Sampson, & Groves, 1989).

2.4.4 Self Control Theory - This theory asserts that an individual's level of self-control significantly affects his propensity to obey the laws. Higher levels of self-control lead to greater adherence to societal norms and less likelihood of engaging in illegal activities. Self-control refers to an individual's ability to regulate their impulses, resist immediate gratification and exercise restraint in the face of temptations or provocations. Self-control develops during early childhood through the effective parenting and socialization processes. People with low self-control are characterized by impulsivity, short sightedness, preference for immediate gratification and a lack of consideration for the potential negative consequences of their actions. The criminal behavior is due to the weak self-control. Those with low self-control in childhood are likely to exhibit similar patterns of behavior in adolescence and adulthood. The main exponents of self-control theory are Michael Gottfredson and Travis Hirschi, who proposed that people with low self-control are more prone to engage in criminal activities(Gottfredson, & Hirschi, 2017).

2.4.5 Moral Development Theory - This theory assumes that morality is an individual's internal sense of right and wrong. The People who have a strong moral sense of duty are more likely to comply with the laws because they believe it is their ethical obligation to do so. They believe the laws are a reflection of societal values

and norms that should be respected and upheld. Adherence to the law contributes to the social order and stability, which benefits everyone. Individuals with strong personal values and integrity are more likely to comply with the laws. John Rawls, developed the concept of "justice as fairness" that has implications for the moral basis of laws and their impact on societal compliance. Immanuel Kant's moral philosophy is grounded in the idea of duty and rationality. His ideas provide insights into the moral foundations of legal compliance (Kant, 2005). Martha Nussbaum has written extensively on ethical and moral theories. Her writing offers insights into how moral considerations can influence individuals' compliance with the laws (Nussbaum, 1992).

2.4.6 Labeling Theory - It is also known as societal reaction theory that focuses on how social labels and the response of others influence an individual's behavior and self-perception. When it comes to compliance with the law, it suggests that the process of being labeled as a 'criminal' or receiving negative social labels can have significant effects on the individuals' future behavior and their willingness to comply with the laws. When an individual is caught, arrested, or labeled as a criminal by the authorities or society, they are stigmatized with negative labels such as 'criminal', 'delinquent', or 'offender'. The labeled individual may internalize this label and develop a deviant identity. Such individuals may feel alienated from mainstream society and likely to engage in further deviant behavior (Wellford, 1975). Several writers have contributed to the development of labeling theory. Howard Becker, Edwin Lemert, Frank Tannenbaum and David Matza have made significant contributions to labeling theory.

2.4.7. Deterrence Theory on Kerala Context

On analyzing various theories regarding compliance to law, the deterrence theory seems more explanatory in the Kerala society's context. Even though the modernization process demands legitimacy theory, people living in Kerala society still found the deterrence mechanisms more effective. The Deterrence theory assumes that the people are very much rational decision makers who weigh every action on the basis of costs and benefits analysis. Criminal behavior of individuals

can be controlled by the threat of severe punishments. By creating a fear of consequences in the minds of the potential criminals is the logic of this theory. From the ancient period onwards human beings valued the deterrence theory for ensuring law and order. Harsh punishments have a general deterrence effect as it deter general public from committing crime. Witnessing the consequences of those who have committed the crime sets an example for others. The People used to stay away from certain things because the rules of the society declared it as illegal. In order to make the people obey such rules, severe punishments were set. Those people who ever challenge the norms would be strictly and severely punished to create a deterrence effect on others.

Deterrence theory states that strict, harsh, severe and certain punishment can set the society free from illegal activities. Punishment mechanisms can not only reform the culprit but also send a clear message for the potential law breakers. The theory suggests that experiencing severe punishments should prevent the offender from repeating the crime. Rational nature of human beings allows him to make a comparative analysis of obeying and breaking the laws. If the impact of punishment is lesser than the outcome of breaking the law, then people would break the law. But if the impact of punishment is higher than the expected gain out of violation of law, then people hesitate to commit the crime. So the deterrence theory supports harsh and severe punishments to make the society peaceful. Human beings are by nature lovers of freedom and because of the instinct of freedom there is a significant possibility of breaking rules and norms of the society. So the impact of punishments should be so powerful to deter the instinct of freedom.

The Survey results also confirmed the effect of deterrence factor in shaping compliance to law in Kerala society. People are obeying laws because of the fear of consequences associated with the breaking of laws. Certainty, severity and swiftness of punishments deter people from engaging in illegal activities. Even though deterrence theory had various limitations, Kerala society still found to be operated with this theory. Data from Kerala transport department confirmed the effect of deterrence factor in Kerala society. After the installation of AI cameras and hefty

finer the traffic law violations have been drastically reduced. People are ready to wear a helmet or seat belt to escape from the hefty penalties when implemented strictly. Critics of the deterrence theory argue that the effectiveness of deterrence depends on various factors like an individual's rational decision making capacity, an individual's perception of getting caught, the severity of punishments etc. Some habitual criminals don't have the capability for rational decision making. Their emotions overpower their ability for rational decision making. In such cases deterrence theory wouldn't work. Some criminals believe that the chances of getting caught is less or they can evade law and police for a longer period of time. Some others prefer to commit the crime and face consequences if caught. Above all these limitations in order to make the deterrence mechanisms operative, states need to spend a lot of resources to make it successful.

2.5. Public Attitude on Compliance to Law

Public attitudes towards compliance to law vary from country to country and it may vary within a particular country among various people. There are so many diverse factors that shape the attitude of people towards compliance (Tyler, 2003). On the basis of attitude towards laws and legal system, compliance can be broadly classified as the following;

Voluntary compliance - Some people in the society have a positive attitude towards compliance with law and most willingly abide by the law most of the time. They recognise it as their duty and recognise its importance for societal order, justice, peace, stability and prosperity of all.

Reluctant compliance - Some other people may comply with the laws unwillingly. They recognise it as a necessary obligation but without strong personal conviction or enthusiasm.

Conditional compliance - Some individuals comply with the laws only under specific circumstances or when they believe it benefits them personally. Their attitude towards compliance may fluctuate based on their perceived self-interest.

Opposition to Compliance - Certain individuals or groups may hold a negative attitude towards compliance to law. They consider the laws as unjust, oppressive or discriminatory. During the colonial period many people in the colony had this attitude in common. They may actively resist or disobey certain laws due to political, moral or ideological reasons.

2.5.1 Factors Shaping Public Attitude towards Law

There are several factors which shape people's attitude towards laws. Some key factors which shape public attitudes towards laws are the following;

Cultural and Social Factors - Cultural norms and values, and socialization play a significant role in shaping people's attitude towards the laws. Cultural beliefs about justice, fairness and individual rights shape public attitudes towards laws. Religious values and norms also play an important role. Some religious beliefs, spreading the message that there is nothing wrong in disobeying the laws of the state. Ultimately you have to obey the religious laws only, which ensures a place near to God after your death. Your spiritual existence is more important than material existence under the state (Gusfield, 1981).

Personal Experiences - Personal experiences with the law enforcement, legal processes, interaction with the legal system can shape attitude towards laws. Positive experiences may foster trust and faith in the system and that would lead to voluntary compliance. Whereas negative Experiences can lead to skepticism and resistance (Valverde, 2012).

Socioeconomic Factors - Attitude towards laws can be created by the social and economic position of the individual. If there exists discrimination and inequality in the society and if the legal system is not properly addressing it then the victims of such discrimination will have a negative attitude towards laws. On the other hand if social and economic disparities are being properly addressed, then a positive attitude would be the outcome (Auerbach, 1977).

Perception of Lawfulness - People's attitude towards compliance can be influenced by their perception of the law's legitimacy, fairness and alignment with their values.

If the people perceive the laws as unjust or against their moral beliefs, their attitude towards compliance may be negatively affected (Tyler, 2006).

External Factors - People's attitude towards compliance can also be shaped by external factors, such as cultural norms, societal expectations, peer influence, media and previous experiences with law enforcement (Tyler, 2006). The attitude towards laws is not designed internally in an individual.

Political and Ideological Beliefs - Political and Ideological beliefs shape positive and negative attitudes towards laws. Anarchism and communism discouraged the institution of state and state made laws. The communist ideology believes in the withering away of state. They regard the state as an instrument of exploitation. People following such an ideology will have a negative attitude towards laws (Hanson, & Jost, 2012).

Trust in Institutions and Authorities - Trust in legal institutions and authorities such as police, judiciary and government can shape a positive attitude towards laws. Corruption, nepotism, and inefficiency can destroy public faith in the system and ultimately develop a negative attitude towards laws (Tyler, 2006).

Media and Public Discourse - Media portrayal and public discourse can influence public attitudes towards laws (Marsh, & Melville, 2019). For example the media in India is too critical about government performance. They try to highlight only the negative aspects of the government's policies and neglect the positive aspects. This media culture is the product of its colonial legacy. During the British colonial rule they used to create a critical opinion regarding everything. Even after getting independence the practice continued.

Education and Awareness - Knowledge about the legal system, rights and responsibilities can foster a positive attitude towards laws. In developed countries, civic sense is being taught to young children to make them more positive towards laws and governance (Biesta, De Bie, & Wildemeersch, 2013).

Historical and Cultural Context - Past experiences of colonization, oppression or freedom movement can influence attitude towards the legal system. Indian people

launched the civil disobedience movement as a symbol of freedom, later creating a negative attitude towards laws (Cohn, 1996).

2.5.2 Why Human Beings Obey Laws

In every organized society, justice, order, stability, harmony and prosperity are established on the rock foundation of law. Obedience to the laws are vital for the existence and functioning of communities. There may be so many reasons for the compliance with the laws (Tyler, 2006). Let's figure out some reasons for this.

Protection of Individual Rights - Laws act as a safeguard for the protection of Individual rights and freedoms. By obeying the laws, everyone's freedom and rights are protected. A minimum guarantee is assured to everyone. Otherwise only the dominant sections would be benefited. A level playing field in terms of rights and freedoms are ensured to all.

Social Order and Stability - Compliance to law is essential for the establishment and maintenance of social order and stability. Laws provide a broader framework for the settlement of disputes, prevention of conflicts, and maintenance of a harmonious environment. Laws provide a sense of security, predictability and trust within the society.

Promotion of Justice and Fairness - Laws serve as a mechanism for the promotion of justice and fairness. Compliance to law ensures that no individual is above the law and that creates a sense of equality and accountability for all. The foundation of peace and stability is the feeling of equal distribution of resources and opportunities.

Deterrence and Legal Consequences - The fear of punishment acts as a powerful motivator for the individuals to obey the laws. Human beings recognise that violation of laws can result in punishments such as fines and imprisonment and in some cases death sentences. This deterrence effect encourages people to obey the laws.

Ethical and Moral Principles - Human beings understand the intrinsic value of fairness, honesty and respect for others, which are often enshrined in the legal

framework. Obeying the state laws are aligned with the ethical and moral principles that individuals hold.

Respect for Authority and Institutions - Human beings recognise the role of the constitution and other institutions for the establishment and maintenance of social order. Compliance to the laws and institutions are essential for a lawful and thriving society.

2.6. Public Attitude towards Law in India

The Public attitude to law in India is complex and multifaceted. The laws are generally respected, but often undermined by the belief that the law is not always applied fairly or effectively. There is also a common perception that the police are corrupt and that the legal system is slow and inefficient. According to a 2018 survey by the National Crime Records Bureau, only 29% of Indians believe that the police are effective in dealing with crime. The survey also found that only 38% of Indians believe the courts are fair. Only 42% of the respondents believe that they can get justice if they are a victim of crime. 62% of respondents believe that the legal system is corrupt. It shows the majority of Indians are having a negative attitude towards the law and justice system existing in India (Krishnaswamy, & Aithala, 2022).

After independence utmost care and attention has been taken by the framers of the constitution to address all problems facing India while making the constitution. They adopted all positive experiences of other constitutions and assimilated it to meet the peculiar Indian problems. No doubt they succeeded in accomplishing that task by framing a constitution which accommodated the traditional Indian society and the modern principles. But still there is an element of apathy among many people to obey the laws. Let us examine the reasons for the negative attitude towards law among Indian people.

Historical legacy - Indian people had a colonial history of about 200 years. During this period the British rulers forcefully implemented a legal system on the Indian people. Even though it had many modern progressive elements in it, it created a

sense of distrust and alienation among the Indian people. The British rulers were literally scraping the traditional indigenous legal system to create a modern legal framework. They implemented laws forcefully by imposing fines and severe punishments. When the struggle for freedom started momentum, they tried to oppress it with force and violence. Many draconian laws were implemented to oppress the struggle for freedom. Indian leaders like Mahatma Gandhi launched a civil disobedience movement to fight for freedom. People identified the civil disobedience movement as a weapon to fight for justice and freedom. Freedom and justice is being identified with disobeying the laws of the state. Even after getting independence, and framing our own constitution, the ghost of the civil disobedience movement is still haunting many Indians (Bedau, 2002).

Corruption - Perception of corruption eroded the legitimacy of many institutions that we created in India after Independence. Instances of bribery, delayed justice, favoritism and nepotism eroded the fabric of Indian democratic institutions. The People become apathetic and indifferent to many laws. It created a general perception that laws are not impartial and accessible to all. If people have money power, muscle power and political power then the laws will be different for each (Seligson, 2002).

Inequality and Social Injustice - Even though the young Republic claimed equality as one of the pillars of the country, many Indians feel that the legal system is being biased towards the rich and influential. The Social and economic disparities and discrimination, compelled common people out of the spectrum. Ultimately this led to the loss of faith in the legal and political system. When certain sections of the society face systemic discrimination, marginalization and unequal access to opportunities, it undermines their belief in the fairness and legitimacy of the system (Rothstein, & Uslaner, 2005).

Bureaucratic Indifference - Indian bureaucratic steel framework was created by the British rulers to address their administrative issues. Early Indians who got posted in the administrative framework felt different from the common people. They were a separate class of Indians behaving like the British rulers. They consider themselves

as masters just below the British rulers. The Bureaucratic machinery was meant for the collection of revenue and maintenance of law and order. It was not meant for development or addressing common people's problems. So they had an indifferent attitude towards the common man and his problems. Even after independence, this bureaucratic machinery remains the same in spirit and action. The British rulers left the scene and their position was taken over by the Indian rulers. The bureaucratic indifference to people's problems contributed to the negative attitude of people towards laws and administration (Dwivedi, 1967).

Lack of Legal Awareness - There exists a significant gap in legal literacy and awareness among common people in India. People lack knowledge about their rights and legal processes which often leads to a sense of helplessness and frustration, reinforcing negative attitudes towards laws. Despite legal provisions and frameworks in place, some people perceive a lack of enforcement and accountability. This perception of ineffectiveness diminishes trust in the legal system and discourages people from seeking legal remedy (Tyler, 2013).

Erosion of Legitimacy - Legitimacy of many institutions in India had eroded due to the lack of fair procedure and transparency. Poor governance, characterized by inefficiency, and lack of accountability has contributed to the erosion of legitimacy. Inconsistent enforcement of laws, delayed justice, and a perception of privilege erode the legitimacy of the legal system that led to poor compliance with laws (Sunshine, & Tyler, 2003).

Trust Deficit - In the context of governance and law enforcement in India, a trust deficit can exist between the citizens and the state. Past experiences of corruption, oppression, or injustice may develop a deep skepticism towards the authorities and institutions responsible for upholding the laws. If citizens believe that those in power are not held responsible or accountable for their actions, it can lead to a widespread lack of trust. Lack of confidence in the state's ability to deliver essential services can lead to a trust deficit. Trust deficit leads to poor compliance with laws (Tyler, & DeGoey, 1996).

2.6.1. Stress of Political Modernization

The concept of political modernization is associated with the changes happening in the political system of a country when it is moving from a traditional system to a modern one (Pye, 1961). As far as India is concerned, political modernization started with colonial British rule. Thousands of years of Monarchical system of governance was replaced by a colonial government which was so powerful enough to bring the Indian subcontinent under its governance. They unified India, politically, economically, administratively under the uniform laws and the system of governance. The Freedom movement in India further consolidated the political modernization process. As a result of that, finally the British rulers left India in 1947 and the political modernization process became full swing. New political structures were created with the enactment of the constitution of India. Let's see the features of political modernization process

- Rationalization of authority
- Equality
- Differentiation of structures
- Expansion of political participation
- Capacity building to accommodate demands
- Secularization of political culture

While framing the constitution of India, the constituent assembly members tried to incorporate all the modernizing principles of good governance from various political systems. New political structures were created with functional specialization and integration in line with other modern political systems. Rational-legal authority is expected to replace the traditional and charismatic authority. Rationalization of newly created political structures needed a secularized political culture. Adoption of modern political structures was rather easy but the creation of political culture to support the structures to legitimize it is a challenging task and that process is still going on. Efforts were made to increase the political participation

and equality in Indian society which were rather new. Capacity building is also given importance to accommodate all demands of the people. While assessing these modernization processes after almost seven decades of independence a mixed pattern is bothering Indians.

The Political modernization process becomes a success only if Political structures are modernized with the secularization of political culture (Basu, 2021). Political modernization process was not smooth and uniform in the society. Political structures were created with functional specialization but political culture never developed to secularization. Political culture failed to inculcate rationalization of authority and so the legitimacy of political structures were in doubt. Still the traditional and charismatic political culture is practiced with the modern political structures (Hasan, 2021). Fred W. Riggs' prismatic society model is largely in application. The modern political structures were operating with the traditional cultural patterns. This led to a situation of doubting the legitimacy of all institutions, including the democratic mechanisms. Still caste, religion, language, ethnicity, subculture play above the national interest. Political leaders utilize vote bank politics to establish power is an example of this phenomenon. . Lack of transparency and trust, corruption, nepotism, favoritism eroding the legitimacy of the political structures.

This incomplete political modernization process has its reflection in all institutions including the police force. A secularized political culture is a must for the political modernization process. The modern political structures can be created but its legitimacy can be established only if there exists a secular political culture. Modern parliamentary democracy can be established but its legitimacy depends very much on the secularization of political culture. Otherwise the legitimacy of the laws made by the parliament would be in question. The legitimacy of the Indian parliament is in doubt when elections are conducted on caste and communal code. The legitimacy of the police force to implement those laws would also be challenged. Caste , religion, ethnicity, minority status, even the name of a person will be doubted. Democratic elections are contested not on policy or issue lines, but

on the platform of religion, caste, language, culture, ethnicity and so on. Even the verdict of the courts became suspicious. Caste and religion of judges delivering the judgements will be scrutinized. In short modern political structures are created but operating with traditional cultural values and patterns. The functioning of the police department is also affected by this discrepancy. Instead of establishing legitimacy, traditional political culture is eroding it (Riggs, 1960). Rigg's ecological analysis explained the discrepancy between political structures and political cultures. Many Indian problems can be better explained through Rigg's prismatic society model.

2.7. Conclusion

In any country, ensuring widespread compliance with the laws is an important issue because fostering social, economic and political development of the country as well as the wellbeing of the people largely depends on it. However, achieving high levels of compliance among all members of the society is a challenging task. On analyzing various theories and dimensions of public attitudes towards compliance to law, a conclusion can be stated that we can't find a particular theory suitable for all countries. From the historical records it is clear that many countries started with a deterrent factor and later tried to foster legitimacy through constitutional limited democratic governance. Social control and personal ethical values and psychological traits also play an important role in the creation of compliance. Important studies in this area have taken place in many Western developed countries particularly in America. American empirical studies proved that legitimacy theory is suitable to explain American people's attitude towards laws (Tyler, 2006). Another study in Hungary proved deterrence as the factor fostering compliance (Gajduschek, 2017).

So a particular theory cannot explain why people obey laws. It varies from country to country and from person to person. Even in the case of an individual it may vary from time to time. During childhood, it may be social control or moral beliefs or simply deterrence that will determine his compliance. But later at a mature age it may be legitimacy. In India during the colonial period British rulers applied the deterrence theory mostly. Even during the monarchical days, people obeyed laws

most of the time because of the fear factor attached with disobedience. It was only during the struggle for freedom, disobedience to laws became legitimized in the Indian mindset. The civil disobedience and the non-cooperation movement were glorified to the extent of justice and freedom.

After independence and the establishment of the constitution and democracy Indian rulers tried to apply legitimacy theory on top of deterrence. Still in India, after seventy-five years of independence, the people are following laws because of the punishment factor attached with the laws. Legitimacy pudding at the top is very thin and no consistency attached with it. In India people obey laws primarily not because of their civic sense or respect for legitimate institutions. On analyzing the data obtained from the survey of Kerala society, it is quite clear that deterrence theory could explain the public attitude towards laws. People obey laws, only if it is strictly enforced and followed up by the authorities concerned.

On reading the preamble of the Indian constitution, it's clear that the constitutional framers placed the responsibility of changing Indian destiny on the shoulders of the people of India. They thought that the common people will take up the responsibility of transforming India. But even today people wouldn't mind wearing a helmet while riding a bike or putting on a seatbelt while driving a car, which are mandatory as per laws. People would do all these simple things only if police checking and hefty fines are there. By the fear of consequences people are deterred from engaging in illegal activities. For example after the implementation of heavy fines for traffic rule violations, violation has been drastically reduced. Introduction of artificial intelligence cameras on the highways drastically reduced the accident rates and traffic rule violations. It shows that strict enforcement mechanisms can reduce crime rates. If people have a high civic sense and respect for legitimate institutions and laws, then they would comply voluntarily. Today traces of application of both legitimacy theory and deterrence theory simultaneously happening in Indian society with a heavy leaning towards the latter. Additionally, the factors such as cultural diversity, socio-economic disparities, and historical factors further shape the public attitude towards laws.

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CHAPTER 3

LAW ENFORCEMENT AND POLICING IN KERALA

3.1 Introduction

3.2 Historical Analysis of Law Enforcement

3.3 Overview of Kerala Police

3.4 Positive and Negative perception of individual freedom

3.5 Factors shaping Compliance to Law in Kerala

3.6 Deterrence to Legitimacy

3.7 Conclusion

3.1 Introduction

Before the creation of laws, before the establishment of the state and governance, human beings were savages in the wild having no future(Hobbes,2016). The laws and governance provided predictability to human life. The well-being and security of human beings depend on the laws and regulations. Human beings created civilizations on the foundation of law and justice(Crisp,(Ed)2014). It is the foundation of all development that human beings achieve. It brings peace and order to society, it ensures safety to all, and it ensures justice to all. The feeling of justice among all people ensures the stability of civilization. If the system cannot ensure justice for all, then in the long run, the chances of questioning the credibility of the system is more and ultimately it would lead to the collapse of the civilization altogether. Justice brings peace and order and that brings stability, prosperity and happiness. We can't imagine running a business in a lawless country, we can't do research in a war-torn Afghanistan or Syria or current Ukraine amid war and crisis. To do business, agriculture, research or any other activities, what we need is peace and stability.

In the modern world, peace and order is established by the laws and their governance. Earlier, the laws were in the form of customs and conventions. It relied heavily upon ethical and moral values. The ethical and moral values were the basis of justice. However, the early custom-made laws were not universal. With the establishment of the modern nation-state system and democracy, we created professional legislative assemblies to make laws, legitimate executive agencies to enforce those laws and we have third party jurists to interpret the laws and to settle the disputes. The main agency to enforce the laws of the state in the modern world is the Police. In various countries it's known by different names, although its main functions are enforcement of laws and maintenance of order. This chapter discusses various issues of law enforcement and policing in Kerala state.

This chapter is broadly organized around some of the major issues and themes associated with the law enforcement in Kerala society. The first theme is a general discussion about the meaning and historical development of law

enforcement. The major discussion points are; what is law enforcement? Why is law enforcement necessary? What is voluntary compliance? What are the various factors contributing to voluntary compliance?. The second theme is about the historical overview of the Kerala police. The colonial influence formulated and established the attitude of the police and the people towards each other. An effort has been made to analyze the various factors that can contribute to the change in the attitude of the people towards the police and vice versa. The third theme discusses the root-cause of the police-people conflict on the basis of perception of individual freedom through the negative and positive dimensions. The positive and negative freedom has been analyzed through the constitutional perspective. The fourth theme is about the major factors that shape compliance with the law in Kerala society. The fifth theme discusses the journey of Kerala police from the deterrence-oriented force to legitimacy-oriented force.

3.2 Historical development of law enforcement

By nature, human beings are freedom-loving, and out of this nature the term law enforcement originated. However, because of their superior intellectual abilities, human beings realized the importance of the laws and regulations. But, they were reluctant to follow the laws most of the time. The rational-choice theory is used to explain this phenomenon. The cost-benefits analysis done by the human beings before every action compels them to violate the law (Elster, 1986). Short-term gains usually compel the human beings to jump a queue or to violate a one-way traffic rule, and the like. But if all are jumping the queue or violate the one-way rule then there is no benefit for anyone. So complete lawlessness is not freedom. So whenever people tend to violate a law in force, then the issue of law enforcement comes. The state has the moral responsibility to help those standing in the queue or the ones observing traffic rules and the like. Otherwise, the lawbreakers were benefited at the cost of the most obedient. If the violators were not punished then there will be a complete breakdown of the law and order. So the enforcement mechanisms were in place and some specialized agencies were created to enforce the law and order.

The historical evolution of the law enforcement and the establishment of the police forces can be traced back to the ancient civilizations. One of the earliest instances of the law enforcement can be traced in ancient Mesopotamia, in the city-state of Uruk around 3000 BC. They had a designated group of individuals known as "ensis", who were responsible for maintaining order in the society and resolving disputes(Westbrook, 1984). The law code of "Ur-Nammu" around 2100 BC is one of the earliest known law codes. It provides guidelines for the law enforcement and describes punishment for various offenses(Finkelstein, 1968).

In ancient Egypt, the temple officials carried out the primary law enforcement, known as "Medjay". They were responsible for maintaining order and investigating crimes. The Pharaohs appointed officials called "nomarchs" to supervise the law enforcement in a particular region(Eyre, 1984). Ancient Greece had a system of citizen policing called "astynomia". There, the citizens were responsible for maintaining order and reporting unlawful activities to the authorities. The Athenians had a group called "scythians", who were in charge of patrolling the streets to maintain order(Arnaoutoglou, 2008). In the Roman Empire, a well structured law enforcement system was in force called "vigiles". They were responsible for crime prevention and general enforcement. In addition they had a network of soldiers and officers called "praetorian guards"to protect the rulers and maintain order(Kehoe, 2007). In medieval Europe, the law enforcement responsibilities were often decentralized and performed by the local feudal lords (Clanchy, 1974).

The establishment of the modern police forces began in the 18th and 19th century. The London metropolitan police force was established in 1829 by Sir Robert Peel, called the "Bobbies". They were a professional, centralized police force specially focused on crime prevention, maintaining order and building community trust. In the United States of America, early law enforcement efforts included the establishment of the night watchmen, the constables and the sheriffs during the colonial period. After independence, the first organized police departments in Boston(1838) and New York (1845) were created on the British model. The 19th

and 20th centuries saw professionalization in the police force throughout the world (Dunham & Alpert, 2010). The peculiar feature of the British and the American modern police force is its natural and evolutionary nature. The demand for a professional police force for the maintenance of peace and order and to ensure security to all came naturally from the society. The People genuinely accepted and appreciated the police force.

The police force is often identified with freedom and security. But in colonial countries like India, the modern police force is the product of imperialism and people often identified it as an instrument of oppression. The colonial masters designed the police force to intimidate the native people and their primary responsibility is maintenance of peace and order in the society. The native people often identified the police force with terror and violence. They were never regarded as guardians of freedom. This image of the police force designed the police-people relationships even after the end of colonization. Even after getting independence, the colonial stigma towards the laws and the institutions still exists among people from third world countries. This negative response of the people towards the laws and the police force led to many current law and order issues in India. People of India are still carrying the feeling of civil disobedience and non cooperation with the laws and authorities. Police on the other hand believe that their primary responsibility is to terrorize the people. This colonial prejudice is deeply rooted in the mindset of Indian people and police even after attaining political freedom (Ajith & Zacharia, 2021) .

3.2.1 Law Enforcement - Meaning

When the people living in a country are not voluntarily following the laws and regulations of the state, then the state has to rely on some mechanisms to enforce it. We have been exploring the development of such agencies from the ancient period to the modern period. If the violation of laws are not addressed properly then it would lead to more violation and finally to the stage of anarchism. The law enforcement agencies were entrusted with so many responsibilities (Grant & Terry, 2012). Let's examine the responsibilities of law enforcement;

- Prevention - Prevention is better than cure. In the case of law enforcement, the saying is absolutely true. It is considered that the prime responsibility of the police force is to prevent an occurrence of crime. There is no point in taking action after a damage has been done. So through surveillance and vigilance police should prevent a crime from happening (Lord&Van Wingerde, 2019).
- Detection - In law enforcement, detection involves the process of pinpointing and collecting the evidence to establish the crime. It is a crucial part of criminal investigation that aims to uncover the truth, hold the offenders accountable (Wang et al., 2004).
- Investigation - The goal of investigation is to unfold the truth, identify the culprits, find out the motive behind the crime and collect evidence to support the legal case. Crime scene examination, witness interview, and suspect interrogations are part of the investigation (Katz, 2014).
- Law and order - A society can function well, when the laws are respected, followed and enforced, leading to a sense of security, peace and justice for the individuals. The law enforcement agencies such as the police are responsible for maintaining law and order within the society.
- Prosecution - Prosecution involves presenting the case in court and seeking a conviction. Conviction rates usually indicate the soundness of law enforcement agencies. From filing of charge sheet, the strength of evidence, witness credibility, legal elements of the offense all influence conviction. Prosecution plays a crucial role in upholding the rule of law by ensuring that those who violate the law are held responsible.
- Surveillance - The surveillance refers to the practice of monitoring the people, groups or particular locations to gather information. This is usually done to prevent a crime, maintain public safety, and aid in investigations. Various surveillance techniques are used by law enforcement agencies to gather evidence, identify suspects, and to prevent crime.

- Responding to an emergency - An emergency situation may happen in any society, at any time. It is the responsibility of the law enforcement agencies like police to respond to that situation. Protection of life and property of the individuals are the prime responsibility of police.
- Regulating traffic - In the modern states, the smooth flow of the vehicles through the road is also entrusted upon the police. The law enforcement agencies like the police play an important role in enforcing traffic regulations. The police patrol the roadways, monitor the traffic, and issue fines to those individuals who violate traffic laws. The enforcement actions help deter speeding, reckless driving, and promote compliance with traffic rules.

3.2.2 Why Enforcement is Necessary

In any civilized society, law enforcement is a fundamental component of justice. Laws and rules are created by human beings to escape from the laws of nature. Laws of nature support the principle of survival of the fittest. Human beings created the whole civilization on the foundation stone of laws and their implementation. But the same human being tends to evade those laws whenever possible. The rational man tended to do the cost-benefit analysis before doing any action. The benefits of obeying or disobeying a law and the cost of obeying and disobeying are compared before every action. So at times he tended to disobedience when the cost was higher. There came the need for an enforcement agency like the police. If all people living in a society are most willingly following laws, then there is no question of enforcement. People voluntarily comply with all laws all the time. Maybe, at a higher stage of human development, we may be voluntarily following laws all the time.

Moreover, many people break laws because of their love for freedom. Many people disregard laws as they believe it restricts their personal freedom. It's only their ignorance. To the thinking mind, all laws and regulations are to increase the freedom and choice of all. Reasonable restrictions are imposed on our freedom to provide space for all. Unlimited freedom is possible only in a world where a single

individual is living. The moment another individual is entering the world, in the name of justice, restrictions will follow to provide freedom for the second. Let's see the reasons why law enforcement is essential in a civilized world where there is no voluntary compliance (Shavell, 1993).

- Preservation of order and stability in the society
- Ensuring public safety
- Upholding the rule of law
- Prevention and investigation of crime
- Protection of Individual rights
- Development of social cohesion and trust

3.2.3 Voluntary Compliance

The concept of voluntary compliance means the willingness of the people living in a state to comply with the laws of the state without the use of force or any other compulsion. It means that the citizens living within a state follow the legal obligations set forth by the government. Only people having high civic sense and responsibilities towards one's own country and fellow citizens would follow laws voluntarily. Examples of such voluntary compliance can be seen in developed countries like Sweden, Finland, Japan and Germany in the form of unattended or self-service shops. There are self-serve shops with no shopkeeper or owner or employees in the shop. Anyone can go there, take necessary items from the shop and place the amount of money on the counter. The entire transaction is based on trust and goodwill. In some countries people are following traffic laws voluntarily. People would cross roads only at the specific point meant for crossing the road. People driving vehicles would observe all traffic rules like wearing seatbelt and helmet voluntarily.

In India most people would observe these rules only when enforcement mechanisms are in operation. Only the people having high civic sense, respecting

freedom of oneself and others and responsibilities towards fellow citizens could practice it. So voluntary compliance is an agreement between citizens and states that they would follow laws without any external enforcement mechanism. It is not because of the fear of punishment or fear of being caught or social compulsion, an individual is obeying laws. It is considered as an obligation to the state and fellow citizens that an individual is complying with the laws.

The concept of voluntary compliance is such an ideal concept, and complete compliance with the law may not always be achievable in practice. In such situations the government has to rely on enforcement mechanisms to address non compliance and maintain order. The practice of voluntary compliance can be increased by educating the public about civic sense, increasing legitimacy of the government through fair procedure and transparency, reduction in corruption and nepotism at government level and increasing trust in the rulers (Scholz, 1984). This type of voluntary compliance is stronger in western developed countries because there exists a natural and evolutionary growth of institutions. The People knew and accepted most of the institutional structures including the police force. There, the people generally regard the laws and restrictions as measures to increase their freedom and opportunities.

Whereas, in the case of most third world countries, the situation is different. These countries were once colonies of the imperial powers. Much of the institutional structures including the police department is superimposed by the imperial government. So voluntary compliance to law is too foreign and the practice of law enforcement is most common, often involving brutal force. There, in such countries, the people identified the police force as a brutal force to restrict freedom. The laws and regulations are not observed as a mechanism to increase freedom. Thus in third world countries colonization had a lasting impact on people's attitude towards the police and the laws. It created a legacy of mistrust and panic among people. Like the Police force, most laws were to suppress and exploit local people. So people have had a negative attitude towards laws. In such a scenario even after earning the

independence from the colonization, the negativity still survives to prevent voluntary compliance.

3.2.4 Factors Contributing Voluntary Compliance

There are so many factors in a society which can shape voluntary compliance to law(Murphy, 2017)

1. Knowledge and accessibility of the laws and regulations - When the people living in a society are well aware about the laws and regulations governing them, then the possibility of voluntary compliance is higher. Further, the people should be more convinced about the necessity of such laws and regulations, then the possibility of voluntary compliance is higher. Information accessibility reduces the chance of unintentional non-compliance due to the ignorance of laws.
2. Effective communication and public education about legal obligations - When the people are well informed about the citizens obligations to the state and the society and the potential consequences of non compliance, they are more likely to comply voluntarily. Clear and effective communication can foster a sense of accountability and responsibility.
3. Trust in the legal system and perception of fairness - Legitimacy of the political system depends upon trust and fairness. When the citizens are confident about the integrity of the legal system and the fairness factor in the enforcement of laws, they most willingly adhere to the legal requirements. The rulers should ensure trust and fairness in governance.
4. Active compliance support mechanisms - Active compliance support mechanisms like clear guidance and education, incentives for voluntary compliance, regular interactions, simplification of processes, technology integration and assistance programs can increase voluntary compliance.
5. Incentives and benefits for compliance - Once the people are aware about the incentives and benefits for compliance with laws, chances of voluntary

compliance are more. Positive reinforcements, recognition, reduced penalties, more access to opportunities, contribute voluntary compliance to law.

6. Social norms and peer influence - Social norms and peer groups play a significant role in shaping voluntary compliance in a society. Social norms are patterns of behavior acceptable to society. These norms, through the socialization process, get transferred from one generation to the next. The people may have the habit of conforming to the group behavior. If some action is perceived as acceptable to the group, then the possibility of a group member to follow such an action is higher, to maintain the group cohesion.
7. Positive relationships and cooperation with authorities - Positive relationships and cooperation with the authorities will fix the gap between the rulers and the ruled. Once, the gap between the rulers and the ruled are diluted, then the people most willingly accept and follow laws and regulations in such a society.
8. Accountability and transparency in the legal system - Transparency in the decision making process increases public trust and that will contribute to voluntary compliance with laws. When the people feel that the authorities are trustworthy, then, that would contribute to the legitimacy of the system. The people are more likely to follow the laws when they feel that the enforcement mechanisms are legitimate and impartial.
9. Consistent and timely enforcement of laws - Fair and consistent enforcement of laws contribute to voluntary compliance with the laws.
10. Cultural and ethical values that promote compliance - Cultural and ethical values of the general society can influence voluntary compliance with laws. When legal norms align with cultural and ethical values, people are more likely to comply with laws. Cultural and ethical values define what is the accepted behavior in the society.

11. Control corruption, nepotism and favoritism in the government - If corruption, nepotism and favoritism are prevalent in a political system then the possibility of voluntary compliance with laws are minimum among people. So the first step to achieve the habit of voluntary compliance among people is to eradicate the above mentioned practices in the political system.
12. Community involvement in the creation of laws - If all people could participate in the creation of laws in a society, then the possibility of voluntary compliance with laws is higher. It can foster a sense of shared responsibility and obligation among people.

3.3 The Sentinel's Journey

No society could survive without the service of law enforcement agencies. The present Kerala state in India is not an exception. There is no authoritative record to track, if one is trying to trace the history of Kerala Police. The early literary works during the Sangam period, beginning from 6th century BC to 3rd century AD, like 'Akamkrithikal', 'Pathiytipattu' and 'Chilappathikaram' depict the ancient police system(Zvelebil, 1974). Various descriptions of people called 'Sentries and Watchmen' were posted to protect the people and merchant caravans who were traveling through forest.

In Chilappathikaram, detailed descriptions regarding the investigation by a special group of people were given, to prove allegations of crime. The people appointed in the secret service section are known by different names as 'Charan, Dhoothan, Apasarpakan and Goodapurushan'. So, even during the ancient period, primitive forms of policing were in existence in Kerala. Security personnel were known by different names as 'Kanchukil, Harrikan, Souvidithon, Vetradharan, Dwarapalakas, Darsaka, Prathihara, Kolkaran' and the like. A type of Feudal system was in practice at that time in Kerala. That was the usual practice at that time, even in Europe. A decentralized police system under feudal lords was practiced. Land was roughly divided into 'Thara, Desom and Nadu' ruled by 'Madambi, Desavazhi and the Naduvazhi' respectively. Under feudalism, the rulers in the concerned area were in charge of law enforcement including trial and punishment. Stringent and

severe punishments were given to the culprits as deterrence was the base of punishment in those days (Menon, 1961). Due to the stringent punishment for committing crimes, there was a decline in crime rate during those days. Certainty of punishment and severity of punishment have a positive effect on compliance to law (Paternoster, 2010).

Before 1956, there was no unified entity as the Kerala state. There were so many princely states, competing for power. People of a particular princely state have allegiance to his or her king and nationalism was limited to his princely state. Before independence, the major geographical areas of Kerala were under the governance and control of Travancore, Kochi, Venad, Calicut and Kannur. Within these Princely states there were so many semi sovereign areas under the control of local chieftains. Travancore formally came to be consolidated under the governance of a single monarch in the middle of 14th century. Even before that, the country was divided into many small kingdoms ruled by 'Desavazhis' and assisted by 'Nattikoottam'. It was during the period of king Marthanda Varma(1729-1758), an organized professional armed force was established to enforce law and order. King Marthanda Varma created the 'Marava Force' to suppress local rebellions. Detailed documents regarding the Police force were available from 1757 AD onwards. The entire kingdom was divided into many divisions and new assignments such as 'Sarvadhī, Karyakar, and Pravarthiyakar' were created. They were in charge of law and order and judicial functions in their respective domains.

In Travancore in the late 19th century, under British influence a modern police force was created. Oliver H. Bensley was the first superintendent of police for the state of Travancore in 1881. In 1936, 'Travancore Watch and Ward' force was renamed as the 'Travancore State Police'. The Kochin kingdom also established a police force in 1861. The force was initially called the 'Cochin City Police'. In 1939 the post of Inspector General of police was introduced. Sir. T Madhava Rao in his administration report praised the police system, "A very high degree of security of persons and property has now been attained in Travancore. Men and women, the latter with costly ornaments, travel by highways, night and day without

apprehension. Isolated bazaars are often found in charge of mere boys and girls". Malabar region was under British company rule. Mr. Hitchcock, the then south Malabar police superintendent, organized a new police force on the model of the British Army in 1921 as 'Malabar special Police'.

After independence, the Kerala state was formed by uniting Travancore, Cochin and British Malabar region (Menon, 2007). The Travancore, Cochin and Malabar police forces were merged to form the Kerala police. The Kerala police act was created in 1960, which gave the force a statutory base. Thereafter the force played an important role in the development of the state. It plays a crucial role in the safety and security of the people of Kerala. The force is dedicated to maintaining law and order and protecting the state from crime and violence.

3.3.1 Colonial Shadows on The Kerala Police

The colonial legacy was imprinted on the foundation and functioning of the Kerala police. Although Kerala police in the present state of Kerala is a hodgepodge of Malabar police, Cochin princely state police and Travancore princely state police. All three are created and trained by the British to cater the interests of British colonial administration directly and indirectly. The primary task of the police force was to maintain law and order and prevention of crime. British trade and commerce demanded a peaceful atmosphere in the state. It was during the struggle for Indian independence, the police force was utilized to suppress the movement. Literally, the police were following the Deterrence theory to control the local population. Higher officials in the police force were British citizens and lower officers were locally recruited natives.

The British authorities considered the local people as less civilized and treated native people as inferior. This attitude later transferred to the locally recruited Indian police officers as well. Locally recruited Indian officers strongly believed that they are a class-apart from the local people, because of their closeness with British rulers. Among the locally recruited officers, the majority, sometimes all, belong to the upper caste members of the society. At that time education was not open to all and so the beneficiaries of education were upper caste men. While

following the principles of deterrence theory, caste prejudice was also added to oppress the freedom struggle.

The police were often accused of being brutal and corrupt. In order to appease the colonial rulers as well as the local feudal lords, aggression became the face of Kerala police (Das & Verma, 1998). The main features of British colonial police can be summed up as follows;

- Hierarchical structure with clear ranks and a chain of command
- Centralized control by the British authorities
- Paramilitary nature resembling a no quasi-military organization
- Dual role of maintaining law and order and protecting colonial interests
- Limited role in crime investigation, with a primary focus on maintaining public order
- Reliance on an informer network for gathering intelligence
- Limited interaction with the public and a lack of trust
- Emphasis on riot control and suppressing protests
- Discriminatory practices favoring British officers and poor systemic biases against Indians
- Limited accountability and unchecked instances of misconduct or abuse
- Caste prejudice
- Corruption

The colonial legacy of the British police is still evident today, even after 75 years of Indian independence. The force is still seen by many as a symbol of oppression and control. Colonial era tactics, such as oppressive policing left a negative attitude towards police authorities among the people. The People never identified the police as an instrument to increase their freedom and happiness. After

independence, police forces were under the control of Indian political leaders. Thereafter, the politicization of the Indian police force gradually happened, directly and indirectly. The political leaders utilized the police force for oppressing their political opponents. Thereafter, the relationship between the police force and the people became more fragile. The attitude of the police towards the people and the attitude of the people towards police are still a problem (Arnold, 1976).

3.3.2 Police Attitude Towards People

Kerala police had been under colonial upbringing for almost a century before independence. The police force was utilized to suppress the independent movement and the peasant struggle against feudalism. Suppression and brutality were at the maximum level to appease the colonial and feudal landlords. Early Police personnel were from the upper caste and well off section of the society, because English education was not open to all. Caste prejudice against peasant struggle was also there. British rulers like the police force had prejudice towards the local community.

After independence, the colonial masters and feudalism began to crumble. But the police remain unchanged in their attitude towards people. By the time of independence a culture was created among the police force that people should fear them. People should obey the laws of the state out of fear of police. Police is the law enforcement agency, it is the agency to make the people obey the laws. Even in the post independence period police largely functioned on a superior-inferior basis. People were often considered as violators of laws. Political leaders also used police to suppress the dissent and to protect the interests of the ruling class (Anderson & Killingray, 2017).

In Order to overcome the negative attitude of police, after independence several reformatory measures were adopted.

- Police reforms - The need for police reforms were recognised early after independence. Colonial police created to cater the needs of the British authorities were not suitable for democratic government. Various commissions and committees are put in place to address the issue. Many

recommendations have been implemented since then. But still the attitude of the police towards people to a large extent remains the same.

- Police training - After Independence training has been given to police to improve the efficiency as well as attitude towards people. Because a democratic country cannot accommodate a colonial brutal police. But the problem in India is that, Indian democracy is not yet fully functional democracy. The political leaders wanted a police force to oppress dissent and eliminate political opponents. So they utilize the police as an instrument to gratify their needs .
- Community policing - By ensuring participation of the local community in crime prevention and detection leads to the idea of community policing. This idea has been in practice in the developed world. By making local people participate in the law and order issues make them responsible citizens. This idea has been in practice in Kerala for sometime. To make it a successful programme both the attitude of the police and people should change. Student police cadet is an extension of this programme to the school level.
- Use of technology - After independence efforts have been taken to modernize police through the application of technology. In the area of crime prevention, investigation and at the time of prosecution the help of technology has been accepted. Forensic analysis, fingerprinting, DNA testing etc have been used in criminal investigation. By using the latest technologies crime can be proved easily and during the prosecution phase conviction rates are also higher. Higher conviction rates will lower criminal activities in the society.
- Human rights protection - Indian police during colonial service never worried about human rights and their violation. The post-independence civil society discusses more about human rights violations. Today Indian people are more alert against human rights violations in police custody. Earlier, custodial death and torturing have been a regular occurrence in police stations.

- Public complaints mechanism - Because of the alert civil society public complaints mechanism is very active against police. Wherever police excesses happen, the public complaints mechanism is also very alert. People can approach various other authorities like human rights commission, women's commission, child welfare commission, SC/ST commission to remedy for a police action.
- Sensitization programs - Programmes were conducted in the police department to sensitize them about peculiar problems of diverse cultural groups in the society. Once they had awareness about the downtrodden and marginalized sections problems, police became proactive to address their problems.

These measures were adopted in Kerala to create a professional, accountable, citizen - friendly, corruption free police.

3.3.3 People's Attitude Towards Police

Like the police attitude towards people, people's attitude towards police was also shaped during the early colonial period. People often identified police as authorities to oppress them. During the struggle for independence, British authorities used police to brutally suppress the movement. Indian's started a civil disobedience campaign under the leadership of Mahatma Gandhi. It started to spread to every nook and corner of the country. People started peaceful demonstrations and civil disobedience movements. Gradually civil disobedience or breaking the laws often identified with freedom and independence. A new culture of civil disobedience among people began to spread. The police and laws were considered evil things that needed to be hated. Even after independence, civil disobedience tendency is prominent among the Indian people. That is why even today simple traffic rules like wearing a seat belt or a helmet are resisted by the people. Many people disobey laws most of the time unless there is police to enforce the law. Voluntary compliance is not a habit among people in India. People without any hesitation jump the queue, litter street, urinate in public places, and break the traffic laws.

During the freedom struggle another habit was also evolved among Indian leaders; to visit a police station and plead with the police authorities to release the political prisoners who were arrested. Even after getting independence, still that practice is continued by Indian political leaders. With one difference that they would use their influence and power to release prisoners who were detained on various charges. Such a practice cannot be observed in the developed world. People are using political power to influence the police to accommodate their private interest. Many people in Kerala society believe that if you have political power then there is no need to bother about laws.

People often have low regards for the police and often consider them as corrupted and evil. Most people often consider that police force as a limitation on their freedom. In other developed countries people have high regard for police and consider them as the savior of freedom. To the unthinking man, the state and its laws are limiting the freedom of individuals. Actually human beings could even think about freedom just because there is law and order. If there is no state, no laws, then the natural law of survival of the fittest will prevail and there will be no guarantee for life, liberty and property. So the colonial attitude of people towards the police should change. Police are there to protect the freedom of all. People could sleep peacefully in their home just because the police are out there, without sleeping. So a new civil society with a positive attitude towards police can make a difference(Earayil, 1985).

3.4 Individual Freedom: Positive and Negative Perspectives

There exists two contrasting perceptions of public freedom within a society. The negative and positive perception offer differing approaches to the role of government, the nature of individual autonomy, role of police and other enforcement agencies, and the societal conditions necessary for freedom to flourish. Let's examine the two perspectives;

The negative perception of public freedom gives more importance to individual autonomy and limited government intervention. It focuses on the absence of external constraints and intervention in the individual wishes and actions. The

negative perception of individual freedom revolves around the concept of non interference. It places high value on personal autonomy and personal freedom. The negative Liberty highlights the inherent worth and dignity of the individual. The proponents of negative freedom favor limited governmental intervention in individual affairs. Negative freedom is often associated with negative rights. Negative rights put restrictions and obligations on others to refrain from interfering with an individual's actions. The law enforcement agencies like the police have limited space in a society having a negative perception of individual freedom. Negative perception of freedom allows an individual to use drugs or any other intoxicating drinks to his choice, provided he is not a nuisance to other members of the society (MacCallum, 2017).

The positive perception of individual freedom on the other hand emphasizes the need for societal structures to interfere in the actions of the individuals. Governmental and social interference on individual freedom is to provide every opportunity for the individual to lead a flourishing life. It is providing necessary conditions for the individual to exercise their autonomy and fulfill their potential. Proponents of positive freedom believe that society has an obligation to actively create and maintain certain conditions which are favorable to the individuals. This perception emphasizes the importance of equal access to all resources, education, health care, housing, and other essential elements of a dignified life. The government plays a more active role in ensuring equal opportunities for people living in the society. The State and government can actively interfere with even private actions of the individuals, if it is affecting negatively on an individual's life. The Police and law enforcement agencies have a very positive and powerful role in such a society(Spector, 2007).

3.4.1 Police and Positive Perception of Public Freedom

The positive perception of individual freedom provides space for the state and its law enforcement agencies to interfere in the lives of people living in a society. Such interferences are justified to provide an opportunity to everyone for a flourishing life. Laws are being framed by the state for the fullest development of

the potentialities of the individuals. The law enforcement agencies such as police are in charge of implementing those laws (FBA, 2008). The role of the police in fostering public freedom in India is crucial. The police are responsible for providing an adequate atmosphere for the development of the personality of the individuals.

One of the main responsibilities of the police is to maintain law and order in the society. They enforce laws, investigate crimes, and punish those who violate laws. The police ensure an atmosphere where citizens can enjoy their freedoms without the fear of criminal activities. Moreover the police play an important role in protecting citizens' fundamental rights and freedoms enshrined in the constitution. The police protect the right to life, liberty and security of the individuals. They also ensure that citizens are not subjected to unlawful arrest, custodial harassment, or abuse. The police are responsible for ensuring the safety and security of the people. Through surveillance and patrolling the police ensure a visible presence in the society that prevents people from committing crime. By enforcing the laws impartially and without any discrimination police are promoting the concept of equality before law. However it is important to consider that the actual implementation and effectiveness of these roles are very much in doubt. There are many incidents of police involvement in the violation of human rights in India. Many efforts are continuously being taken to address these problems and strengthen the police system.

3.4.2 Freedom : Indian Constitutional Perception

While framing the constitution of India, the constituent assembly tried to strike a balance between negative and positive perception of individual freedom. On the one hand some negative individual freedoms were included in the fundamental rights along with positive freedom and the socio-economic wellbeing of the individuals. The unique historical, socio-cultural context of India and its commitment to address injustices required a proactive state machinery. The constitution was created with the goal of promoting individual freedom and also promoting social justice, equality, and the overall well-being of its citizens. The state seeks to eradicate social inequalities and uplift marginalized and disadvantaged

groups through affirmative action programs. The Directive principles of state policy provide guidelines for the government to promote the welfare of the people and to establish a just society. These principles emphasize socio-economic rights, such as the right to education, the right to work, right to livelihood, and the elimination of exploitation. The Indian constitution envisions a welfare state where the government plays an active role in promoting the wellbeing of all citizens (Krishnaswami, 2019).

On analyzing the constitutional provisions of India, one can easily come to the conclusion that positive freedom has given priority over negative rights. Although negative freedoms were given to the individuals with so many strings attached. All fundamental rights mentioned in the Indian constitution are not absolute in nature. Fundamental rights came with so many limitations. Thus the government as well as its law enforcement agencies, particularly the police have given more powers to intervene in private affairs. There arises a possibility of conflicts between law enforcement agencies and the freedom demanding people. Nowadays people are demanding more and more negative freedoms with no strings attached. But the state and its enforcement agencies are limiting individual freedom for general welfare. Policing in India became a challenging task in such a situation.

3.5 Factors that Can Influence Public Attitude towards Law in Kerala Society

There are so many factors that shape compliance with law in a society. A clear understanding of each factor is essential for the establishment of lawful and just society. Law and order, justice, peace and harmony in any society depends on compliance with law. Why do individuals obey the laws of the state? Which factor shapes the attitude of the people towards laws ? The answer to the questions can be reached by analyzing the interplay of social, cultural, economic, political factors that shape human behavior. By examining the various factors that influence compliance, one will get a deeper understanding of the motivations behind obedience to law in Kerala society. Let's see the major factors;

1. Norms and values in the society - Social norms and values are acceptable behaviors within a society. In every society certain behaviors are considered as socially acceptable and morally right. Individuals are likely to obey those

laws which are aligned with these norms. Internalization of voluntary compliance with state laws became a morality. These social norms and values are transmitted from one generation to the other generation through the influence of family, education, peer influence, political parties and the like. If individuals feel that the legal system is fair, just and aligned with their own values, they are more likely to comply most willingly. If a society values honesty, fairness, and respect for laws, individuals are more likely to comply with the state laws (Tyler & Darley, 1999).

2. Legitimacy - When people living in a society feel that the legal system is fair, just and representing their interest, they are more likely to comply voluntarily. In many developed countries people obey laws because of respect for legitimacy of the state authority. Legitimacy of the legal system can be improved through transparency, fair procedure and accountability of the political system. The most important factor fostering compliance with laws is legitimacy. Even dictators try to increase the legitimacy of their rule by conducting fake opinion polls and the like. If legitimacy is the factor shaping compliance then less resources are needed to implement laws (Sunshine & Tyler, 2003).
3. Enforcement and Deterrence - Fear of certain punishment will discourage people from committing illegal activities. Enforcement mechanism should be effective and punishment should be certain. During the colonial period, colonial rulers imposed laws on native people with the power of deterrence. Even after getting independence many Asian, African and Latin American countries' rulers followed deterrence as a means to establish compliance. When individuals engaging in illegal activities feel that there is a high likelihood of being caught and punished, it definitely acts as a deterrence. Enforcement of every law by using deterrence is very expensive and it requires heavy surveillance and other enforcement mechanisms in operation. Whenever the enforcement actions are not effective or the punishment is not

certain, then the number of law breakers will be high, (Verboon & Van Dijke, 2012).

4. Trust in the institutions - Another important factor fostering voluntary compliance is trust and faith in the rulers as well as in the establishment. Trust in the police, courts, and government is important for compliance. If people are feeling that the rulers are corrupt and there is grave injustice going on like nepotism and favoritism then the compliance with laws are negligible. If people are having a feeling that police, courts and the government is acting fairly and impartially, then compliance will be higher. Corruption, injustice and illegal practices can erode the trust in the system(Tyler, 2011).
5. Socio-economic factors - Social and economic disparities can affect compliance with the laws. Individuals facing extreme hardships or marginalization can lead to illegal activities. Poverty, unemployment and lack of opportunities will make people rebellious. Throughout the world many people engage in criminal activities because of desperation. Crime rates in slums are usually higher than the places where rich and professional people are living. Crime rates among African American are higher than white people in America. Racial discrimination and prejudice towards black people were the reason behind their low compliance(Hawkins, 1995).
6. Education and Awareness - Educating people about laws, legal rights and responsibilities can enhance compliance. Through education people will understand that their real freedom lies in compliance with law rather than non compliance. To the unthinking mind laws are restrictions on their freedom, but actually laws are essential to establish real freedom. People who understand the purpose of laws will comply voluntarily (Dewantara et al., 2021).
7. Cultural and Religious influence - Attitude towards laws can be shaped by cultural and religious beliefs. Sometimes it may happen that some religious community prevents the members from obeying state laws. Because to them

their God given laws were superior to the state made laws. Sometimes the religious laws were in contradiction with the state made laws, in such cases the compliance among that particular religious community will be less. Both cultural sensitivity and legal requirements should be balanced to bring maximum compliance (Arnett, 1995).

8. Social control and Peer group - Society as well as peer groups discourage or encourage compliance to laws. Many studies revealed that in urban areas the crime rate is higher than rural areas. The reason for this may be less social control among urban people. In rural areas people hesitate to do illegal activities because of fear of control of family and friends. They don't want to defame their good name by engaging in illegal activities. Whereas in urban areas relationships are rather less and even people living next door are not familiar. Peer groups' pressure can influence in either way. Sometimes it may encourage people to comply or the other way (Tyler, 2006).
9. Legal literacy and access to Justice - Complex and ambiguous laws can hinder compliance. Laws that are easy to understand, accessible to all and communicated effectively are more likely to be obeyed. Simplification of legal language will increase the reach of laws and thus compliance. If the majority living in a state is having a feeling that the legal system is delivering justice to all, then compliance will be maximum (Mirzayevich, 2022).
10. Ideology and Political views - Ideological and political views can significantly influence public compliance with laws. Some ideologies are against state and state made laws. People who believe in such ideology would consider the state as an instrument of oppression and laws are simply to exploit the other class. Likewise the views of some political parties in India, when they were engaged in freedom struggle against colonial rulers, they supported civil disobedience and non-cooperation as legitimate weapons to fight. Even after independence the old cultural pattern of civil disobedience got fixed as a behavior pattern. On the other hand individuals

with ideological or political views that align closely with the legal system are more likely to perceive the laws as legitimate. When laws are seen as fair, just, and representing their values, individuals are likely to comply voluntarily (Wilson, 1992).

11. Historical legacy of the country - History of the country plays a major part in shaping public attitude towards law. The colonial legacy of the country actually shapes people's attitude towards law. Particularly the attitude towards law enforcement agencies, the police department is the creation of colonial history. Struggle for independence, civil disobedience campaign, non cooperation movement changed the mindset of the people towards law and justice. Many law and order issues in the present Kerala society had a historical background.

While these factors can contribute to compliance with the law, individual motivation for obeying the law can vary. Other factors such as personality of the individual, social and political structure etc. can play a role in shaping compliance with the law in a society.

3.6 Deterrence To Legitimacy

If the attitude of the people living in a society are negative towards the police. You can't let it go like that forever, because that society is going to fail, sooner than later. The negative attitude breeds only negativism at the opposite end as well, but with a greater degree. The police will have a negative perception towards the people, and ultimately both will counteract and the result will be anarchism. So whenever a society is experiencing anything of that kind of indifference, actions need to be taken immediately. So many factors are there which might have taken the people away from the police (Hinds, 2009). Identification and rectification actually mitigate the problem. Here are some measures which can be adopted to change the attitude of people towards police;

1. Transparency and Accountability - Through various reforms, efforts are made by the government to bring transparency and accountability in the

police department. It is essential to build and maintain trust between law enforcement agencies and the people. When the police department is transparent in its operations, procedures and processes, it helps to establish public trust in the police. Accountability of police officers also enhances public trust and makes officers more responsible for their actions(Johnston, 2006).

2. **Community Engagement** - When community members have the opportunity to participate with law enforcement through feedback and voice concerns, it creates a sense of ownership and shared responsibility. Community policing emphasizes partnership between the police and community to improve safety and quality of life. By engaging in dialogue with the community, and actively listening to community concerns, police can establish trust and confidence of the people(Paoline et al., 2000)
3. **Professionalism and Respectful Behavior** - professionalism and respectful behavior of police officers help to build trust and confidence among people. Legitimacy of the entire police department will increase if officers demonstrate professionalism in their conduct and behavior. When officers engage with the people in a respectful manner, listen to their concerns, and respond appropriately, it can strengthen the relationship and encourage cooperation(Chan et al., 2003).
4. **Training and Education** - Through education and training people would get a deeper understanding of the complexities and challenges faced by law enforcement. It can foster empathy by encouraging individuals to put themselves in the shoes of police officers. Police officers will also be benefited by training, to develop effective communication skills and de-escalation techniques. Officers can engage with the people in a more equitable and respectful manner(Weiner, 1974).
5. **Diversity Representation** - Early Indian police officers were upper caste Hindu community members, who had bias and prejudices against other caste and community members. Today police are accommodating every Indian

community and the prejudice towards police as well as people are vanishing. Diversity representation increased the trust and legitimacy of the police force. People from different racial, religious, caste and cultural backgrounds may feel more comfortable and confident interacting with officers with similar backgrounds. It helps in bridging the gap between the police and the communities(Hong, 2016).

6. Technological innovation - People today are using technological advancements like smartphones with video and audio recording capabilities to capture incidents involving the police and shared instantly on social media platforms. This has led to more accountability and responsibility on the part of police. Whenever the police are behaving responsibly, people's attitude towards the police would also change. Real time footage of police encounters can be shared, with the advent of live streaming platforms by ordinary citizens. By using the latest technology, the functioning of the police department can be improved. Efficiency in crime investigation and prevention increases the legitimacy of the police department(Byrne & Marx, 2011).
7. Media and Discourse - Public attitude towards police is largely shaped by the media and its discourse. Media can create both negative and positive attitudes towards police. For example, during the Indian struggle for freedom, the media was creating a negative attitude towards police. By providing a balanced and unbiased reporting can contribute to a more comprehensive view of law enforcement agencies. It can foster a dialogue and engagement between the police and the community. Media can humanize the police force, highlighting their positive contributions and improve the public attitude towards police(Boda & Szabo, 2011).
8. Proactive and Problem solving Approach - Community policing is such an initiative, to build relationships with the community they serve. It fosters positive interactions, increases communication, and creates a sense of partnership between the police and the community. Problem solving policing

initiatives can help to address the root cause of crime and disorder. Partnership with community organizations, social service agencies, schools, business chambers, and other stakeholders is essential for effective problem solving (National Academies of Science Engineering and Medicine, 2018).

3.7 Conclusion

The journey of the Kerala police from deterrence to legitimacy is the transformational story of the British colonial police to one based on the Indian constitution. As discussed earlier in this chapter, the British rulers created a police force in India to establish and maintain their dominance in Indian society. Law and order was forcefully implemented in Indian society with the help of terror. Laws were being made and implemented forcefully. The police force was the face of British power and authority. They used to terrorize the people to obey the laws of the state. If Indians were asked to answer the question, why do you obey the laws? Answer would be the fear of punishments attached with non compliance.

Kerala was a part of British rule, some areas directly and other areas by accepting British suzerainty. But in both areas, the police force was created out of the same pattern. The people had a negative attitude towards police and compliance to law. Particularly during the civil disobedience and non cooperation movement of Indian freedom struggle. Laws created by the British rulers were considered as black laws and that needs to be hated and disobeyed. Once the people were resisting laws, the government was using the police force to oppress and make them obey the laws. Lathicharge, firing, and rootmarch were common during the colonial period. The public attitudes towards police were very negative(Chande, 1997).

After India became independent, Indians created a new constitution for India and it came to force on 26th January 1950. The constitution assigned the sovereign power upon the people of India. As the preamble of the constitution reads, ‘we the people of India, having solemnly resolved to constitute India into’ so on and so forth. It was easier said than done, even after 75 years of Indian experience ‘we the people of India’ are far away from engaging that responsibility. Indian people's attitude towards laws, particularly compliance to law is still based on deterrence

factor. The concept of voluntary compliance with law is still an ideal thing to achieve. Police presence is mandatory for people to comply with law. People will wear a helmet or seatbelt only if the police are there to enforce those laws. People are lacking a civic sense to comply voluntarily with the law. Not only obeying laws but the achievement of constitutional goals are also the responsibility of people.

The historical attitude towards police has to be replaced with modern legitimacy oriented perception. Through initiatives like community policing, public attitude towards police as well as police attitude towards people needs to be redesigned. Historical legacy of terror police has to be replaced with people friendly, accountable and legitimate police. Indian democracy also contributed to the negative image of the police force. Many political leaders utilize the police force for illegal activities like arresting and detaining political opponents. Police became an instrument in the hands of corrupt politicians and that again contributed to the creation of a negative attitude towards police (Madan & Nalla, 2015).

People's attitude towards police can be changed only by getting sound civic education. People should understand the value of various services done by the police department. People should have a thinking that they could enjoy real freedom only in the state with effective enforcement of laws. Many problems within the police department can be overcome by transparency, accountability and good conduct. All the constitutional objectives can be achieved only if there is law and order. All civilizations were created on the strong foundation of law and order. By fostering trust and legitimacy, the police can effectively serve and protect the people.

The journey of the Kerala police from deterrence to legitimacy signifies a broader transformation in policing approaches, stressing on community involvement, accountability and proactive problem solving. The police force alone cannot make a difference, the public attitude towards law and governance should also change from negative to positive. About two hundred years of struggle for freedom from British colonial masters created a negative attitude towards laws and governance. Remnants of non cooperation and civil disobedience have to be erased from the genes of every Indian.

Every modern civil society is organized into a national-state system today. The national-states create laws and implement them in their national boundaries to protect and preserve life, liberty and property of all individuals living in that territory. Maintenance of internal security including law and order is as important as external security. Development of all sectors in the country, the quality of life of the people largely depends upon maintenance of law and order within the territory. Throughout the world, the practice is assigning that task to professional law enforcement agencies, known by different names in various countries.

In India, in Kerala state, the law enforcement agency is called the Kerala Police. Since the formation of the state, Kerala police have been working day and night, throughout the year to enforce laws of the state, protect people's life, liberty and property. Development of the state largely depends upon law and order and peace in the state. But when analyzing the overall performance of the police one can easily find problems. Some problems are associated with the formation of police, the historical legacy, organizational problems, the attitude of people towards police and towards law enforcement, corruption, brutality, lack of transparency and accountability. In short both people as well as police are disappointed with each other. So actions need to be taken to mitigate the problem as early as possible.

The Police force is a cross section of any society. Many problems in the police department are there in society. So in order to address many problems in the police department, we have to look for the root causes of the problems in society. Why there is corruption in the police department, the answer is, the society is having corrupt elements. The corrupt policeman is taking the bribe to his or her home, where if it is rejected by the family, then he or she wouldn't do it again. Problems of the society will have its reflection in the police department as well. A modern civilized society needs to be transformed from a law enforcement society to a society based on voluntary compliance. People voluntarily comply with the laws of the state. The high civic sense of every citizen can make a change in the society.

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CHAPTER 4

POLICE REFORMS IN KERALA: MAJOR TRENDS

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- 4.1 *Introduction*
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4.1 Introduction

A professional police force in India emerged with the enactment of the Indian Police Act of 1861 by the British rulers. The primary implication of the act is a force in uniform with well-defined powers and functions with regular salary and allowances. The Indian Police Act of 1861 was the backbone of the British colonial government in India (Vinod Kumar & Verma, 2009). Even after the independence of India, that act is still supporting the police system in India. During the British colonial period itself, the colonial rulers were aware of the problems of the Indian police force. The Indian Police Commission of 1902-03, which reviewed the performance of the police, found the police system defective. It concluded, “the police force throughout the country is in a most unsatisfactory condition, that abuses are common everywhere, that this involves great injury to the people and discredit to the government, and radical reforms are urgently necessary”(Fraser et al., 1903). The colonial government and the administration realized the need and necessity of reforming the police system in India.

More than a hundred years have passed since then, many things have happened, but still policing is a challenging task in India. The British rulers left India, and India emerged as an Independent Sovereign Republic, with Parliamentary Democracy and Constitutional Governance. The once-ruled and oppressed people emerged as the rulers. Democracy is extending its roots even to rural India through Panchayat Raj and Decentralization. The Constitution began to control and shape all the institutions, including the police department. Many reforms have happened, many committees and commissions were appointed to accommodate various challenges brought by the period in the police department. The police force had to respond to the changes that happened in India. Many believed that accountability and transparency became the panacea for all evils in Indian society. Call for Human Rights, Gender Sensitivity and Diversity, Public Participation and Community Engagement etc had its reflection on the demand for police reforms as well. Once, the British colonial rulers, utilized the police force to oppress Indian subjects (Cohn, 1996). During that period reform of the police force was largely demanded on that

issue mainly. Today, excessive political interference in the day-to-day activities of the police department is one of the major demands for reforms. Political leadership is misusing police force for their political gain (Narayan & Satta, 2002).

Re-orientation of the colonial-bred police force into a democratic society's sentinel is a rather challenging task. The Colonial police attitude towards common people is rather master-subject based. It's not simply the attitude of British colonial police to native people that matters, the attitude of the people towards police is also equally important. Attitude of police towards people was as much hostile as the attitude of people towards police. Alongside, excessive political interference, corruption, nepotism, favoritism, lack of accountability and transparency are also major Indian Police problems (Raghavan, 2003). That is why the transformation of colonial police to a modern constitutional force is easier said than done.

In this chapter many important themes are discussed. The first theme we discuss is a brief history of Kerala police along with the colonial police through the lighting of Indian Police Act of 1861, Criminal Procedure Code and Civil Procedure Code. A historical description is most essential, because today's police have a legacy deeply embedded in the past. The second theme is related to the post-Indian independence changes in the police force. Why are reforms required? What are the significant problems that need immediate attention? etc are discussed. The third theme is related with the Important Police Acts, various committees and commissions recommendations, Supreme court judgements, administrative reforms commission report etc. The final theme is about an analysis of the current status of development happening within the Kerala Police as a result of reforms.

4.2 A Brief History of Kerala police

The now-existing Kerala state during the British period was ruled by many princely states and local feudal lords. Travancore princely state, Cochin princely state, Venad, Zamorins Kozhikode, Arakkal Beevi at Kannur were prominent princely states. Later, during the British colonial period all these regions except the Cochin and Travancore princely states became part of Malabar state under the direct rule of British East India Company. Cochin and Travancore princely states accepted

the suzerainty of British dominance by paying a fixed amount of money to the British government in India. In the early princely states, there was no professional full-time police force. It was during the British colonial rule a professional police force was created. First in the Malabar region and then in the Travancore and Cochin princely States on the British model.

The first known policeman in the history of Kerala was "kolkaran" traced back to the 14th century in the Travancore princely state. "Kolkaran" was responsible for maintaining law and order in the kingdom. He was armed with a stick and was authorized by the king to arrest criminals and bring them to justice. Kochi, another princely state in Kerala, there, "Kavurani" was responsible for maintaining law and order in the state. During that period deterrence was the factor which shaped compliance with laws. There were different types of brutal punishments that existed in Kerala society, like piercing an iron rod through the anus to the top and a slow death hanging in the rod, cutting genitals for adultery, thieves were forced to dip their hands in boiling oil, cutting hands, piercing pins into the nail and capital punishments etc. Prevention of crime through harsh and cruel punishment was the logic behind these practices. Harsh and cruel punishments were common at that time throughout the world.

However, a peculiar feature of Indian society was the caste system. The degree of punishment for crime varies from caste to caste. Justice has been distributed in society on the basis of caste system. There was no system of equality before law or equal protection of law. In the 19th century, the British colonial government introduced a modern police force in the Malabar province. Under British influence the other princely states in Kerala also adopted the model of British professional police force. They also established a common criminal code and civil code with certain exceptions. The British police force was organized along military lines and was responsible for maintaining law and order, collecting taxes and suppressing rebellions. In 1884, the Malabar Special Police force (MSP) was formed as a dedicated force to deal with the Moplah rebellions, which were a series of violent uprisings by Muslim peasants in the Malabar region.

After the Indian independence in 1947, the Kerala police was reorganized and became a civilian police force. The reorganization of the Kerala police happened in 1956, when the Kerala State was formed. Prior to that, the Malabar region was part of the Madras Presidency, which was under the direct rule of the British government. Kerala state was formed by merging Travancore and Cochin princely states with the Malabar region. The reorganization of the Kerala police was a major step forward for the state. On the basis of the British model of Policing a new organizational structure was created. A new training system was developed based on the Indian Police Service training curriculum. Many of the British practices are still followed in the police department (Alexander, 2006). The motto of Kerala police today is "Seva Swaroopam Rakshakam", meaning, "service is the embodiment of protection". A military oriented police force is transforming into a service oriented force with community sense, sensibility and sensitivity.

4.2.1 Colonial Police

The structure, framework and culture of the police force in India are framed by the British colonial rulers. It was created with colonial interest in mind. Uniform laws and legal proceedings followed by a 'uniform police force' for the entire territory. The British colonial interest demanded peace and order in the country for trade and commerce. They were very much concerned about the threat of disorder and lawlessness in India. Particularly after the Indian rebellion of 1857, they believed that a strong and centralized police force would be necessary to prevent future uprisings and establish peace (Metcalf, 2015). The police force also helped them to collect taxes, which was often a haphazard affair. They believed that a strong police force would be necessary to prevent the people from organizing against British rule. The British rulers wanted to project an image of authority and power through a brutal police force.

The police force was a visible symbol of British rule and used it to intimidate those who might challenge British authority (Anderson & Killingray, 2017). The Preventative policing principle was the base of the British model of policing. The police were seen as a tool of social control and some people argued that it was too

harsh and repressive. So, a culture was created among police personnel that they were superior to common people and everyone in society should obey them. Still, even after so many years of independence and various police reform measures, it still bears the imprint of its British colonial origins. The police force in India remains a powerful symbol of state authority (Vinod Kumar & Verma, 2009).

4.2.2 Indian Police Act of 1861

The Indian Police Act of 1861 served as the cornerstone of the modern police force in India. It was enacted to establish a unified police force in British India and to provide a legal framework for policing in the country. The act established a professional police force in each province of British India. The Princely states soon followed the pattern of the British Indian Police. As per the act, the force was created to maintain law and order, prevent and detect crime and enforce regulations. The act decided the organizational structure and administration of the police force. It outlined the structure of the police department, the ranks and responsibilities of police officers and the mode of appointment and dismissal procedures.

The act conferred certain powers upon police officers, such as the power to investigate crimes, make arrests and maintenance of public order. It defined the responsibilities of each officer and established a mechanism for police accountability. It required the police to maintain records of arrest, inquiries and investigations. The Act also introduced the role of magistrates, who would supervise police activities and review their actions. Moreover the act also imposed certain restrictions on the political activities of the police officers. Thus for the first time in Indian history a professional police force based on discipline, hierarchy and a class of its own was created (Singh, 2021).

4.2.3 Criminal and Civil Procedure Code

The Criminal Procedure code and Civil procedure code are landmarks in the legal system of India. For the first time in Indian history crimes were categorized as criminal and civil. Even today this categorisation is followed in India. A common code for all people was created for the first time in India's long history. The

procedure code is a detailed description regarding the procedure for the investigation, trial, and punishment of criminal offenses and civil offenses. Various crimes were defined with minute details with clear description of punishment mechanisms. The Indian Police Act of 1861 and the CrPC were enacted around the same time during the colonial period. But both these acts addressed different aspects of the legal system in India. The CPC was enacted later in 1908 to establish a comprehensive framework for civil procedure in Indian courts.

The CrPC and the CPC underwent several amendments and revisions since its adoption. Both these acts continue to be an essential part of the Indian legal system. The CrPC provides instructions on the powers and duties of the police during the investigation process. A standard operating procedure for arrest, search and seizure, interrogation and collection of evidence were established. It sets out the rules regarding the arrest, interrogation and detection of individuals suspected of committing a crime. It instructs the investigating officer the circumstances under which an arrest can be made, the rights of the arrested person, and the procedures to be followed during the arrest and detection process. A legal procedure was established for every legal action for the first time. It also outlines the procedure to be followed by the courts during the prosecution, the presentation of evidence, examination and cross examination of witnesses. The rights of the accused during the trial, provisions relating to bail, the conditions under which the bail can be granted and the factors to be examined by the courts while granting bail etc were solved through the procedure code.

It also includes the provisions regarding the sentencing and punishment of convicted offenders. The factors to be considered by the courts in determining the appropriate punishment, the procedures for imposing sentences and the rights of the convicted person. It also deals with the appeals and revision petitions against a conviction or sentence. The procedure for filing appeals, the ground on which appeals can be made, and the power of appellate courts are detailed (Kolsky, 2005). For the first time in Indian history a uniformity was created regarding making of laws and implementation of laws. The principle of equality before law and equal

protection of law began to flourish with the commencement of the act. The principle of Rule of man was replaced with the principle of Rule of law.

4.3 Post-Independence Changes in the Kerala Police

India emerged as a fully sovereign country on August 15, 1947, ever since the demand for the police reforms was heard. The Political leaders as well as the common Indian people were most victims of the colonial police brutality during the freedom movement. Therefore, the demand for the reform of the Indian Police Act of 1861 to make the police force more accountable and democratic was not surprising. The constitution is created on the framework of a liberal, democratic, socialist republic with secularism and federalism. The colonial police force must be reformed to accommodate the constitutional obligations. The British Indian Police force was most suitable for a colonial country and not for democratic republic.

India adopted a quasi-federal structure with a clear division of powers between the central government and the state governments. The Police subject comes under the jurisdiction of the state governments under the seventh schedule of the constitution. The Central government has limited powers regarding the police force. It can intervene in investigations that affect the whole country like common threats like terrorism and counterfeiting. The recruitment, training, posting, transfer and promotion of the police personnel are state subjects. Maintaining law and order and investigating crimes has become a primary responsibility of the state governments. The Central forces assist the state police with intelligence and internal security challenges (Subramanian, 2007).

Since independence, more than six hundred commissions and committees have been appointed by both the Central government and the various State governments to review the working of the police force. The state of Kerala was created on November 1st 1956, since then efforts were made to reform the Police force in Kerala. Let's examine the challenges faced by the police force after independence. These challenges were common to all Indian states.

4.4 Challenges Faced by Police after Independence

1. Political interference

The performance of the police force in India is badly affected by political interference. It was a historical practice in India, developed during the freedom movement. Whenever a Satyagrahi was taken into custody, by the British police the usual practice of an Indian leader was to visit the police station and plead for the release of Satyagrahi. So the practice started rather as part of the freedom movement as legitimate and ethical. The common people because of fear usually preferred an escort of a political leader to the police station whenever required. Even after independence this practice continued but with an exception, the politicians often interfere with the functioning of police officers for the benefit of their supporters and even for the criminals.

The Nexus between politicians and criminals is often becoming a common thing in India. Politicians often interfere with the transfers and postings of the police officers. This has led to a situation where many officers are more loyal to their political masters than to the law. Political leaders often use the police force to suppress dissent and protest. Political leaders realized, with the police force, a climate of fear and intimidation can be created. Due to the political pressure often independent investigation is subverted to protect the criminals. Political interference in the police force has resulted in the hijacking of the rule of law and ultimately the public trust in the police force has been eroded. It becomes difficult for the police to carry out their duties effectively because of the trust deficit among the people. The police officers are under pressure to please their political masters. They are less likely to conduct impartial investigations. It can also create an opportunity for corruption in the police department (Bayley, 1983). The supreme court of India issued a landmark judgment in the Prakash Singh case, in 2006, which laid down a number of guidelines to save the police department from political interference (Sanga Reddy, 2006). But these guidelines have not been fully implemented.

2. Corruption

Corruption is so deep rooted and spread across all sectors and sections in Indian society. The police force is more vulnerable to corruption because of the secrecy of proceedings and the lack of accountability. Roots of corruption in the police force can be traced back to the colonial period. Police were a powerful tool for social control. Zamindars and an influential section of the society utilized the police force for their private gain, by offering bribes to police personnel. The police officers during the colonial period enjoyed a lot of impunity and were often misused. Because of the incidence of corruption within the police system the common people lost faith in the system and they would not report illegal activities or cooperate with the investigation. This led to an increase in crime rates. Most often, the police officers belong to the upper caste or class people and their prejudices towards the lower caste or class reflects in their official duties. The criminals believe that they can easily get away with the laws and the police officers by bribing. Human rights of the common man were most often violated by the corrupt police officers.

The Police department is more open to corruption because of the secrecy and lack of transparency (Hope sr, 2015). Because of the fear factor, the common man never tries to question the unethical practices in the police department even if he happens to know it. The trust deficit towards police force would ultimately lead to a situation of breakdown of the rule of law. The Transparency International in a study in 2015 found that 62 per cent of the Indians had paid bribes to the police in the past year. The National Police Commission acknowledged corruption as the most serious problem in the police force.

3. Understaffed and Overburdened Police Force

The police force in Kerala is severely understaffed. The sanctioned strength of the police officers is 62618, but actual available strength is 57819 as of 2023. There are 564 police stations in the state covering a huge population of 34630192. The State Police had 24% vacancies in 2016. To aggregate the problem the number of police officers deputed for VIP escorting is increasing day by day. The sanctioned police strength is 181/lakh in 2016. Whereas the world standard is more than this.

The UN standard is 222/lakh persons. In India, even during the colonial period onwards the number of constables are more. 86 per cent of the police forces in India are constabulary. There is a shortage of police personnel in the police department. There is a 28 per cent increase in crime rate over the last decade (2005-2015).

Often the police officers work on a 24/7 duty schedule with no holidays. Along with the shortage of personnel there exist shortages in weaponry and deficiency of vehicles, and other infrastructures. This makes the police job less attractive and risky (Saha et al, 2019). The political interference during the execution of duly assigned duty often makes the situation worse. Those who oppose the whims and fancies of political leaders have to face disciplinary actions like transfers and demotions.

4. Public perception

The Public perception towards the police force in India has never been positive since the time of the colonial police. The British authorities utilized the police force to intimidate and suppress the local people. So Indians were brought up in a negative attitude towards police. Whenever a demand for independence started, the police force was the main instrument of suppression, often illegal arrest and torture were most common. So an element of fear is associated with the image of the police force. Even after independence only minor changes happened in the police force. There was only a leadership change, no change in public perception of police or police perception of the public. Many reforms were initiated in the police force to address these problems.

Quite surprisingly about six hundred commissions and committees were appointed at the national and state level to address these issues. After independence, for some period of time, the Indian political system was dominated by value politics. But gradually after some time, power politics is dominating the Indian political system. Political leaders belonging to various political parties found the police force as an instrument of power. They utilized the police force for their political and personal gain. Often the nexus goes to the extent of criminals and hooligans being escorted out of the police station by the political leaders. The common people, even

if their rights are violated, hesitate to go to the police station because of lack of trust. Gradually a trust deficit is developing among people towards police and vice versa (Nalla & Madan, 2013). Reforms within the police force alone may not bring the required results.

5. Lack of Accountability and Responsibility

The British Indian Police was created to rule a colonial country. It has got no responsibility and accountability to the Indian people or society. It had responsibility only towards the British colonial masters. Their attitude towards the Indian people was based on a master-subject relationship. They were apathetic to the demands of the common man in India. When the British rulers left India, their position was taken over by the native Indian political leaders. The Police force remains the same in action and attitude. For a while, after the independence, most political leaders were very much value oriented and value directed. They tried to initiate measures to make the Indian Police force reformed. But once that generation of old guards was gone, the new generation leaders were very much power oriented and they began to utilize the police force for political gain.

The Police force was utilized for suppressing the opposition voices in the society. Police became an apparatus in the struggle for power among the politicians. Lack of transparency in the department helped the leaders as well as the police officers. The common people often felt helpless against the police atrocities (Joshi, 2005). Even the honest police officers were often victimized. They may be either illegally transferred or demoted. Many committees and commissions identified the problem but still the political leaders are not interested in implementing those recommendations to reform the police force. Reforming the police force means clipping the wings of power driven politicians. A responsible and accountable police force will be against the interest of political leaders.

6. Judicial backlogs and delays in the legal system

Delayed justice is justice denied. The Police officers are demoralized when they see that the criminals are often not being brought to justice. Often people

believe that if you have money and a good legal advisor, then you can do anything. Even if you are punished by a lower court, no worries, there are upper courts to take up the appeal and subsequent delays there, making the case dead for ages. Delayed justice denies the certainty of deterrence mechanisms on people. It diluted the possibility of getting caught as well as certainty and severity of punishments. Immediate and certain punishments may prevent the potential criminals from committing crime. Sometimes the judicial delays are deliberately created to save the influential people from punishments. In such situations the police officers lose their morale, when incidents of corruption creep into the judiciary as well (Nxishi, 2003).

7. Gender sensitivity and endangering women's safety -

Kerala society is basically male dominated, so as the police department, majority of the police personnel are men. This leads to a situation, where the women feel uncomfortable or unsafe, when interacting with the police. The Male dominated police often cannot see a problem from the angle of women. The Police officers were not getting adequate training on gender sensitivity or how to deal with cases of violence against the women. The Police officers often fail to provide the necessary support to victims of violence, especially in the sexual harassment cases. This can discourage women from reporting crimes. Often in many of the rape cases, the male dominated society as well as the police had negative attitude towards the victims (Wester & Lyubelsky, 2005).

8. Strained police-public relations

The police-public relationship is not so smooth in Kerala ever since the formation of the police force. There are historical, socio-cultural, political and economic factors that shaped the relationship. The Kerala police was a part of the British colonial rule and it is largely associated with the suppression of the freedom movement. Basically the police force was identified as an instrument of oppression and it is spoiling the freedom of the people. The early members of the police force largely belonged to the upper caste and class people. They were the early beneficiaries of English education and they had prejudice towards the untouchables and marginalized. The Peasant movements against feudalism and the spread of

communist ideology further made the people apathetic to the police and against the feudal state.

Gandhiji's call for civil disobedience and non-cooperation further strengthened the anti-state, anti-law society. So from the beginning, the people of Kerala had a negative attitude towards the police. The Police were also against people's demands. So there exists a strained relationship between the police and the community. Further incidents of bribery, police brutality, allegations of corruption and inefficient policing led to a loss of trust between police and the community (Banton, 1973). Police often believe that Indian people are apathetic to follow laws and regulations, a prejudice inherited from the British rulers.

4.5 Measures Taken to Indianise and Reform Police

The colonial born and brought up Police is not suitable for a Democratic Republic like India. So obviously many reformatory measures were taken since then to Indianise the Police Force. So many committees and commissions are appointed by the central government as well as various state governments. Erasing more than hundred years of history, culture, attitude, and values associated with the police is never an easy task. Let's discuss the important measures and recommendations regarding this.

4.5.1 Kerala Police Act, 1960

The Kerala state legislative assembly passed the Kerala Police Act in the year 1960 and it came into force on February 15, 1961. The Act was a consolidation of all the existing laws related to the establishment, powers, duties and regulation of the police force in Kerala. Actually Kerala State was created by merging the princely states of Travancore and Cochin with the British controlled Malabar region. All these regions had their own police force and regulations earlier. The act defined the police force as "all persons who are employed in the police service of the state". From the definition it is clear that it is so inclusive that it covers officers from Director General of Police to the Constable. The main functions of the police

include, maintenance of law and order, detection and prevention of crime and the protection of property and life of people living in the state.

The act established the organization structure of Kerala police from Police Headquarters to the lowest police station along with other specialized units. The roles and responsibilities of each post were defined and demarcated by the act. There are provisions in the act regarding various disciplinary actions against the police officers for misconduct, negligence and corruption. The act authorized the police force to use extraordinary powers to maintain law and order in the state when such situations arise. The ultimate objective is to ensure peace and order in the state. As a reformatory measure, the act encourages community participation to build public trust and confidence. The gap between police and community can be decreased through community policing initiatives (Alexander, 2006).

4.5.2 National Police Commission 1977

The National Police Commission was created in India on November 15, 1977 with Justice Dharam Vira as the chairman along with ten other members. It was the first Commission appointed by the Central Government on police reforms in India. The terms of reference of the commission includes, the role, functions, accountability, public relations, misuse of power, political interference, corruption, evaluation of performance of police and the like (Verma, 1998). The commission submitted eight reports between 1979 and 1981 and recommended wide ranging reforms in the police force. The key recommendations of the commission are:

- Creation of a National Police Commission to supervise the police reforms at the national level
- Establishment of a Police Service Commission to conduct recruitment and promotion exams for police constable to IPS officers. Psychological and Physical tests are mandatory for recruitment.
- Appointment of a Criminal Justice Commission to coordinate all wings of the criminal justice system.

- Insulating the police force from political interference.
- Intimation for arrest are made mandatory, and controlled regulations for using third degree methods in police custody.
- Introduction of community policing for a smooth public-police relationship.
- Special attention to protect the weaker sections from injustice and exploitation.
- Independent investigation against the police officers for misconduct and recommended mandatory judicial inquiry for severe complaints like, death or rape or severe hurt to a person in police custody, and death of more than two persons due to police firing.
- Flexibility regarding the registration of FIR in any police station beyond its jurisdiction.
- Mechanisms to ensure the accountability of the police officers.
- Reorganization of the hierarchy of the police, with an increase in strength of middle level officers and reducing the number of constables.

4.5.3 Ribeiro committee 1998

Ten years after the appointment of the National Police Commission, the Supreme court of India constituted a four members committee to review the actions taken to implement the recommendations of NPC. The committee was chaired by J.F. Ribeiro, a former IPS officer and Ambassador. Some key recommendations made by the Ribeiro committee(Desai, 2009):

- In each state a "The Police Performance and Accountability Commission" must be established and it has got advisory and recommendatory powers. The state's DGP will be its Secretary and Convenor.
- A District Police Complaints Authority will be set up in each police district to examine the complaints from the public about police excesses.

- In every state, a Police Establishment Board should be constituted to monitor all transfers, promotions, rewards and punishments and other service related matters.
- Rules should be framed regarding the transfer, tenure, promotion etc.
- The DGP will be appointed by the chief minister from a panel of three prepared by a committee and will have a fixed tenure of three years.
- The Investigation wing and Law and Order wing of the police should be separated.
- The Investigating officers should not be shifted to law and order or other duties for five years.
- The old Police Act of 1861 should be replaced with a new police act.
- Recommendations of the NPC about recruitment, training and welfare of the police personnel should be implemented.
- Higher secondary education should be the minimum qualification to become a constable.
- An Independent Police Recruitment Board should be constituted in every state for the recruitment.
- Establishment of police training institutes to improve the performance and behavior of the police officers.
- Increase the number of middle level officers and reduce the number of lower level constables.

4.5.4 Padmanabhaiah Committee 2000

The Ministry of Home Affairs, Government of India appointed the Padmanabhaiyya committee on Police reforms in January 2000. The committee was chaired by K. Padmanabhaiyya. The other members of the committee were all policemen, two serving and two others retired. The committee was assigned with the

task of examining and suggesting changes in the existing system of police system. The committee submitted its report to the central government in October 2000. The main recommendations are (Sharraf, 2014):

- More recruitment of Sub-inspectors instead of constables.
- Recruitment of the constabulary should be at a young age and two years training programme to qualify for appointment.
- Existing constabulary should be re-trained.
- All promotions should be subject to the mandatory training and examination.
- The Indian Police should adopt the policy of community policing.
- A Police Establishment Board should be constituted to decide the transfer of all officers of the rank of Deputy Superintendent of Police and above.
- Arbitrary transfers have been used by the politicians to control and abuse the police, in order to prevent that, the commission recommended a minimum tenure of two years for all officers.
- More serious enforcement of the code of conduct to control corruption and a simple effective procedure to remove the corrupt officers.
- Weekly off and compulsory earned leave every year for every Police officer.
- Investigation and law and order be separated.
- Encourage specialization in various aspects of policing.
- A Special and comprehensive law to fight terrorism and digital crime.
- A non statutory District Police Complaints Authority should be set up to investigate the public complaint against the police.
- Establish a Permanent National Police Commission for Policing Standards to lay down norms and standards for all police forces.

- The Police Act of 1861 should be replaced with a new police act.
- Each state government should ensure a transparent recruitment, training, promotion and transfer policy.
- The State governments must give high priority to the allocation of resources to the police force.
- Need for comprehensive reforms in the criminal justice system.
- Mandatory judicial inquiry into all cases of custodial death and rape.

4.5.5 Malimath Committee 2000

The Indian judicial system was created during the British colonial period. Demand for review and reform of the criminal justice system in India was a long time demand. Finally in the year 2000, the Government of India appointed a committee headed by Justice V.S. Malimath, a former chief justice of the Karnataka and Kerala High courts, to study the issue. The main recommendations of the committee are (Garg, 2005):

- An independent complaint authority should be constituted to investigate the complaints against the police officers.
- Encourage the use of alternate dispute resolution mechanisms such as mediation and arbitration.
- Establish a system of video-conferencing for recording evidence in the court.
- There should be a separate juvenile justice system.
- A performance appraisal system for police officers.
- Setting up of the National Police Commission to oversee the functioning of police.
- Creation of a National Crime Records Bureau.
- Establishment of fast-track courts and special courts.

- Setting up evening courts to deal with cases pending for more than five years.
- Appoint more judges to reduce the backlog of cases.
- Allow the prosecution to rely on electronic evidence to prove the case.
- Creation of the State Security Commission and the National Security Commission.
- Separation of the investigation from the law and order duties.
- Improved conditions in the prison and establishing an open prison for low risk offenders.
- Police officers should be provided with better living conditions and facilities.
- Establish a system of community policing.
- Increase the use of technology in the justice system.
- The rights of the victims of crime should be strengthened.
- Suggested inquisitorial system of investigation in which a judicial magistrate supervises the investigation.
- Setting up of the Police Establishment Board to deal with posting, promotion, transfers and so on.
- Director of Prosecution be created in every state to facilitate effective coordination between the investigating and prosecuting officers.
- Committee recommended for a strong witness protection mechanism.
- Provide legal aid to the poor and marginalized.
- Law to be enacted to protect informers.
- A department of criminal justice must be established.

- Recommended reclassification of offenses.
- Higher courts should have a separate criminal division having judges who have specialized in criminal law.
- The committee favored dying declarations, confessions and the statements of the witnesses to be authorized by law.

4.5.6 New Police Model Act 2005

In 2005 an expert committee was created by the Ministry of Home Affairs, Government of India headed by Dr. Soli Sorabjee to draft a Model Police Act. The model would serve as a template for the various state governments. In 2006 the draft was submitted for implementation. In 2023, so far, only seventeen states have created new police laws based on the police act. The main provisions of the act included (Mawby & Wright, 2012):

- Each state has its own police force headed by the Director General of Police having a fixed minimum tenure of three years.
- To supervise the police force in the state, there will be a State Police Commission which is an independent body.
- The state has to be divided into a number of Zones and Ranges. Inspector General of Police will be in charge of Zones and each Range is headed by Deputy Inspector General.
- Separate crime investigation units at the state, district and police station level.
- The act emphasized the need to work with the community.
- To protect human rights there should be human rights cells in the police.
- Police Accountability commission to investigate complaints of police misconduct

- More functional autonomy for the police, while recognising the accountability to elected political executives.
- The Act provides for gender equality in the police force.
- Creation of a State Police board to advise the government on matters relating to police policy and administration.
- Guarantee better service conditions for police officers.
- Emphasis on making the police force more professional.
- Security of tenure for police officers to insulate them from Political interference.
- A transparent and merit based selection and appointment of police officers.
- A Police Establishment Board to look after promotion and transfers.
- Establishment of police training academies to train police officers for all aspects of policing.

4.5.7 Prakash Singh vs. Union of India Case

The Supreme Court of India issued a number of recommendations to reform the Police force in India in Prakash Singh vs. Union of India judgment. The case was filed by a former DGP of Uttar Pradesh, regarding two major issues. One, the undue political interference in the functioning of police and two, lack of accountability of police towards people. The directives of the court are as follows (Singh, 2012):

- The DGP of the state should be appointed for a minimum tenure of two years on the recommendation of the Union Public Service Commission.
- Separation of the investigation police from the law and order police.
- Establishment of a National Security Commission.
- Police officers on operational duties should be given a minimum of two years tenure.

- A Police Establishment Board will be constituted in the state to decide the transfers and postings of police officers below the rank of DGP.
- A Police Complaint Authority should be established in each state to investigate complaints of police misconduct.
- A State Security Commission should be created in each state to oversee the police. The commission ensures that the police are accountable to the people.
- The prosecution machinery should be strengthened to ensure that cases of police misconduct are properly investigated and prosecuted.
- The training of police officers should be modified to focus on human rights, community policing, and the prevention of crime.

The Supreme Court directives are a positive major step forward in police reforms in India. However, it is important to note that the directives are not legally binding and that the states have been slow to implement them. As a result the police in India continue to be plagued by problems of political interference, corruption, and human rights abuses. As of now not even one state followed the directives of the supreme court. Eighteen states have passed or amended their police acts but no one followed the directives in spirit.

4.5.8 2nd Administrative Reform Commission 5th Report (public order)

The 5th report of the Second Administrative Reforms Commission is titled as "Public Order: Justice for each...Peace for All." The report was published in 2007 and it examines in detail the issue of public order in India. The report was prepared by a committee of experts chaired by Justice M.N.Venkatachaliah. The report begins by defining public order as "the condition in which the citizens of a society can live in peace and harmony, free from fear of crime, violence or disorder". The report makes a number of recommendations for improving public order, including (Ravikumar & Rahmatullah, 2020):

- Better training, equipment, and infrastructure for the police force to accommodate changes in the society.

- Creating a more responsive and accountable police force in the country.
- Administrative system should address the root causes of crime and violence, such as poverty, unemployment, and social inequality.
- Promoting community policing.
- Revising the Indian penal code and other criminal laws.
- Setting up of special courts to deal with cases of communal violence and terrorism.
- Providing better legal aid to victims of crime.
- The police force should be reorganized into a three-tier structure, with a national police commission at the top, state police commissions at the middle level, and district police chiefs at the bottom.
- The government should create a more responsive and accountable criminal justice system.
- The establishment of a national database of criminals and suspects.

The fifth Report of Administrative Reforms Commission is a holistic, valuable document. It provides a much needed analysis of the challenges to public order in India. The report's recommendations are worth considering, but they will need to be implemented in a careful and thoughtful manner in order to be effective.

4.5.9 Kerala Police Act - 2011

The Kerala Police Act 2011 is a comprehensive piece of legislation that governs the police force in Kerala state. It aims to enhance the efficiency, professionalism, and accountability of the police force in Kerala. The main provisions of the Kerala police act of 2011 are (Varghese, 2011):

- It emphasizes the need for modernization and use of advanced technology in law enforcement and crime prevention.

- It encourages community participation and cooperation in maintaining law and order.
- It ensures respect for human rights and fundamental freedoms during police actions.
- It establishes mechanisms for police accountability and transparency.
- It contains provisions to protect the rights and interests of women, children and marginalized sections of society.
- It provides for the establishment of specialized units within the police force to address specific crimes.
- It emphasizes the importance of regular training and capacity building for police personnel.
- It addresses the issue of cybercrime and provides guidelines for their prevention, detection, and investigation.
- It encourages public awareness campaigns and initiatives for crime prevention.
- It provides safeguards for witnesses and informants involved in criminal cases.
- It establishes mechanisms for the welfare of police personnel.
- It sets up grievances redressal mechanisms to address complaints against police personnel.
- It contains provisions for addressing environmental offenses and promoting environmental protection.

In addition to the above provisions, the Kerala police act, 2011, also contains provisions on a variety of other matters like,

- the organization of police force

- the appointment and promotion of police officers
- the training of police officers
- the investigation of crime
- the prosecution of criminals
- the maintenance of public order
- the prevention of crime
- the protection of human rights.

4.6 Recent changes in the Kerala Police

Many initiatives were being taken in Kerala to ensure active involvement of the community in maintaining law and order, promoting safety, and building trust with the police. The colonial deterrence based police have to be changed into legitimacy based, responsible force. For that attitude of the people towards police and police attitude towards people have to be changed. In the state of Kerala many mechanisms are employed to foster a positive police-community relationship.

1. Janamaithri Suraksha Project

This project is initiated by the Kerala police, aims to enhance the trust and cooperation between police and the community. A strong bond and partnership can be established between police and the community. The primary objectives of the project is to enhance safety, trust and cooperation. The project emphasizes the active involvement of the community in matters of public safety through collaborations, consultations, and sharing of responsibilities. Police officers are assigned to a specific geographical area, which enables them to develop closer relationships with the local residents.

Regular community meetings are organized to discuss the local issues, listen to their concerns and seek community input. The project promotes a collaborative problem solving approach in solving the issues. Moreover, awareness campaigns,

seminars, workshops were conducted to educate the community about the safety measures, legal rights, etc. Through this project the trust and cooperation between the police and the community improved. It humanized the police force and the attitude of the police towards people also changed. This project helps to empower the community and people can actively contribute to their own safety and well-being of their neighborhood (Sandhya, 2012).

2. Student Police Cadet Program

The SPC program in Kerala is a mechanism aimed at cultivating responsible citizenship, discipline, and establishing strong bonds between the police and the young generation. The project aims to instill social values and social responsibility among the youth. By educating students about the various aspects of law enforcement and understanding of the legal system, the students become responsible citizens. The SPC program organizes leadership camps, workshops, and team building exercises to develop students' leadership skills. A sense of social responsibility can be fostered among cadets by participating in the social service activities. Through regular interactions with the police officers, the students develop a positive attitude towards police and law and order. The program has played a vital role in shaping the character of students by inculcating discipline, ethical values and a sense of responsibility (Kannan, 2019).

3. Pink Police

A special unit of Kerala police, known as Pink Police was created in 2016 to address the issue of women's safety in the state. The Pink Police consist of women police officers who are specially trained to deal with cases of violence against women. In most cases women are victims, including sexual harassment, domestic violence and eve-teasing. They conduct awareness campaigns about women's safety and educate them about the legal rights available to the women. The unit helped to make Kerala state a safer place for the women. They do regular patrolling in public places, to deter crime against women. They also provide counseling and support for the women who have been victims of crime (Dutta & Ahmed, 2020).

4. Thuna

Kerala police launched a community policing program in 2018 by the name Thuna. As the literal meaning of the word, Kerala Police is extending its helping hands to the common people to build trust and cooperation. Under this programme a specific neighborhood is assigned to some police officers and they have to build relationships with them. Officers are expected to be proactive in identifying an emerging problem in its beginning stage. Since this program is successful in Kerala in reducing crime rate and better community relationships, other state police are following the program(<https://keralapolice.gov.in>).

5. Social Media Engagement

The Kerala police actively uses the social media platforms to connect with the community and to spread information. Through the social media platforms, the people can also get in touch with the police, seek assistance, and report issues. Police can share updates on law and order, traffic advisories, safety tips, lookout notices etc(Charles & Pal, 2020).

6. Community Involvement Programs

The Kerala police organizes various community engagement programs like public meetings, festivals, cultural events and workshops. These initiatives provide opportunities for interaction between the police and the people. The police community mechanism in Kerala is at the beginning stage but its a valuable tool for controlling crime and in improving public safety. By working together, both parties will be benefited and can make Kerala society a better place to live in(Kumar, 2012).

7. Strengthening of the Internal Accountability Mechanism

As a result of reforms within the police force certain internal accountability mechanisms were adopted to build trust between the police and the community. Such mechanisms help to make the police accountable to the people. It helps to prevent misuse of power and control the corruption by the police personnel.

Independent supervising bodies were created, and a culture of accountability and transparency were established within the police force (Shinar, 2009).

8. Improved Training and Capacity Building

It was during the British colonial period, an oppressive and brutal police was created by training. After independence the need and importance of training police force on democratic lines emerged. Community oriented police training programmes were adopted for capacity building among police personnel. The Police began to become deeply involved in social problems (Anilkumar, 2023) .

9. Increased Use of Technology

Efficiency and effectiveness of the police force increased after the adoption of the latest technology to the police force. During the investigation, prevention and prosecution the police department is using technological support. Crime mapping, surveillance cameras, biometric identification systems and the latest communication and transportation systems are used in the police force. The Kerala police is committed to using technology to improve its services (Murali & Kumar, 2014)

10. D-Dad

Digital de addiction is a programme initiative of the Kerala police to help teenagers from digital addiction. Every day a large number of youngsters become addicted to online games or other digital applications. This programme is an initiative of district police. The Police offer free counseling services to save youngsters getting addicted to online platforms.

4.7 An Assessment of the Reforms

A smart, responsive, accountable and people-friendly Police is the dream of every civilized country in the world. No country can survive without a police force. For the maintenance of law and order and investigating crime, police force is an integral part of every civilization. The Indian Police force was also created for the same purpose by the colonial government. The main reason for demanding reforms was its colonial historical background. The early Indian Police force was socialized

to cater the needs of the British authorities. It has nothing to do with the welfare of the Indians. It has no responsibility or accountability to the Indian people even though the majority of the police personnel were Indians.

After independence, the early demands for reforms were for bringing accountability, responsibility and transparency in the police department. There were complaints against the police force for using third-degree methods in criminal investigation, illegal custody, corruption, custodial rape, custodial death, human rights violation and indifferent attitude towards people etc. The Early Police reform committees and commissions recommendations are for addressing mainly these problems. With the arrival of second generation Indian leaders politics became largely power oriented and power driven. Early value oriented politicians disappeared from the mainstream. Power oriented leaders emerged in the Indian political spectrum. Then the Police force became an instrument in the hands of power driven politicians to oppress their political opponents. Those officers who supported, got service benefits and those who opposed the whims and fancies of the political leaders were demoted or transferred. Since then the police stations became the hub of the political leaders and supporters. Later, reform commissions and even the supreme court in Prakash Singh case reminds us of this evil.

Today in India the nexus between the police, politicians and criminals is a reality. Many recommendations emerged to reform the Police force, but no effect on the real issue. Actually, 'treating' the police department alone is a waste, because the problem lies within the entire social system. Corruption will continue till the corrupt are not accepted anywhere. If the corrupt is accepted in a family, in a community, in a society, corruption will continue in the state. Till the point, the people hesitate in illegal political interference in the police functioning, nepotism and favoritism will continue. The Police officers are just a cross section of the larger society. If the society is welcoming corruption, criminals, illegal activities, and undue political interference, no Police reforms will bring results. The Police attitude towards people will change automatically if people voluntarily comply with the laws of the state. Everyone living in society should realize the importance of laws in their lives. The

People should learn to respect the laws and follow them without the presence of police force. So a civic sense among all people is the solution for all police related issues.

A deeper understanding of the problem in India, particularly in the police department can be better analyzed through an ecological perspective. After independence, a constitutional governance with all the principles of good governance was accepted. Many reformatory measures were initiated in the police department but still policing is a big problem in India. Why ? The answer lies in the ecological setting of India. After the independence from the British colonial rule, Indians tried to modernize Indian society. Political modernization through the creation of specialized structures with the ideal of differentiation and integration, capacity building to accommodate various demands of the society, principle of equality and justice for all in the society are done. The political structures are largely modernized but political culture and behavior lagged behind. Many of the current problems in Indian society basically emerged from this discrepancy. Still many institutions in Indian society are facing legitimacy problems, including the police department.

From the survey done in Kerala state, it is clear that the legitimacy indicators are getting lower response from the people. Majority people are still guided by the force generated fear and personal moral indicators. Secularization of political culture is not happening and so the newly created political structures are lacking legitimacy. So the police have to rely on force and intimidation to make the people obey the laws. The People would voluntarily follow laws only when they have an ultimate faith in the political system and the laws created by the state.

A significant majority of the people in Kerala society are guided by the personal moral values when it comes to obey or disobey a law. A society guided by the personal moral values is rather traditional and so people are having high skepticism towards the state and state made laws. In the survey it is clearly visible that people are desperately following laws because of fear factors associated with the police. Political modernization brought political structures modernized but the

people operating those political structures and the beneficiaries are traditional. Traditional political culture operating modern political structures. This anachronism will create tension between authorities and people, that is the major problem within the police department. Many reformatory measures were initiated on the model of legitimacy oriented political systems. There, in such societies the political structures and cultures are working in a symbiotic way. Such reforms, when adopted, failed to create an impact in the political system in India.

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CHAPTER 5

DATA ANALYSIS

5.1 Introduction

This chapter analyzes the data collected through the survey research. The demographic profile of Kerala society was taken into consideration while framing the variables. The main social, economic and political variables used in this study are gender, age, religion, caste, family income, education, employment status, marital status, place of residence, type of family, and political participation. Then certain target questions were framed to measure the attitude of people of Kerala towards the Law. The target questions are to reveal the impact of legitimacy of the political system, deterrence effect of punishment, personal moral values and the effect of peer pressure on compliance to law. The dominant factor which shapes law abidingness or compliance to law has been traced through the survey. A politically modernized society should have modern political structures along with modern political cultures and political behavior. The political structures can be adopted rather easily but the supporting cultural and behavioral patterns require time. The process of modern political socialization in any society is rather slow. It would be slower if the traditional cultural patterns are strong. In India the modern political structures and institutions are superimposed on a strong traditional cultural pattern and behavior. So a new variety of attitude and behavioral patterns emerged in Indian society.

Through the questionnaire an effort was made to collect the outcome attitude. The attitude of a person is a qualitative thing, which needs to be converted to a quantifiable frame to measure it. In the survey questionnaire, Likert scale is used to measure the attitude. Public attitude towards the Law, Punishment, Police, Legitimacy, Ethics, Personal moral values, Social groups, Transparency, Fair Procedure and the like are investigated. The public attitude towards the police and the punishments are also an important aspect of this study. The questionnaire was designed to trace the input socio-economic and political variables on the target variables.

5.2 Gender

Like any other state in India, Kerala is also a male dominated society for ages (Kurian, 1975). Gender plays an important role when it comes to shaping the attitude of people towards the law and justice. Out of 384 samples for the survey 184 belonged to females and 200 male. The impact of gender on target variables are very important for this study. Many studies proved that there is a difference in attitude of men and women towards various issues (Eichenberg, 2003). So in this study both genders are included to find out any significant change in the attitude of men and women with regards to compliance with law.

Table No. 5. 1
Gender

Gender	Frequency	Percent	Cumulative Percent
Female	184	47.92	47.92
Male	200	52.08	100
Other	0	0	100
Prefer Not to Say	0	0	100
Total	384	100	

Source: survey data

5.3 Age

Age of the respondents is very important for this study. The attitude of the people with regard to compliance to law may vary with the age (Tyler & Schuller, 1991). Same individual may have different attitudes towards law at different periods of their life. The factors shaping law abidingness may vary with the various age groups. Altogether five age groups were created to differentiate age wise attitudes toward the law. Many similar studies abroad revealed a significant change in attitude with regards to the age of the respondents (Yagil, 1998).

Table No. 5.2**Age**

Age	Frequency	Percent	Cumulative Percent
18-27	91	23.70	23.70
28-37	102	26.56	50.26
38-47	89	23.18	73.44
48-57	64	16.67	90.11
Above 57	38	9.90	100
Total	384	100	

Source: survey data

5.4 Religion

Religious influence is a major factor in Indian society. Public attitude on compliance with law may be determined by religious beliefs. In India, the principle of Rule of Law was superimposed on a strong traditional religious society. Certainly, religious values might have influenced attitudes towards laws and governance. Kerala state is a plural society with many religions. All religions try to cultivate moral values in the people. The moral values may be a deciding factor in shaping the public attitude towards law and justice. All the major religious groups are represented in the sample to analyze any significant change in attitude towards law. Attitude of the people towards law and governance can be shaped by religious beliefs (Solum, 1989). The socialization towards law and governance can be different among the different religious groups. So the religious beliefs of the respondent was taken as a variable in this study.

Table No. 5.3**Religious status**

Religion	Frequency	Percent	Cumulative Percent
Hindu	194	50.52	50.52
Muslim	96	25.00	75.52
Christian	80	20.83	96.35
Other	6	1.56	97.91
No Religion	8	2.08	100
Total	384	100	

Source: survey data

5.5 Category

Kerala society can be categorized on the basis of caste. Casteism is very much a social reality in India, and Kerala is not an exception. Public attitude on compliance to law can be shaped by caste factors. Caste had a significant impact on shaping attitudes towards laws (Pal, 2020). India has been a caste based society since time immemorial. In the earlier period caste hierarchy was maintained by the state. It was the responsibility of the ruler to keep the caste system intact (Olcott, 1944). The category of the respondent has anything to do with the attitude of the people towards law and governance is the point of investigation. All major categories were included in the sample to represent the population.

Table No. 5.4**Category**

Category	Frequency	Percent	Cumulative Percent
SC	32	8.33	8.33
ST	13	3.39	11.72
Backward	194	50.52	62.24
Forward	101	26.30	88.54
No Response	44	11.46	100
Total	384	100	

Source: survey data

5.6 Family Income

Income and economic status of the individuals have an impact on compliance to law. Many studies proved that there exists a close relationship between the economic standard of the people and compliance to law (Zeitz, 1964). Marxist ideology believes that the capitalist state and legal system are instruments of exploitation (Amin, 2021). So family income is taken as an indicator. Various income groups were included in the sample to understand the impact of economic variables on compliance with law. The Attitudes of rich and poor may be different towards compliance with law.

Table No. 5.5
Family Monthly Income

Income	Frequency	Percent	Cumulative Percent
Below 10000	98	25.52	25.52
10000- 20000	85	22.14	47.7
20001-30000	54	14.06	61.7
30001-40000	46	11.98	73.7
40001-50000	29	7.55	81.3
Above 50000	72	18.75	100
Total	384	100	

Source: survey data

5.7 Educational qualification

The role of education in shaping the attitude of people towards laws and governance is measured by using the questionnaire. Education is the most important agency meant to create political culture and political behavior in accordance with the newly implanted modern political structures (Pye & Verba, 2015). The new political structures and institutions were implemented and it is up to the educational system to cultivate the necessary political culture and political behavior needed for the system to operate. Education system of any country is a manifest form of political

socialization. To understand the impact of education, people belonging to various educational qualifications are included in the sample.

Table No. 5.6
Educational qualification

Education	Frequency	Percent	Cumulative Percent
Below SSLC	30	7.81	7.81
SSLC	43	11.20	19.01
+2	63	16.41	35.42
Graduation	129	33.59	69.01
Post Graduation	81	21.09	90.10
PhD	6	1.56	91.66
Other	32	8.33	100
Total	384	100	

Source: survey data

5.8 Employment status

People belonging to different employment categories are included in the sample to study the impact of that variable on target questions. Attitude of people towards laws and governance may vary in accordance with the employment status of the respondent (Cao et al., 1998). Well employed and well placed individuals may have a positive attitude to laws and governance. Whereas the unemployed and marginalized may have a negative attitude towards law and governance. Various employment categories were included in the sample survey to analyze the impact of this variable.

Table No. 5.7
Employment Status

Employment Status	Frequency	Percent	Cumulative Percent
Government	51	13.28	13.28
Private	109	28.39	41.67
Unemployed	30	7.81	49.48
Self Employed	65	16.93	66.41
Student	33	8.59	75.00
Retired	24	6.25	81.25
Homemaker	61	15.89	97.14
NRI	11	2.86	100
Total	384	100	

Source: survey data

5.9 Marital status

Whether marital status has any impact on shaping the attitude of people towards laws has been tested through the questionnaire. Marital status may influence a person's decision to obey or disobey laws of the state (Hollingshead, 1975). Particularly a male dominated society like Kerala, marital status speaks a lot. Attitudes of a family man towards law and justice may differ with a bachelor. Different status people were included in the sample to study the impact of marital status on public attitude towards compliance to law

Table No. 5.8
Marital Status

Marital Status	Frequency	Percent	Cumulative Percent
Single	99	25.8	25.8
Married	272	70.8	96.6
widowed	7	1.8	98.4
Separated	1	.3	98.7
Divorced	5	1.3	100
Total	384	100	

Source: survey data

5.10 Place of residence

Attitude of people towards laws can be shaped by their urban or rural background. Many studies proved that Urban conditions breed more crime and disobedience. Lack of social pressure on an individual's behavior may be the reason. When the next door neighbors are unknown, shame of doing unlawful things may not be a problem . Many people hesitate to commit crime because of the social pressure created by the family, friends, relatives(Shelley, 1981). People belonging to urban, rural and semi-urban areas are included in the sample.

Table No. 5.9
Place of Residence

Place of Residence	Frequency	Percent	Cumulative Percent
Rural	232	60.4	60.4
Urban	72	18.8	79.2
Semi Urban	80	20.8	100
Total	384	100	

Source:survey data

5.11 Type of family

Family structure may have an impact on the creation of political culture and behavior. Impact of various types of family in shaping the attitude of people towards laws are tested by including various people belonging to various family types. Family structure may be a deciding factor when it comes to compliance with law (Bhandari, 2018). Early political socialization happens in the family and so the family structure was taken as a variable. Positive or negative attitudes were created within the family structure towards the political system. All existing family types were analyzed in the study.

Table No. 5.10

Type of Family

Type of Family	Frequency	Percent	Cumulative Percent
Nuclear Family	326	84.9	84.9
Joint Family	46	12	96.9
Single Parent Family	10	2.6	99.5
Other	2	.5	100
Total	384	100	

Source: survey data

5.12 Political participation

Political participation may have an impact on shaping the public attitude towards laws (Salisbury, 1975). People belonging to different political participation levels are included in the sample to understand the impact. Attitude of rulers towards law and justice will be different from those of the subjects. Democracy is a form of government, which tries to minimize the gap between the rulers and the ruled. But the problem of Kerala society is that the institutions and structures of democracy are foreign to the common man. His behavior and culture may be shaped by early traditional society. How active participants and passive participants respond

to the questionnaire and how their responses are similar or dissimilar are to be analyzed.

Table No. 5.11

Political Participation

Political Participation	Frequency	Percent	Cumulative Frequency
Party Leader	3	0.8	0.8
Party Member	53	13.8	14.6
Supporter	157	40.9	55.5
Non Partisan	171	44.5	100
Total	384	100	

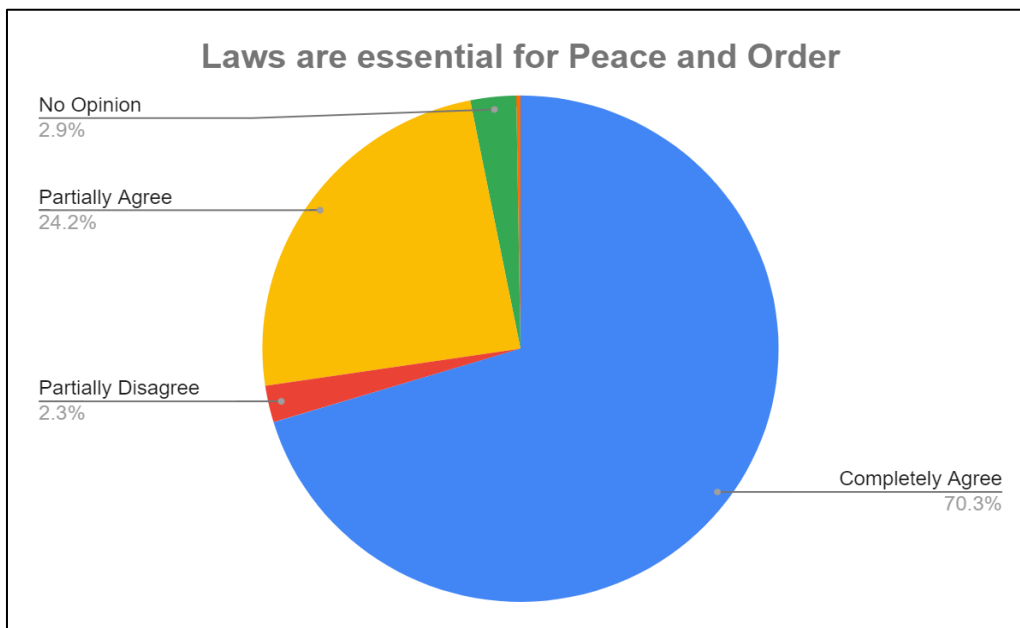
Source: survey data

Table No. 5.12

Laws are essential for maintaining Peace and order in the society

Options	Frequency	Percent	Cumulative Percent
Completely Agree	270	70.3	70.3
Partially Agree	93	24.2	94.5
No Opinion	11	2.9	97.4
Partially Disagree	9	2.3	99.7
Completely Disagree	1	.3	100
Total	384	100	

Source: survey data

Figure no.5.1

Source: survey data

A positive statement regarding law was given to the respondents to analyze the attitude of people towards compliance to law. Acceptance and legitimacy of the political system can be measured by measuring the attitude of people towards the statement.

Inference: The above survey data shows that about 70.3% of the sample completely agree with the statement. 24.2% of the sample partially agreed. The positive cumulative percentage for the above statement is 94.5%. Only a minority, about 2.6% of the cumulative percentage, have a negative attitude towards the statement. 2.3% partially disagreed and 0.3% completely disagreed with the statement. 2.9% hold no opinion.

Implications: The basic principle of acceptance of rule of law is established among the respondents. If the findings applied to the People in Kerala society. It can be inferred that people believe, to live peacefully and orderly, laws are essential.

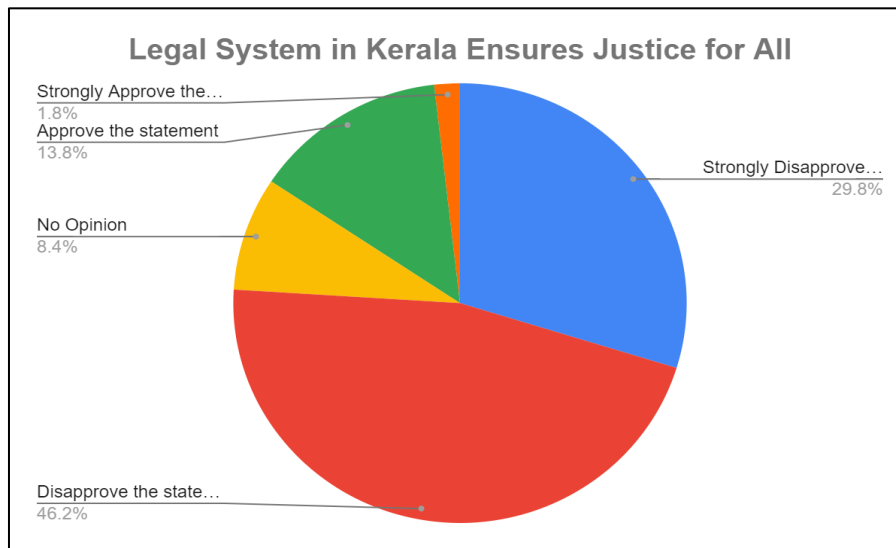
People belonging to all stratification generally accepted the value of laws for the maintenance of peace and order. People recognise the role of the legal system in regulating human behavior, solving disputes and establishing a framework for social harmony. When the general population accepts the value of law for the maintenance of peace and order, the primary principles of political modernization have been taken up by the general society. This high percentage of acceptance of law is at par with the standards in the developed countries. But the high acceptance of law and justice may not be the product of Political modernization. Even in traditional societies law and justice was accepted. The main duty of a King in India during the traditional period was considered as maintenance of law and order. Even if it is not the result of political modernization, People in Kerala society have a Positive attitude towards Law. Large majority of the sample believe that laws are essential for peace and order.

Table No. 5. 13**The Legal System in Kerala Ensures Justice for All**

Options	Frequency	Percent	Cumulative Percent
Strongly Disagree	114	29.7	29.7
Disagree	177	46.1	75.8
No Opinion	33	8.6	84.4
Agree	53	13.8	98.2
Strongly Agree	7	1.8	100
Total	384	100	

Source: survey data

Figure No. 5.2



Source: survey data

A positive statement, that is the legal system in Kerala ensures justice for all was given for attitude measurement. The existence and continuity of the political system depends upon the legitimacy and acceptance of the people. If the system can assure justice for all then legitimacy and acceptance will be there.

Inference: Majority respondents, about 46.1 percent disagreed with the above statement and 29.7% strongly disagreed. The statement altogether scored a negative cumulative percentage of 75.8. The majority responded negatively. Cumulative percent of 15.6 % of the respondents believe that the legal system in Kerala society is providing justice to all. 8.6% hold no opinion. 13.8% agreed and 1.8% strongly agreed to the statement.

Implications: The finding is very significant and concerning as the majority of the sample responded negatively that the legal system could not ensure justice for all. Many law and order problems in Kerala society may be the result of such dissatisfaction. People generally accepted the value of law but the majority of the respondents believed that the legal system could not deliver justice for all. People may believe that the legal system is too slow or is biased in favor of the wealthy or powerful. Legitimacy of the political system largely depends on the satisfaction level of the people in terms of delivering justice. The stability of any political system

depends on the feeling of justice delivering mechanism in the society. Such a negative attitude may lead to violation of laws and many law and order issues in the society. Police have to depend upon enforcement mechanisms to implement even simple laws. Ultimately in such a disappointed society people may not obey laws by themselves.

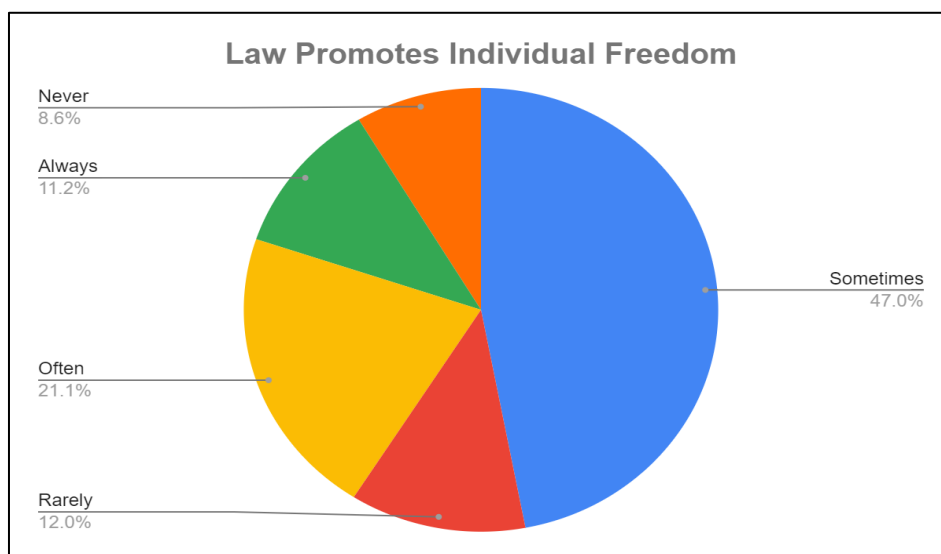
Table No. 5.14

Law Promotes Individual Freedom

Options	Frequency	Percent	Cumulative Percent
Never	33	8.6	8.6
Rarely	47	12.2	20.8
Sometimes	180	46.9	67.7
Often	81	21.1	88.8
Always	43	11.2	100
Total	384	100	

Source:survey data

Figure No. 5.3



Source: survey data

A positive statement, laws promoting individual freedom was given to the respondents. How various sections of society responded to the question of the relationship between law and freedom was recorded.

Inference: The question related to individual freedom and laws had mixed responses, having a slight positive upper hand. 8.6% said law never promotes freedom. 12.2% said law rarely promoted freedom. But the majority of people, about 46.9%, in the sample had taken a middle position. They believe that sometimes the laws promote individual freedom. A cumulative percentage of 20.8 of the respondents had a negative perception of law and freedom. 21.1% confirmed laws often promote freedom and 11.2% acknowledge laws always promote freedom.

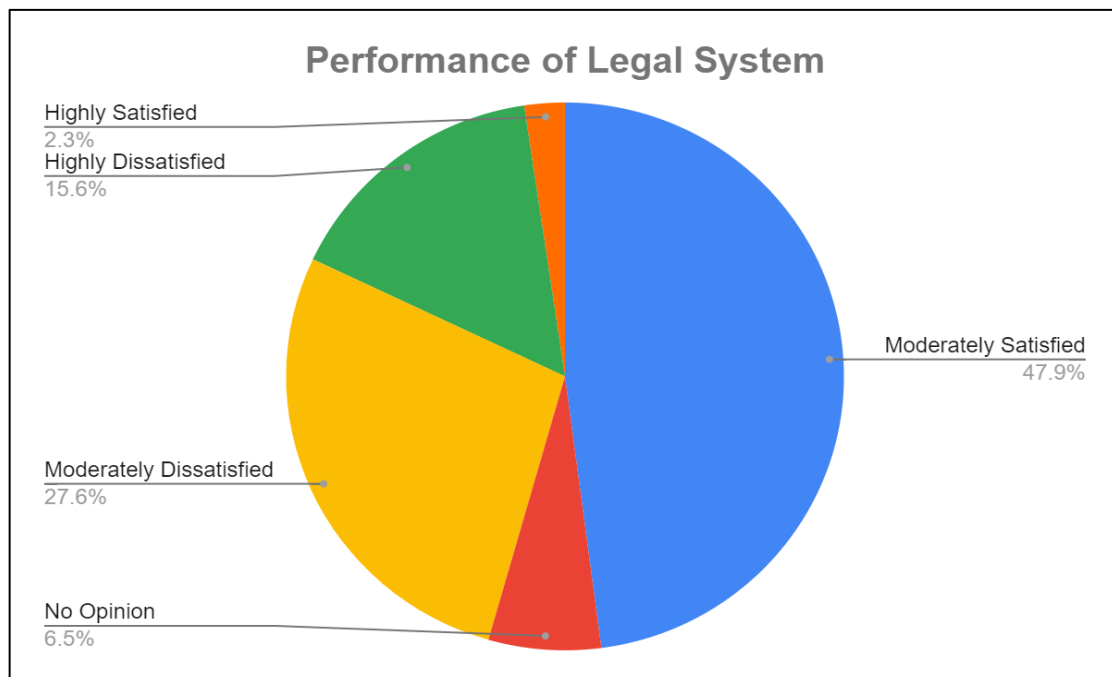
Implications: In a modern state, laws should be the basis of individual freedom. People should feel and acknowledge that they are enjoying freedom because of the existence of laws. Then in such a society people voluntarily comply with laws. Without any external enforcement mechanisms people will comply with laws because they believe that their freedom lies in compliance to law. But in the case of Kerala society as inferred from the data, the possibility of voluntary compliance is less. So enforcement mechanisms should be in place at all times. In a politically modernized society majority people would consider that their freedom is derived from laws and regulations. Only the unthinking mind would believe that maximum freedom is possible in a lawless society. In a society people enjoy freedom because of the regulations set by laws. Laws actually regulate human activities to provide freedom for all. In a politically modernized democratic society majority people would have taken the position that laws always promote freedom. So it can be inferred that the possibility of voluntary compliance to law is less in Kerala society.

Table No. 5.15
Performance of Legal System in Kerala

Options	Frequency	Percent	Cumulative Percent
Highly Satisfied	9	2.3	2.3
Moderately Satisfied	184	47.9	50.3
No Opinion	25	6.5	56.8
Moderately Dissatisfied	106	27.6	84.4
Highly Dissatisfied	60	15.6	100
Total	384	100	

Source: survey data

Figure No. 5.4



Source: survey data

A statement was given to the respondents to analyze the level of satisfaction with regard to the performance of the legal system in Kerala. Legitimacy of the political system in Kerala can be analyzed by extracting the attitude of the people.

Inference: The results of the survey shows that 2.3% of the participants expressed highly satisfied and 47.9% moderately satisfied with the legal system. A cumulative percent of 50.3 of the respondents have a positive attitude with the performance of the legal system in Kerala. 6.5% of the respondents have no opinion regarding the satisfaction level question. This could be due to lack of knowledge or a neutral stand on the issue. A substantial number of respondents 27.6% moderately dissatisfied and 15.6% highly dissatisfied with the legal system. A significant cumulative percentage of 43.2% of the respondents have a negative attitude towards the legal system.

Implications: Overall, the data shows that the legal system in Kerala is performing moderately well. However, almost half of the sample have a negative attitude towards the legal system is a very significant finding. This indicates that there is a notable level of discontent among the people. If people are not satisfied with the legal system then that would definitely affect the legitimacy of the political system. The possibility of voluntary compliance to law and governance will be less in such a society. The state has to rely on enforcement mechanisms to make the people follow the laws of the state. Actually such a situation is creating a lot of pressure on the system. Even simple and silly laws need to be enforced. People will not obey laws if enforcement mechanisms are not operating. The stability and continuity of the political system depends upon the level of satisfaction of the people living in the country.

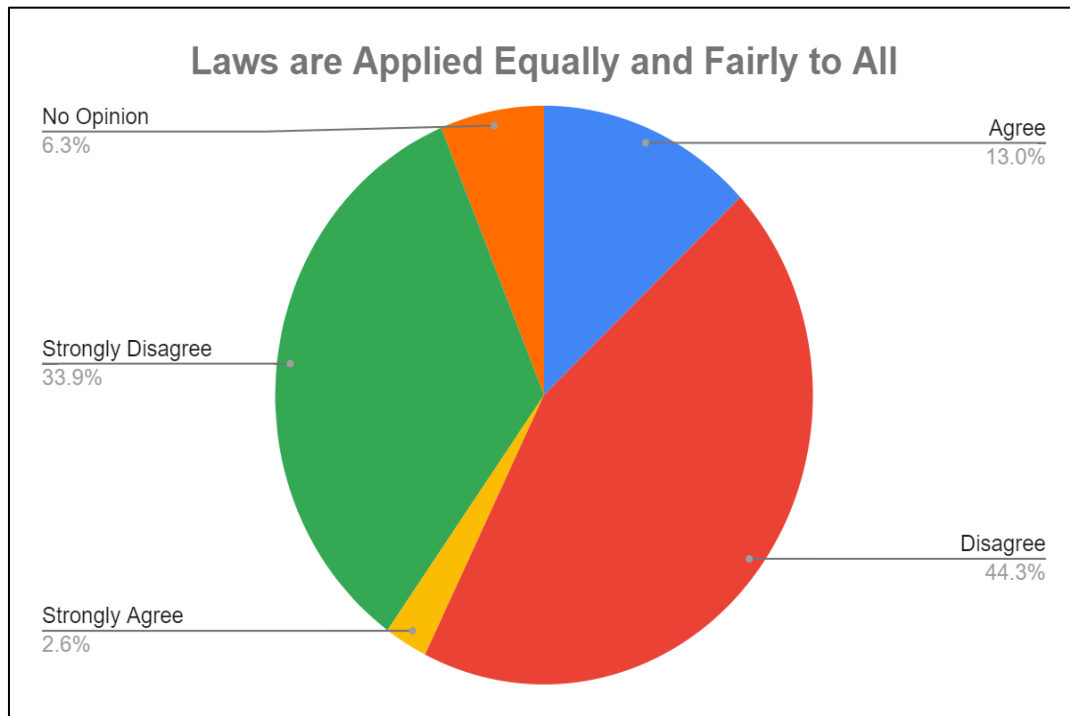
Table No. 5. 16

The Laws in Kerala are applied Equally and Fairly to All

Options	Frequency	Percent	Cumulative Frequency
Strongly Agree	10	2.6	2.6
Agree	50	13	15.6
No Opinion	24	6.3	21.9
Disagree	170	44.3	66.1
Strongly disagree	130	33.9	100
Total	384	100	

Source:survey data

Figure No. 5.5



Source: survey data

A statement, Laws in Kerala are applied equally and fairly to all was given to measure the attitude of the people. Legitimacy of the system can be measured by measuring the attitude. Public attitude towards compliance to law largely depends on the legitimacy of the state.

Inference: Response shows that 2.6% of the respondents strongly agreed and 13% agreed with the statement. 44.3 % disagreed and 33.9 % strongly disagreed with the statement. 6.3 % of respondents preferred no opinion. Large majority of the sample have a negative attitude towards the statement. A cumulative percentage of 78.2% expressed a negative attitude towards the statement.

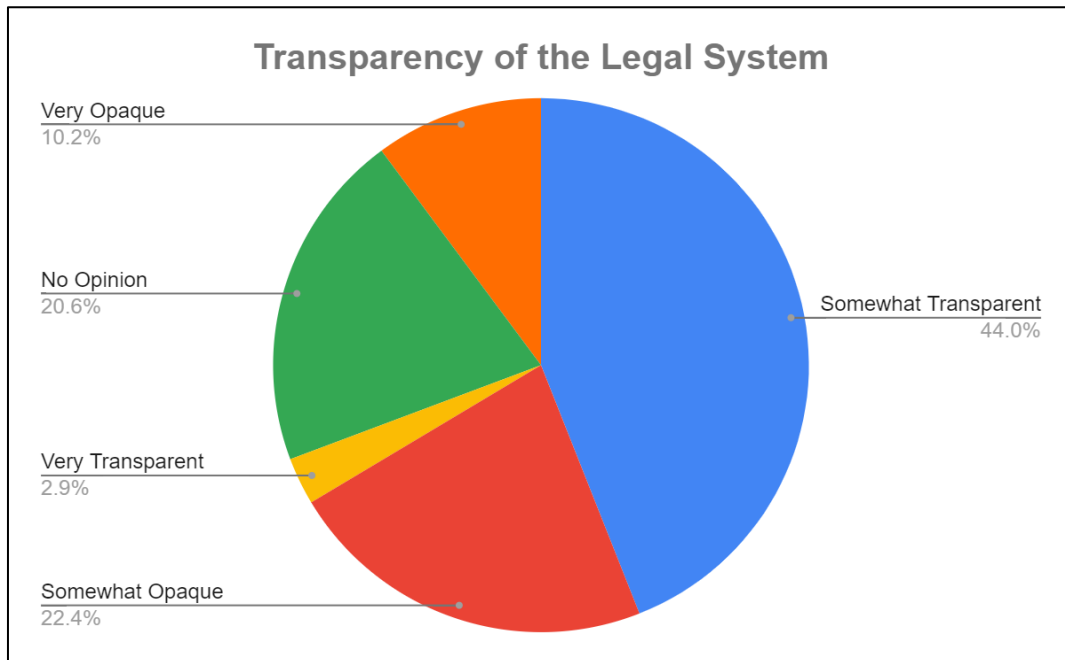
Implications: The findings are concerning. If we apply the findings to the universe then it can be assumed that the majority of the people believe that the laws are not applied equally among the people. The legal system is not fair or impartial. This data is based on public perception. So many people have a negative perception of the legal system is a serious problem. It will badly affect the legitimacy of the system as well as laws. The possibility of voluntary compliance to law will be minimal in such a system. The state has to depend on enforcement mechanisms to make the people obey laws. This may be one of the reasons for the heavy dependency of enforcement mechanisms in Kerala society. Even enforcement mechanisms would be effective only for a short span. Legitimacy of the legal system and the base of rule of law is equality before law. If the law of the land is applied differentially among the members of the society, then the legitimacy of the system in the long run will be in danger. Differential treatment before law may lead to violation of laws and many illegal activities in the society.

Table No. 5. 17
Transparency of the legal system

Options	Frequency	Percent	Cumulative Percent
Very Transparent	11	2.9	2.9
Somewhat Transparent	169	44	46.9
No Opinion	79	20.6	67.4
Somewhat Opaque	86	22.4	89.8
Very Opaque	39	10.2	100
Total	384	100	

Source:survey data

Figure No. 5.6



Source: survey data

Transparency of the political system is one of the indicators of legitimacy of the system. By using the Likert Scale attitude towards transparency is measured.

Inference: The data shows that 44% of the sample regards the legal system in Kerala as somewhat transparent and 2.9% regards the system very transparent. 20.6% of the sample recorded no opinion. 22.4% regard the system somewhat opaque and 10.2% regard the system as very opaque. Cumulative percent of 46.9% preferred a positive response towards transparency indicator. That is a significant number but again cumulative percent of 32.6% of the sample have a negative response towards transparency indicator.

Implications: Transparency of the legal system will contribute to the legitimacy of the political system. There exists a positive correlation between transparency and legitimacy. Legitimacy of the political system may increase the voluntary compliance to law. The negative response towards transparency indicators may be the reason why many people are reluctant to follow laws on their own. Particularly in a democratic political system, legitimacy of the system can be ensured through transparency. When the subjects are convinced of what is happening behind the curtain at the administrative level, legitimacy of the system will improve. The transparency indicators of all modern politically developed systems are high and voluntary compliance with the legal system are also high. A large section of the sample feel that transparency of the political system is not enough is a significant finding.

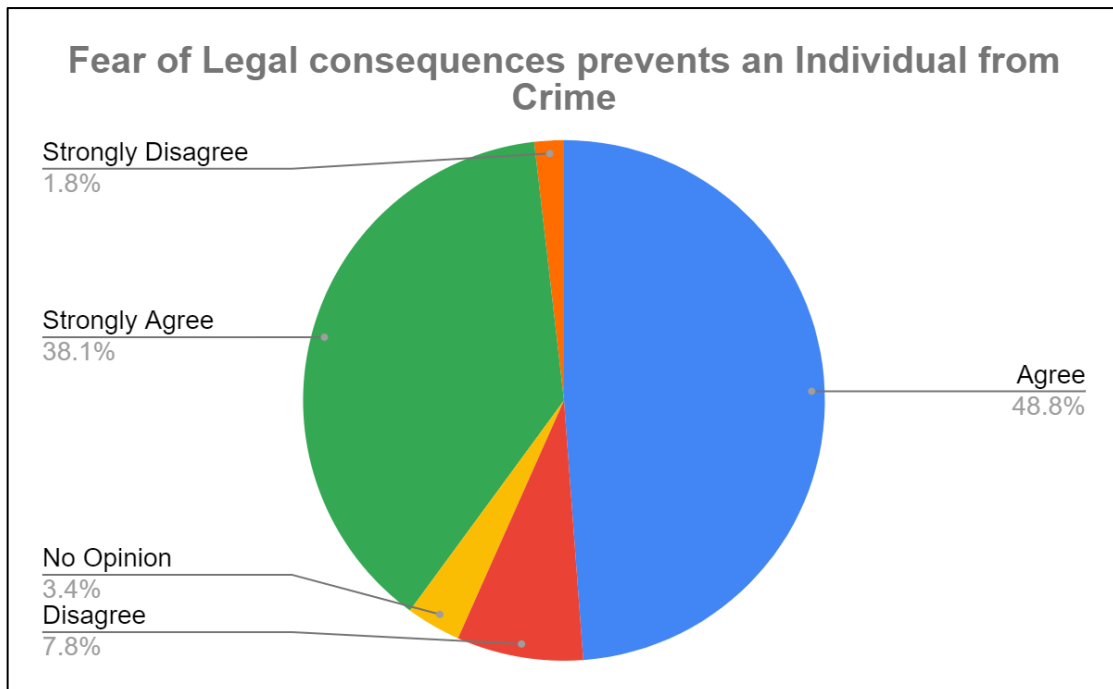
Table No. 5. 18

Fear of Facing legal consequences prevent an individual from illegal activities

Opinion	Freequency	Percent	Cumulative Percent
Strongly Agree	146	38.02	38.02
Agree	188	48.96	87
No Opinion	13	3.39	90.4
Disagree	30	7.81	98.2
Strongly Disagree	7	1.82	100
Total	384	100	

Source:survey data

Figure No. 5. 7



Source: survey data

A statement was given to the respondents to measure the effect of deterrence factor in shaping compliance to law in Kerala society.

Inference: A significant number of 38.02% of the respondents strongly agreed to the statement. 48.96% agreed to the statement. Whereas only 7.81% of the respondents disagreed and 1.82% strongly disagreed. 3.39% having no opinion. A cumulative percentage of 80% of the sample found a positive correlation between fear of facing legal consequences and staying away from criminal activities.

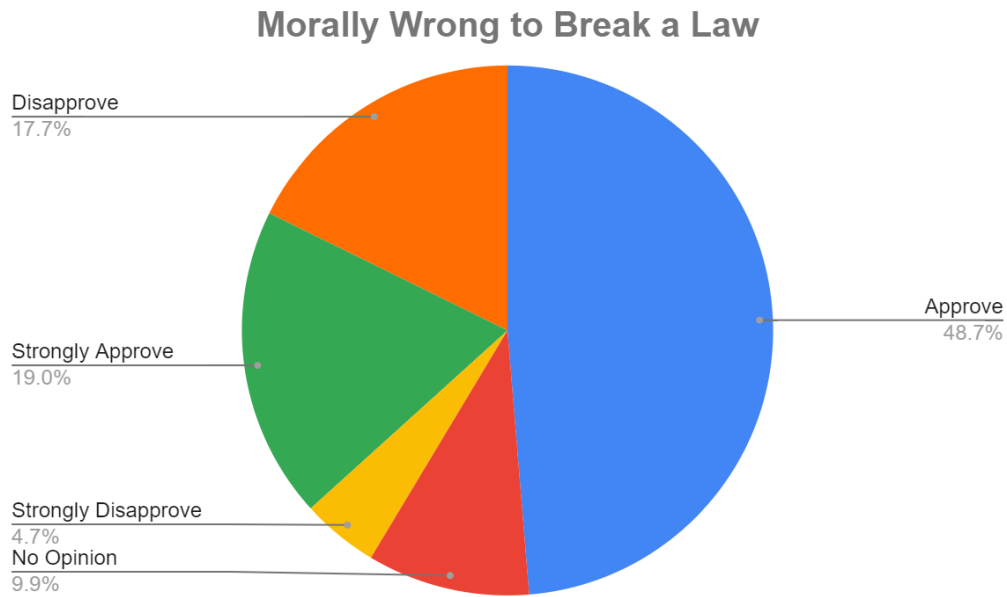
Implications: If we apply the findings to the general population, it shows that Kerala society is still following laws because of the fear factor associated with non-compliance. That is why deterrence is still dominating law enforcement mechanisms. People belonging to all demographic profiles under study preferred the deterrence factor as the dominant influencing factor when it comes to compliance to law. This inference is questioning the political modernization process that India started with constitutional governance. New constitutional system implanted many new structures and institutions that failed to generate legitimacy. In India many police reformatory measures were adopted which were successfully practiced in other developed countries, but failed miserably. Many police reformatory measures failed because the main factor shaping compliance to law is still deterrence in India. People are reluctant to practice and follow a simple queue system, if enforcement measures are not there. Majority people obey laws because of the penalties and punishments associated with non compliance. Many people are following laws because of the fear of consequences and not because of the benefits it provides to the community he or she belongs to. This is a peculiar feature of traditional society. Kerala society failed to create the supporting political culture and behavior to support the modern political structures.

Table No. 5. 19
Morally wrong to break a law

Opinion	Frequency	Percent	Cumulative Percent
Strongly Disapprove	18	4.7	4.7
Disapprove	68	17.71	22.4
No Opinion	38	9.90	32.3
Approve	187	48.70	81.0
Strongly Approve	73	19.01	100
Total	384	100	

Source: survey data

Figure No. 5. 8



Source: survey data

A statement was given to assess how far personal moral values affect compliance to law. There should be a clear difference of personal moral values and state made laws. In a modern political system people obey state made laws not on the basis of personal moral values.

Inference : The data shows that 48.70% approved the influence of moral factors and 19.01% strongly approved the statement. 4.7% strongly disapproved and 17.72% of the respondents disapproved of the statement. 9.90% recorded no opinion regarding the statement. Cumulative percent of 67.81% have a positive response to the influence of moral factors regarding compliance to law.

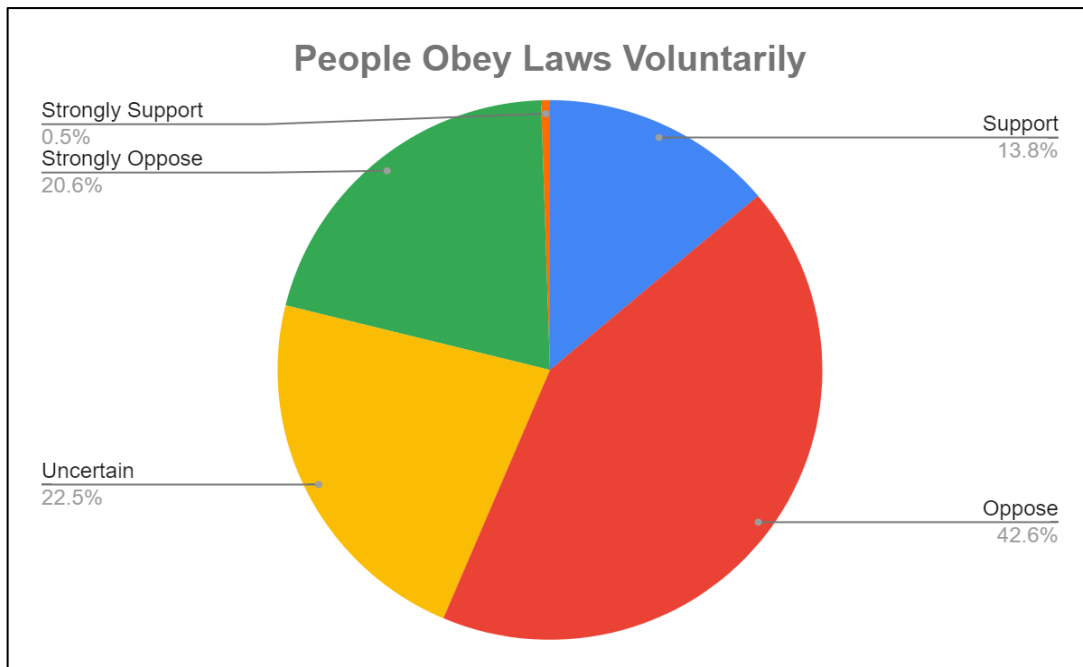
Implications: If we apply the findings of the study on the general population we can say that majority people in Kerala obey laws because of personal moral values. Most people believe that there is a moral obligation to obey the laws of the state. Dominance of moral values is a characteristic feature of traditional societies in the political modernization theory. It shows the influence of traditional cultural values and behavioral patterns in Kerala society. In India Political modernization process was initiated with the import of modern political structures and institutions but still the old political culture and political behavior is dominating. Riggs' Prismatic-sala model is confirmed in the survey. Modern political structures and institutions coexist with traditional cultural patterns. Personal moral values and laws of the state should be clearly differentiated in a modern political system. Observing sati may be morally acceptable, but a modern progressive state law cannot accept inhuman practice of sati. What is morally good may not be legally good in a modern state. The survey result shows the influence of traditional cultural patterns in Kerala society with regard to compliance to law.

Table No. 5. 20
People Obey Laws Voluntarily

Opinion	Frequency	Percent	Cumulative Percent
Strongly Support	2	.5	.5
Support	54	14.1	14.6
Uncertain	86	22.4	37
Oppose	163	42.4	79.4
Strongly Oppose	79	20.6	100
Total	384	100	

source: survey data

Figure No. 5.9



Source: survey data

A statement regarding voluntary compliance to law was given to the sample to trace the attitude towards laws. Only highly legitimate political systems can expect voluntary compliance.

Inference: In the survey data 42.4% of the sample opposed and 20.6% strongly opposed the statement of voluntary compliance to law. 0.5% strongly supported, whereas 14.4% supported voluntary compliance to law and 22.4% are uncertain. A cumulative percent of 63% of the sample disagreed that they obey laws on their own without any external compulsion.

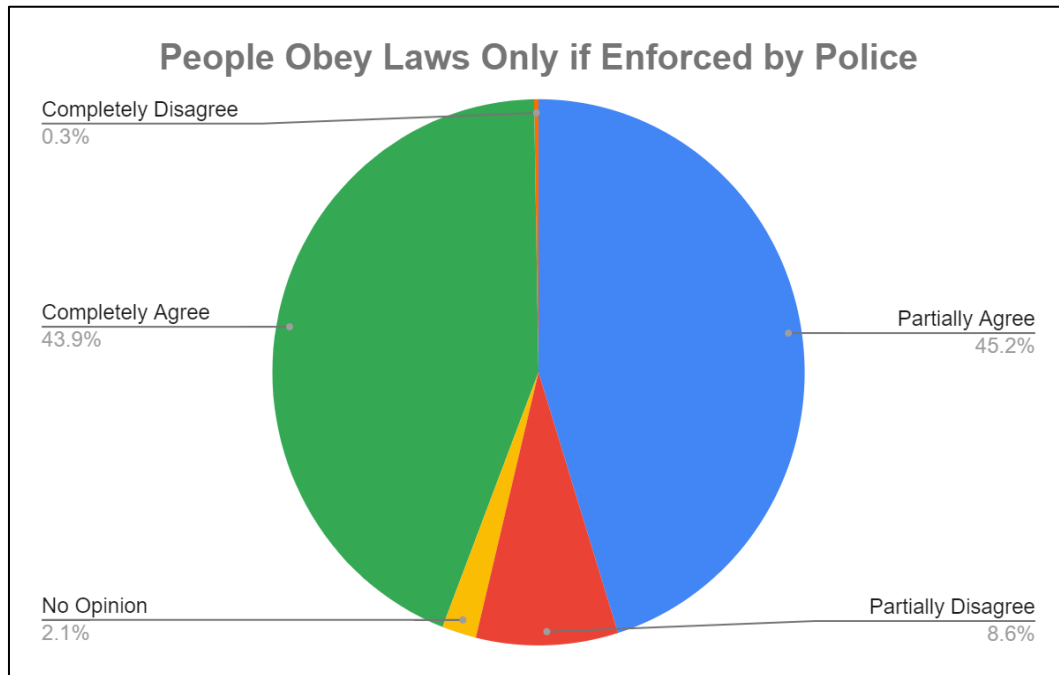
Implications: If we apply the findings to the general population we can understand why law enforcement is necessary in Kerala society. People generally obey laws only if external enforcement mechanisms are in place. Many politically developed countries adopted various police reformatory measures on the basis of the existence of voluntary compliance habits among the majority of their population. If we are adopting those successful models without recognising our political behavior, then those reforms would fail. Here in Kerala society, its demographic profile, like health and education standards can be compared with the developed world. But when it comes to voluntary compliance, the majority had a negative response. So the reason for the failure of many Police reformatory measures adopted from the developed western world may be this finding.

Table No. 5. 21
People Obey Laws Only if Enforced by the Police

Opinion	Frequency	Percent	Cumulative Percent
Completely Disagree	1	.3	3
Partially Disagree	33	8.6	8.9
No Opinion	8	2.1	10.9
Partially Agree	174	45.3	56.3
Completely Agree	168	43.8	100
Total	384	100	

Source:survey data

Figure No. 5. 10



Source: survey data

A statement was given to study the impact of deterrence based Political systems. If the legitimacy factor is weak then the system has to rely on enforcement mechanisms. People obey laws only if enforced by police authority was given as a statement and response was collected.

Inference: The findings of the data show that 45.3% partially agreed and 43.8% completely agreed to the statement of need of enforcement for compliance. 0.3% completely disagreed and 8.6% partially disagreed with enforcement and compliance. 2.1% recorded no opinion. Cumulative percent of 89.1% recorded a positive attitude to the statement.

Implications: If we apply the findings to the general population then we can infer that people in Kerala generally obey laws because of the enforcement mechanisms followed by the police department. This shows the importance of the police force in Kerala society. Recently with the rigorous enforcement of traffic laws by the police and enforcement wing, accidents and traffic rule violations have come down drastically. The survey result reflects the same attitude of Kerala society towards law and its enforcement. Civil disobedience spirit is still flowing through

the blood vessels of people, recognising and acknowledging this, majority of the sample had a positive attitude towards the statement. There will be no voluntary compliance, and obeying laws out of desperation to save one from punishments and penalties. People will hesitate to wear a helmet, if there are no enforcement measures, even at the cost of his or her life.

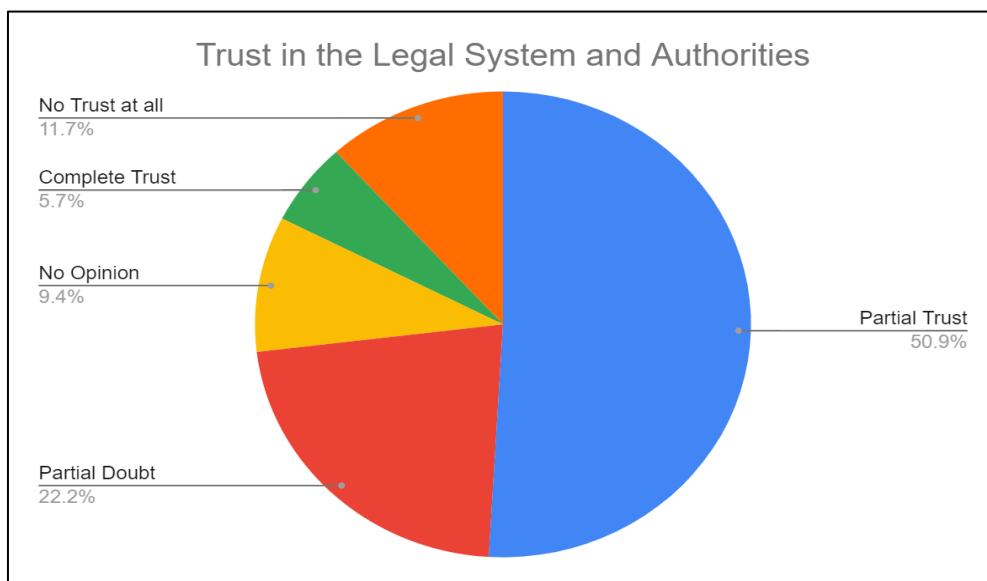
Table No. 5. 22

Trust in the Legal system and Authorities

Opinion	Frequency	Percent	Cumulative percent
Complete Trust	22	5.7	5.7
Partial Trust	196	51	56.8
No Opinion	36	9.4	66.1
Partial Doubt	85	22.1	88.3
No Trust At All	45	11.7	100
Total	384	100	

Source:survey data

Figure No. 5. 11



Source: survey data

To understand the legitimacy of the legal system and authorities a statement was given for response. How far the respondents went in response to the statement of trust in the legal system and authorities was recorded.

Inference: The data revealed that 5.7% expressed complete trust and 51% expressed partial trust in the legal system and authorities. 9.4% hold no opinion and 22.1% have partial doubt and 11.7% say they have no trust at all to the system and authorities. A cumulative percent of 56.8% have a positive attitude towards the indicator of trust. But a cumulative percentage of 33.8% of the sample have a negative attitude towards the indicator.

Implications: The findings may be one of the reasons for the lack of voluntary compliance to law in Kerala society. A large minority having no trust or partial doubt about the legal system and authorities might have its impact on compliance to law. Legitimacy of the newly implanted structures and institutions will be in danger if there is no trust in the system. Survey result shows a slight positive cumulative attitude towards the system. If there is little trust in the legal system and authorities, then it would lead to lawlessness and anarchism. No political system could rely on enforcement mechanisms for a long period of time.

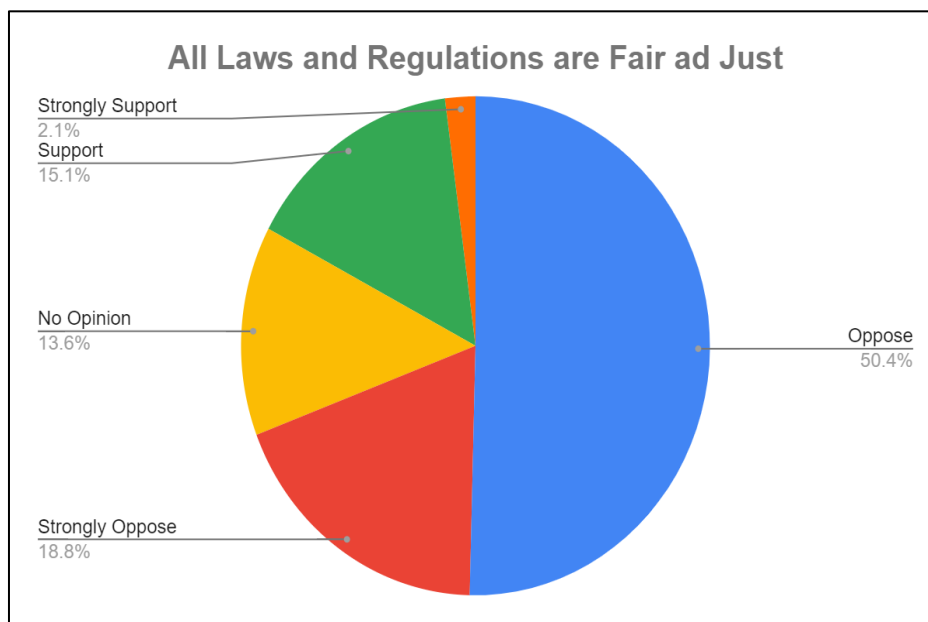
Table No. 5. 23

All Laws and regulations are fair and just

Opinion	Frequency	Percent	Cumulative Percent
Strongly Oppose	72	18.8	18.8
Oppose	194	50.5	69.3
No Opinion	52	13.5	82.8
Support	58	15.1	97.9
Strongly Support	8	2.1	100
Total	384	100	

Source:survey data

Figure No. 5.12



Source: survey data

A statement that all laws and regulations are fair and just was given to the respondents to measure the legitimacy of the legal system in Kerala.

Inference: The findings show that 18.8% strongly opposed and 50.5% opposed to the statement of fair and just laws and regulations 13.5 holds no opinion. 15.1% support and 2.1% strongly supported the statement. A cumulative percentage of 69.3% having a negative attitude towards the indicator.

Implications: If we apply the findings to the Kerala society in general then we can infer that legitimacy generating parameters are not functioning. Majority people belonging to all demographic stratification believe that all laws and regulations in Kerala society are not fair and just. Even though Kerala is a democratic system, there are still laws and regulations that people consider unfair and unjust. This erodes the legitimacy and further the habit of non-compliance to law. So the system has to depend on enforcement mechanisms to implement those laws and regulations. Ultimately the people living in a democratic state should realize that the laws and regulations are created for people's benefit. Actually every limitation imposed by the state is to accommodate the interest of all. A person's

freedom is limited by the state to provide freedom for all. People living in a politically developed state should understand this. Political system also makes sure that no unnecessary restrictions are placed arbitrarily. Then all regulations made by the state become fair and just and people follow them voluntarily.

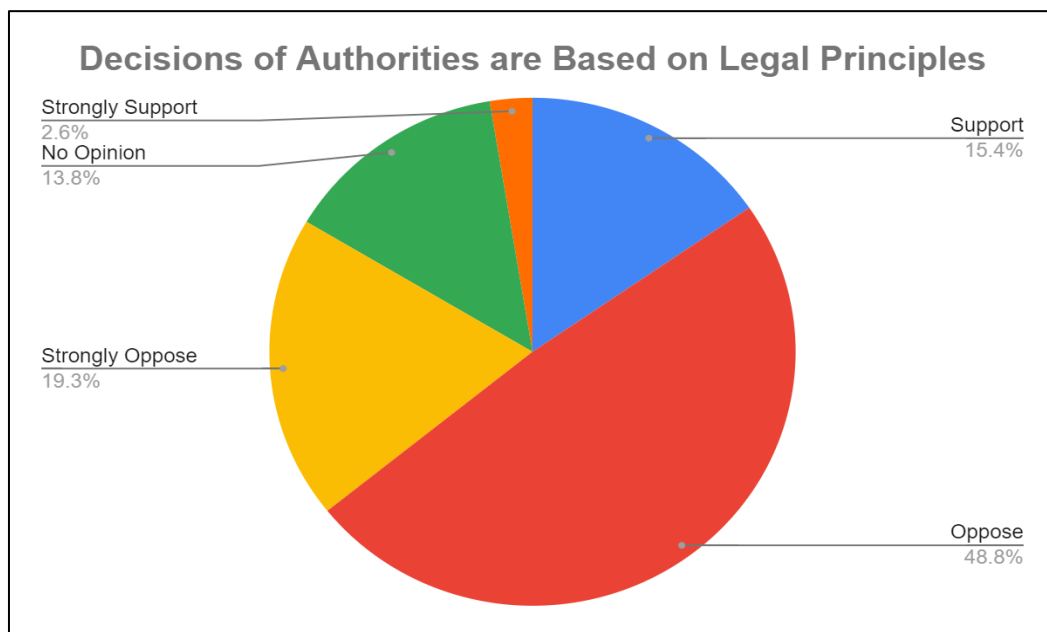
Table No. 5. 24

Decisions made by authorities are based on legal principles

Opinion	Frequency	Percent	Cumulative Percent
Strongly Support	10	2.6	2.6
Support	59	15.4	18
No Opinion	53	13.8	31.8
Oppose	188	49	80.7
Strongly Oppose	74	19.3	100
Total	384	100	

Source:survey data

Figure No. 5. 13



Source: survey data

Legitimacy of the system will be high if people are having a feeling that all decisions made by the authorities are based on legal principles. So a statement was given that all decisions made by the authorities are based on legal principles.

Inference: The findings of the survey data show that 2.6% strongly supported and 15.4% supported the statement that all decisions of authorities are based on legal principles. 13.8% of the sample hold no opinion. 49% opposed and 19.3% strongly opposed the statement. Cumulative percent of 68.3% respondents have a negative attitude towards the statement.

Implications: The finding shows that the legitimacy indicators are not working well in Kerala society. If we apply the findings to the general population in Kerala then we have to recognise that people still believe that there is no fair procedure in the process of decision making. Many studies proved that there exists a strong correlation between fair procedure in decision making and legitimacy of the political system. If legitimacy is weak then the system has to rely on enforcement mechanisms. Everybody living in the society should feel that all decisions made by the authorities are based on legal principles then the responsibility of following those decisions will be on the citizens. On the other hand as per the survey a cumulative percentage of 68.3% felt that apart from legal proceedings, some other factors are included in the decision making process. Majority of the sample felt that there was no fair procedure. Such a situation would erode the legitimacy of the political system and compliance with regards to such decisions would be less.

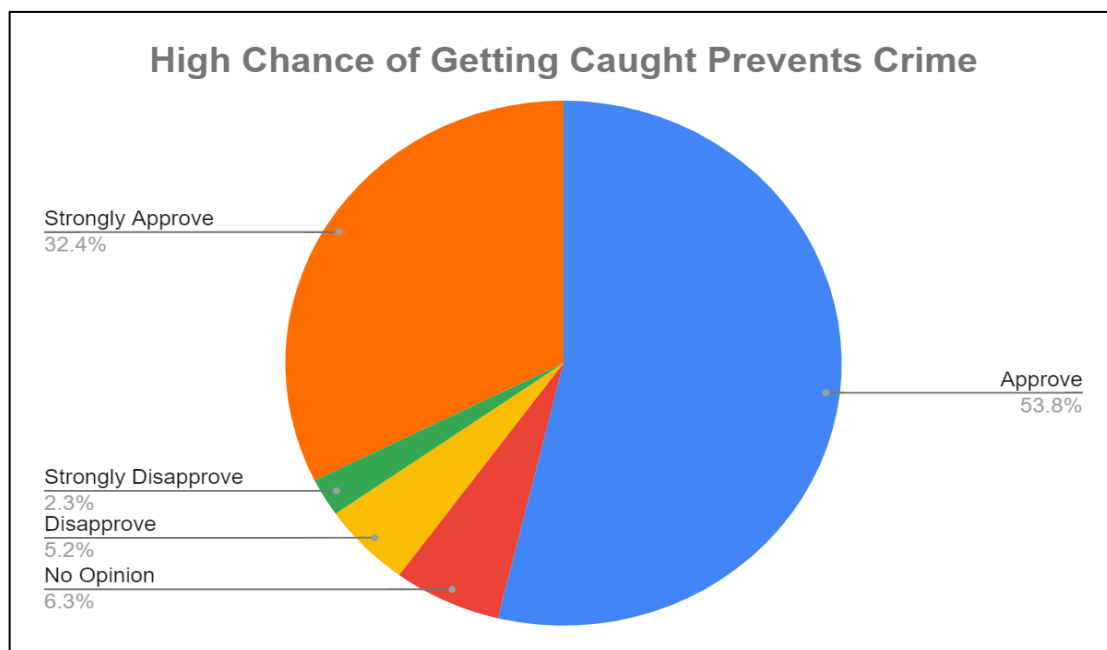
Table No. 5. 25

High chance of getting caught, prevents an individual from breaking the law.

Options	Frequency	Percent	Cumulative Frequency
Strongly Disapprove	9	2.3	2.3
Disapprove	20	5.2	7.6
No Opinion	24	6.3	13.8
Approve	207	53.9	67.7
Strongly Approve	124	32.3	100
Total	384	100	

Source:survey data

Figure No. 5.14



Source: survey data

A statement was given to find out the impact of fear of punishment and compliance to law. High chances of getting caught preventing an individual from breaking the law was given as a statement for response.

Inference: The findings show that 2.3% strongly disapproved and 5.2% disapproved of the statement of high chances of getting caught and obedience to law. 6.3% hold no opinion. 53.9% approved the statement and 32.3% strongly approved the statement. A cumulative percentage of 86.2% of the respondents have a positive attitude towards the indicator.

Implications: The finding shows that if the possibility of getting caught increases then the compliance to law will be higher. If we apply the findings to the general population then we can infer that people will obey laws if punishment for violation are certain. People in Kerala society are obeying laws because of fear of punishments attached with violation. People living in Kerala society believe that if the possibility of getting caught is maximum, then there is less chance of crime. The findings of the survey substantiate rational choice theory of crime. The theory says that man is by nature rational. Man always calculates the risk and benefits associated with an action. If the possibility of getting caught is higher then he wouldn't break the law. This theory accepts severe punishments can reduce crime in the society, and compliance to law will be maximum. It can be inferred that people in Kerala society are demanding strict punishment and enforcement measures by the state.

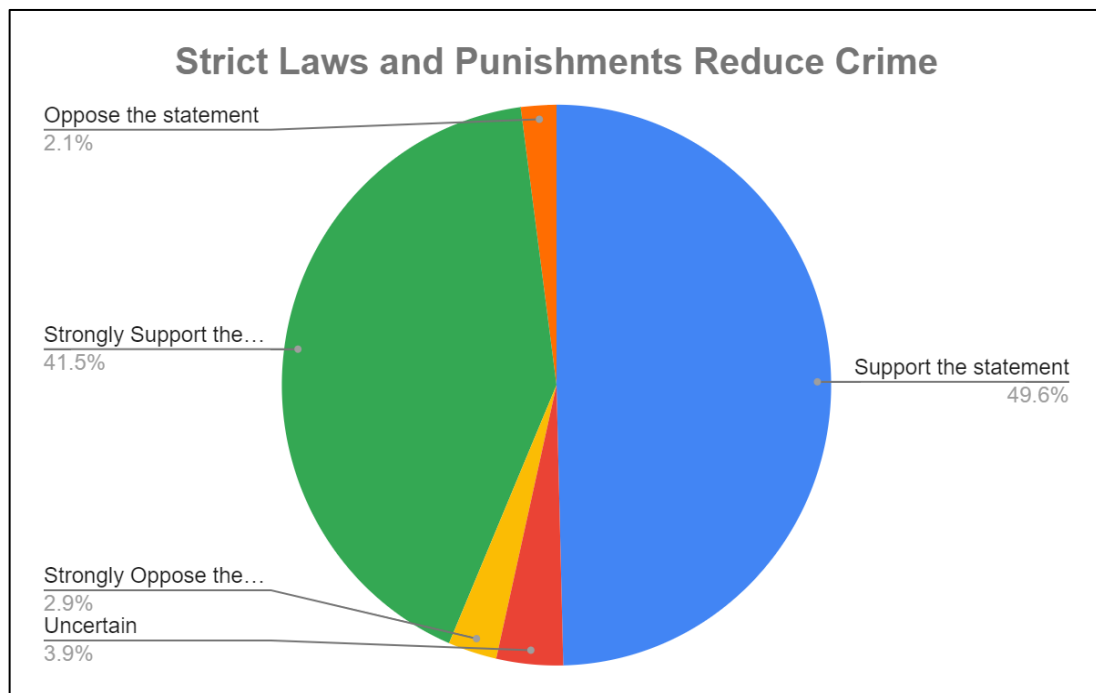
Table No. 5. 26

Strict laws and punishments reduce criminal activities

Options	Frequency	Percent	Cumulative Percent
Strongly Oppose	11	2.9	2.9
Oppose	8	2.1	4.9
No Opinion	15	3.9	8.9
Support	191	49.7	58.6
Strongly Support	159	41.4	100
Total	384	100	

Source:survey data

Figure No. 5.15



Source: survey data

By implementing strict laws and punishment criminal activities in society can be controlled is the statement given for response. The statement was used to measure the attitude of people towards deterrence as a factor shaping compliance to law.

Inference: Data shows that 2.9% strongly opposed and 2.1% opposed the statement that strict laws and punishment can reduce crime rate in the society. 3.9% hold no opinion. 49.7% supported and 41.4% strongly supported the statement. A cumulative percent of 91.1% of the sample have a positive attitude towards the statement.

Implications: If we apply the findings to the general population of Kerala state then we can infer that fear of punishment is a dominating factor shaping compliance to law. People in Kerala generally believe that it is because of lack of strict laws and strong punishment that criminal activities are happening. People would stay away from crime if strict laws and punishments are in place. It can be inferred that if strict laws and enforcement measures are taken then crime in Kerala society can be controlled. This is a peculiar feature of a traditional society that crime can be controlled by deterrence. Without understanding this, blindly following successful models from other countries would lead to disaster. In those countries legitimacy may be the factor shaping compliance to law. In Kerala, deterrence is the factor shaping compliance to law. But experience has shown that no society can continue for long on the basis of deterrence particularly in a democratic society. Here in Kerala society fear is the factor shaping compliance to law.

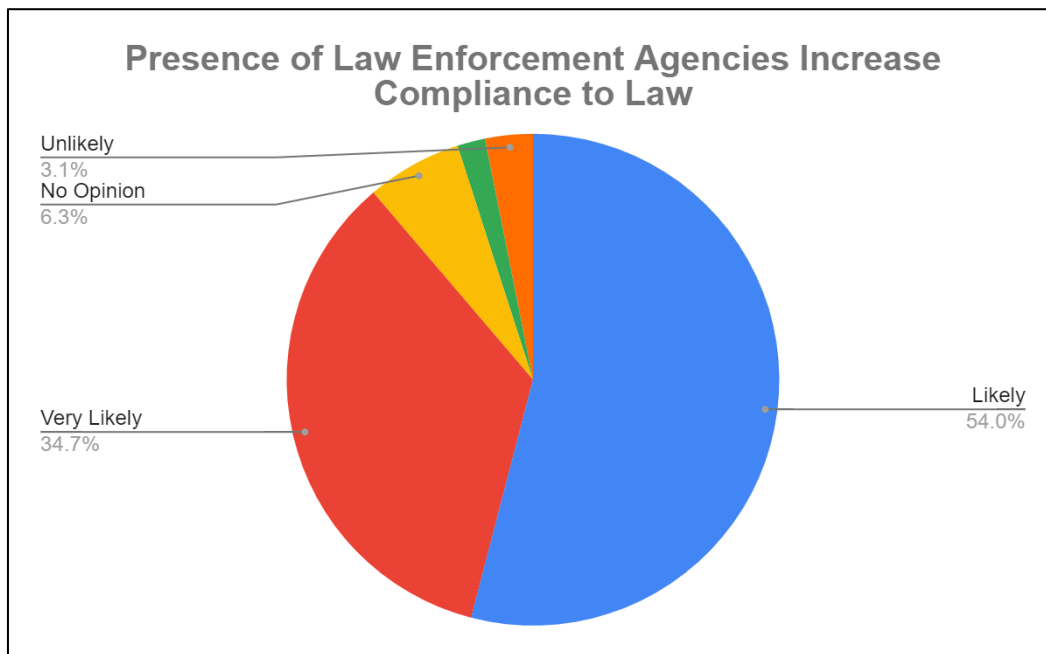
Table No. 5. 27

Presence of law enforcement agencies and their vigilance influence decision to obey laws

Options	Frequency	Percent	Cumulative Frequency
Very Unlikely	7	1.8	1.8
Unlikely	12	3.1	4.9
No Opinion	24	6.3	11.2
Likely	208	54.2	65.4
Very Likely	133	34.6	100
Total	384	100	

Source:survey data

Figure No. 5. 16



Source: survey data

Another statement was given to measure the impact of enforcement mechanisms on compliance to law. Presence of law enforcement agencies and their vigilance effect on compliance to law.

Inference: The findings show that 1.8% of the sample says presence and vigilance of law enforcement agencies very unlikely influence their decision to obey laws, and 3.1% believe unlikely influence their decision. 6.3% hold no opinion. 54.2% likely and 34.6% very likely obey laws if the presence of law enforcement agencies and their vigilance are there. A cumulative percent of 88.8% have a positive attitude towards the indicator.

Implications: If we apply the findings to Kerala society in general then we can infer that this society largely depends on enforcement mechanisms for making the people obey laws. People generally have a tendency to obey laws only if the presence of law enforcement agencies and their vigilance is there. A modern state can't depend upon enforcement mechanisms for a long time. It is very expensive and active citizenship wouldn't emerge. The civic sense of the people will be very poor. Actually people will be looking for an opportunity to break the laws of the state. Democratic citizenship of “master” concepts never achieved and people will place them as subjects looking for orders from the rulers.

Table No. 5. 28

Personal values and ethics guide to follow state laws in all situations

Options	Frequency	Percent	Cumulative Percent
Strongly Approve	64	16.7	16.7
Approve	208	54.2	70.8
No Opinion	44	11.5	82.3
Disapprove	57	14.8	97.1
Strongly Disapprove	11	2.9	100
Total	384	100	

Source:survey data

Figure No. 5. 17



Source: survey data

A statement was given to the sample population for response on the impact of personal moral values and ethics with regard to compliance to state made laws.

Inference: The findings show that 16.7% of the sample strongly approved the link and 54.2% approved the statement. 11.5% recorded no opinion. 14.8% disapproved and 2.9% strongly disapproved of the statement establishing the relationship. A cumulative percent of 70.8% confirmed a positive link between personal moral values and compliance to state made laws.

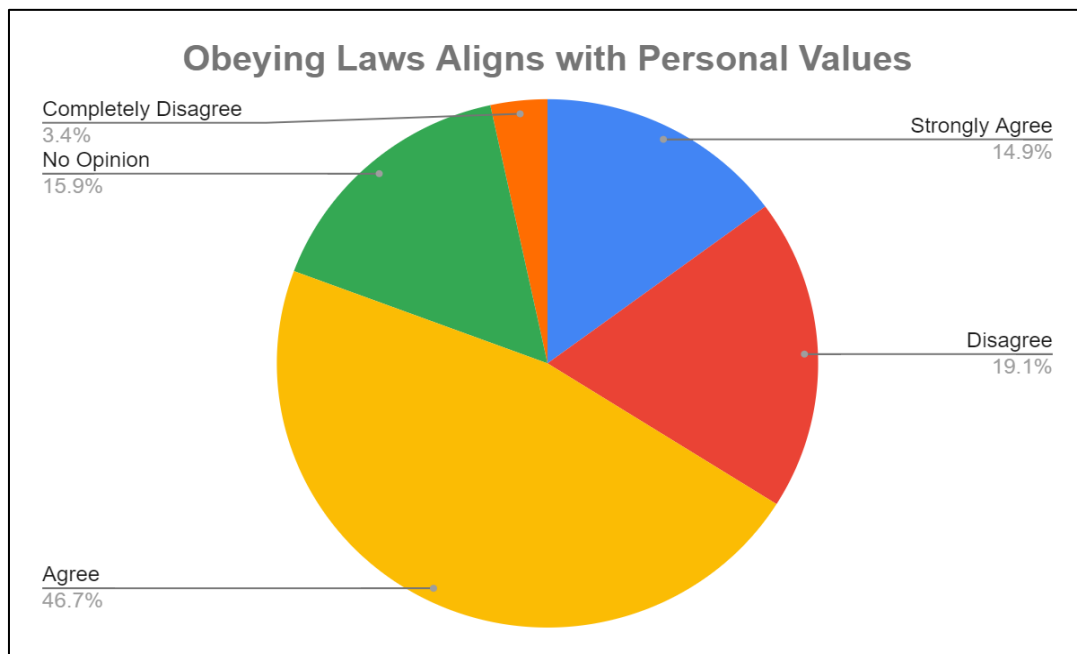
Implications: Dominance of personal moral and ethical values are a peculiar feature of traditional societies. Data analysis shows that even modern political structures are in place but the political culture and behavior of the people are shaped by traditional values. When it comes to the compliance of state made laws, respect for decisions of the rational legal authority should be the principle. Survey finding confirmed people in Kerala society mixed personal moral values and state made laws.

Table No. 5.29
Obeying state laws aligns with sense of right and wrong

Options	Frequency	Percent	Cumulative Percent
Strongly Agree	57	14.8	14.8
Agree	180	46.9	61.7
No Opinion	61	15.9	77.6
Disagree	73	19	96.6
Completely Disagree	13	3.4	100
Total	384	100	

Source:survey data

Figure No. 5. 18



Source: survey data

Another statement was given to the sample regarding the influence of personal moral value and state made laws. An individual's sense of right or wrong aligns with obeying or disobeying laws of the state.

Inference: The survey data show that 14.8% strongly agreed and 46.9% agreed to the statement. 15.9% hold no opinion. 19% disagreed and 3.4% completely disagreed with the statement. A cumulative percent of 62.8% of the sample established a positive link between the two indicators.

Implications: This trend again established the presence of traditional cultural and behavioral patterns among the people of Kerala. Modern political structures and institutions working in traditional cultural backgrounds. Personal moral values and state made laws should be separated from each other in a politically modernized society.

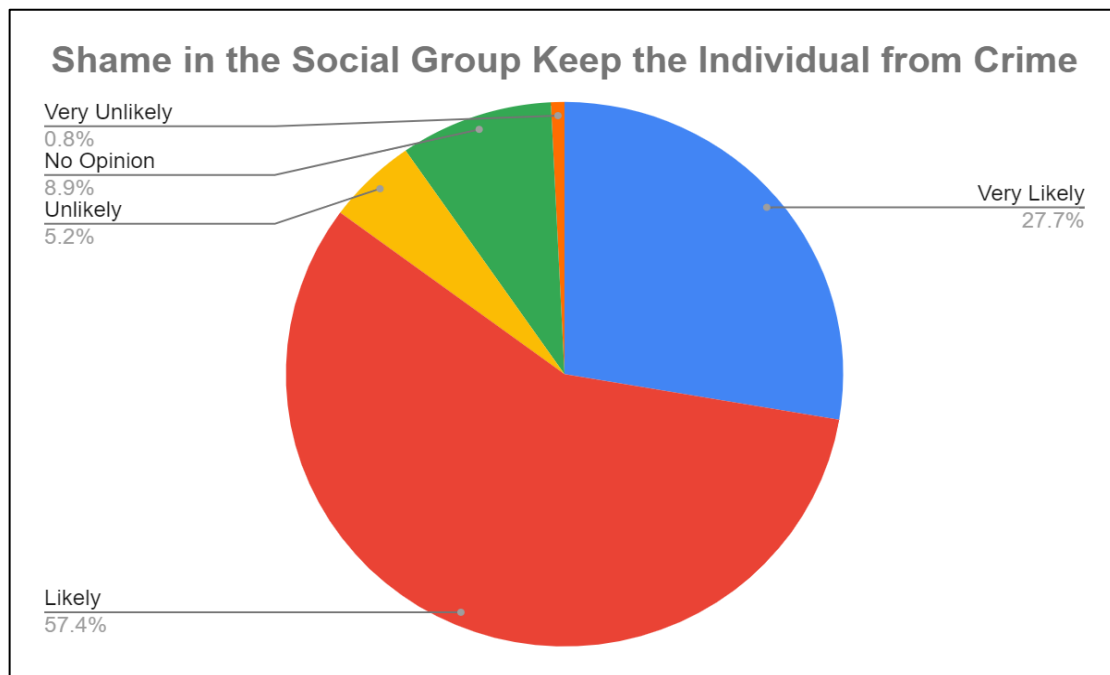
Table No. 5. 30

Feeling of shame in the social group compels an individual to stay away from unlawful activities

Options	Frequency	Percent	Cumulative Percent
Very Likely	106	27.6	27.6
Likely	221	57.6	85.2
No Opinion	34	8.9	94.0
Unlikely	20	5.2	99.2
Very Unlikely	3	.8	100
Total	384	100	

Source: survey data

Figure No. 5. 19



A statement was given to the sample to understand the impact of social pressure on compliance with laws made by the state. Many studies proved the influence of social groups in keeping people away from criminal activities.

Inference: The findings of the data show that 27.6% opined very likely and 57.6% opined likely to be influenced by the influence of social groups. 8.9% hold no opinion. 5.2% unlikely and 0.8% claimed very unlikely influenced by social pressure. A positive cumulative percent of 85.2% confirmed a positive link between social pressure and compliance to law.

Implications: If we apply the findings to the general population of Kerala then we can infer that public attitude towards compliance to law was also shaped by social pressure. This is another peculiar nature of the prismatic sala model of Rigg's analysis. Modern political structures and institutions associated with traditional cultural patterns and behavior. People obey laws because of the influence of social groups like family, peer groups, caste groups etc. They don't want to spoil their reputation and good name especially in the social groups. Crime rates in the cities are higher because even next door neighbors are not familiar. On the other hand, in

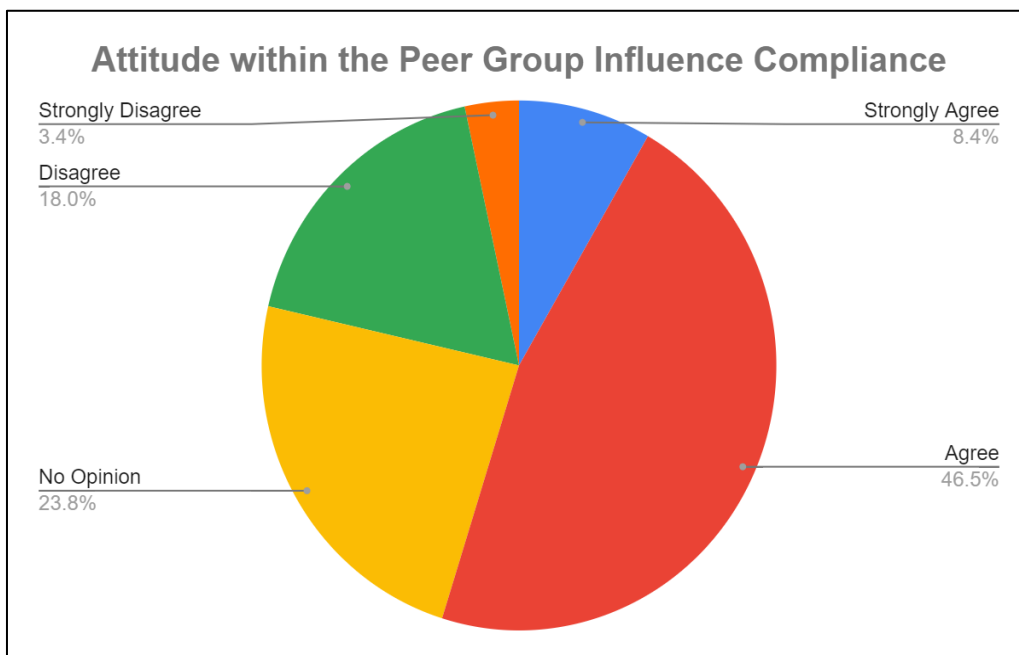
rural areas people believe that they don't want to get involved in criminal activities because they don't want to spoil their reputation. This influence of social groups is a peculiar feature of traditional society.

Table No. 5. 31
Peer Group significantly influence
an individual's decision to obey or disobey laws

Options	Frequency	Percent	Cumulative Percent
Strongly Agree	32	8.3	8.3
Agree	179	46.6	54.9
No Opinion	91	23.7	78.6
Disagree	69	18	96.6
Strongly Disagree	13	3.4	100
Total	384	100	

Source:survey data

Figure No. 5. 20



Source: survey data

Another social group's influence, that is peer group on an individual's decision to obey or disobey laws of the state was taken for study.

Inference: The findings show that 8.3% strongly agreed and 46.6% agreed with the influence of social groups on compliance to law. 23.7% confirmed no opinion. 18% disagreed and 3.4% strongly disagreed with the statement. A cumulative percent of 54.9% confirmed a positive relationship between peer group pressure and law abidingness.

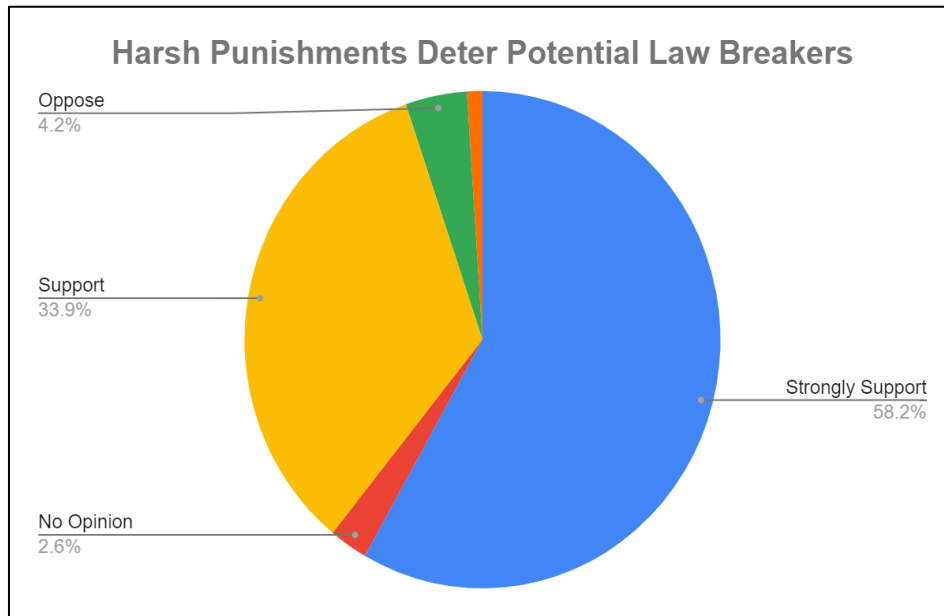
Implications: Compliance to law shaped by a social group's influence is a feature of traditional society. Social pressure is working on individuals' decisions to obey or disobey laws of the state. Peer pressure can act as a factor shaping compliance to law. High crime rates in cities and urban centres are maybe because of less social pressure on individual behavior. In rural areas, where the social pressure is more to force an individual to stay away from illegal activities as that would spoil their good name in the society.

Table No. 5. 32

Harsh Punishments are necessary to deter Potential Lawbreakers

Options	Frequency	Percent	Cumulative percent
Strongly Oppose	4	1	1
Oppose	16	4.2	5.2
No Opinion	10	2.6	7.8
Support	130	33.9	41.7
Strongly Support	224	58.3	100
Total	384	100	

Source:survey data

Figure No. 5. 21

Source: survey data

Influence of harsh punishments to deter potential law breakers was taken into consideration for analysis. The statement is indented to measure the effect of deterrence on shaping compliance to law.

Inference: The findings of the data show that 1% strongly opposed and 4.2% opposed the relationship of harsh punishments could deter potential law breakers. 2.6% have no opinion. 33.9% supported and 58.3% strongly supported the relationship of harsh punishments could deter potential law breakers. A cumulative percent of 92.2% established a positive correlation between harsh punishments and controlling potential law breakers.

Implications: If we apply the findings to the general population of Kerala then we can infer that people in Kerala generally believe that harsh punishments can deter potential law breakers. So again the dominance of deterrence factor in shaping compliance to law is established. There may be so many factors that compel an individual to commit a crime. But there are habitual criminals who commit crime not out of desperation. Harsh punishments can deter such criminals from committing crime. Those who commit crime after the risk benefit analysis can be deterred by harsh punishments. Majority respondents accept that harsh punishments could deter

potential law breakers. In Kerala after the installation of Artificial Intelligence cameras and hefty fines, traffic violations have come down. The state used to report around 4.5 lakh traffic violations every month, which was reduced to 2.5 lakh. It confirms the impact of harsh punishments to deter crime.

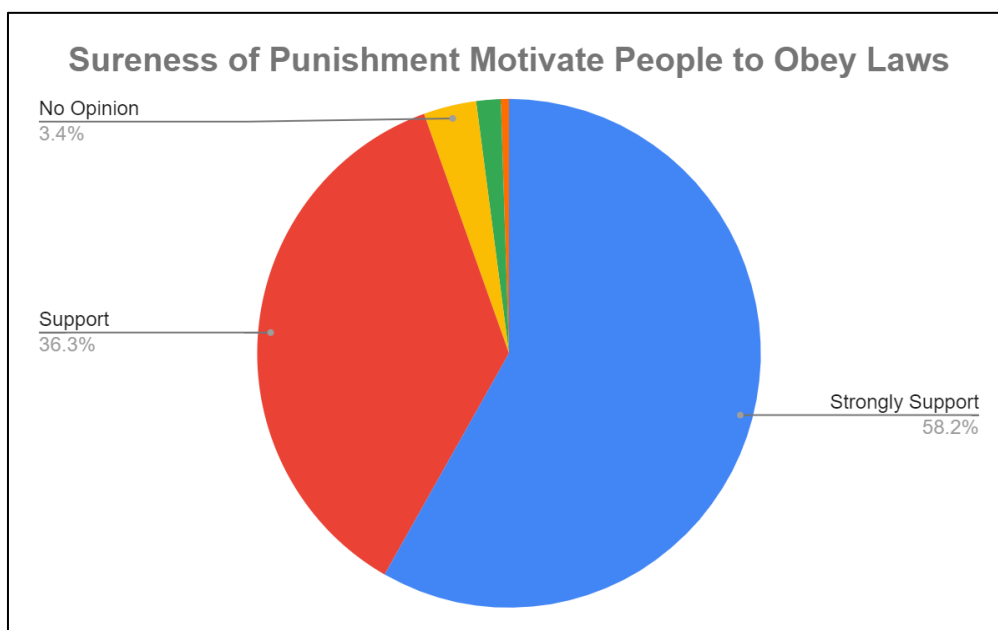
Table No. 5. 33

Sureness of punishment would be stronger motivation to obey laws

Options	Frequency	Percent	Cumulative Percent
Strongly Support	224	58.3	58.3
Support	139	36.2	94.5
No Opinion	13	3.4	97.9
Disagree	6	1.6	99.5
Strongly Disagree	2	.5	100
Total	384	100	

Source:survey data

Figure No. 5. 22



Source: survey data

Sureness of punishment would be a stronger motivation to obey laws as a statement to elicit response. The deterrence factor in shaping compliance to law is measured.

Inference: Data in the above table show that 58.3% strongly supported and 36.2% supported the relationship of Sureness of punishment and deterrence effect. 3.4% hold no opinion. 1.6% disagreed and 0.5% strongly disagreed. A cumulative percent of 94.5 recorded a positive relationship between Sureness of punishment and the decision to obey laws of the state. More than ninety percent of the sample is a huge response in favor of the deterrence factor.

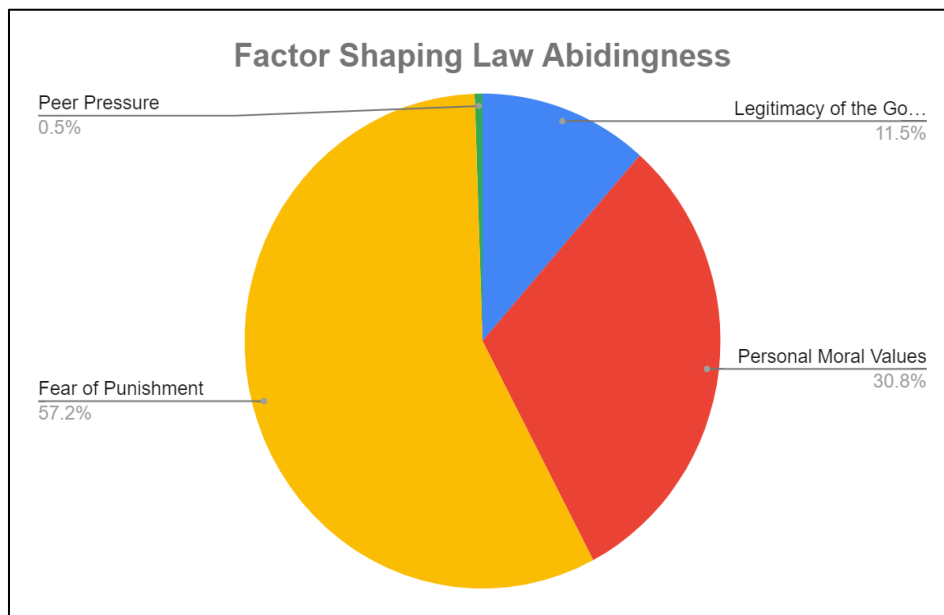
Implications: If we apply the findings to the general population we can say that people in Kerala very much believe that if the sureness of punishment is certain then breaking of laws will be minimal. Data analysis confirmed that People would do illegal activities if they have a feeling that somehow they could escape from the punishment. On the other hand if the punishment is certain, then the majority would turn away from illegal activities. Effect of deterrence factor in shaping compliance to law can be confirmed.

Table No. 5. 34

Factor Shaping Law Abidingness

Options	Frequency	Percent	Cumulative Percent
Legitimacy	44	11.5	11.5
Fear of Punishment	220	57.3	68.8
Moral Values	118	30.7	99.5
Peer Pressure	2	.5	100
Total	384	100	

Source:survey data

Figure No. 5. 23

Source: survey data

So far the influence of various factors shaping compliance to law was studied. The final question was to measure the main factor which shapes compliance to law in Kerala society.

Inference: Survey data on the table and pie diagram show that 11.5% of the sample confirmed the influence of legitimacy factor in shaping law abidingness. 57.3% confirmed fear of punishments as the factor shaping compliance to law. 30.7% confirmed personal moral and ethical values shape compliance to law. And finally the social pressure or peer pressure was confirmed by 0.5% of the sample.

Implications: The analysis confirmed the dominance of fear of punishments as the factor shaping compliance to law in Kerala society. Political modernization demanded legitimacy oriented factor shaping compliance based on rationalization of authority. In such a society people may voluntarily comply with laws. Indian constitution makers dreamt to establish legitimacy as the factor shaping compliance. But on analyzing data, so many parameters of legitimacy are missing in Kerala society. Apart from deterrence factor shaping compliance, personal moral values are dominated in Kerala society. Moral values shaping compliance with laws is a

feature of traditional society. It shows the coexistence of modern political structures and institutions with traditional cultural patterns and behavior. Many modern institutions were created but they were operating with traditional cultural values and behavior.

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CHAPTER 6

INFERENCEAL ANALYSIS

Inferential analysis is a fundamental part of scientific research to draw meaningful insights about the population under study. This analysis helps to identify the various degree of relationships among the variables in the study. In this study the researcher used various indicators to establish the elements of legitimacy, deterrence, social pressure and morality. Then the social, economic, political and demographic variables are taken and an analysis is done to establish the interrelationship among various indicators and variables. The outcome of the inferential analysis can be generalized to the whole population to test the hypothesis. The following tools are used;

1. Chi-square Analysis
2. Correlation coefficient
3. Anova
4. Post Hoc Tukey Test
5. Independent Sample T test

6.1 Chi-square Analysis

Hypothesis 1: Acceptance of laws depends on the level of education of the people.

Null Hypothesis(H_0): There is no significant association between the variable educational qualification of the people and the legitimacy indicator ‘acceptance of the laws for the maintenance of peace and order in the society’.

Alternative Hypothesis(H_1): There is a significant association between the variable educational qualification of the people and the legitimacy indicator ‘acceptance of laws for the maintenance of peace and order in the society’.

Through the educational exposure people might have developed a positive attitude towards laws and its essentiality to maintain peace and order in the society. The researcher by applying Chi-square analysis on the survey data to find out the association between two variables, educational qualification of the people and the legitimacy indicator, laws are essential for the maintenance of peace and order in the society.

6.1.1 Cross tabulation - Education and the acceptance of laws for peace and order in the society

Table No. 6.1

Cross tabulation - Education and the acceptance of laws for peace and order in the society

Laws are essential for Peace and Order							
Educational Qualification		Completely Agree	Partially Agree	No Opinion	Partially Disagree	Completely Disagree	Total
	Below SSLC	7	17	3	2	1	30
	SSLC	22	18	2	1	0	43
	+2	37	20	2	4	0	63
	Degree	102	26	0	1	0	129
	PG	72	6	3	0	0	81
	PhD	3	2	1	0	0	6
	Other	27	4	0	1	0	32
	Total	270	93	11	9	1	384

Source: survey data

Table No 6.1 applies Chi-square test to find out whether there is a relationship between Educational Qualification of the respondents and the acceptance of laws to establish peace and order in the society.

Chi square test result

Table No. 6.2

Chi-square - Education and the acceptance of laws for peace and order in the society

	Value	df	P Value
Pearson Chi-square	88.504	24	0.001**

Source: survey data

** denotes 5% level of significance

Interpretation

- Using Chi-square analysis it is tested whether there exists any significant association between educational qualification of the respondents and the indicator, acceptance of laws for the establishment of peace and order in the society. P value is less than 0.05($P < 0.05$) which is significant at 5% level shows that null hypothesis is rejected. Therefore, there is a significant association between the educational qualification of the people and the indicator, acceptance of laws to maintain peace and order in the society.
- It can be inferred that educated people considered laws as not a limitation on their freedom, but accepted it as an essential thing to maintain peace and order in the society.
- Acceptance of law is an indication of civilization.

6.1.2

Hypothesis 2: Effectiveness of the legal system leads to the satisfaction with regard to the legal system.

Null hypothesis(H_0) : There is no significant association between the indicator, effectiveness of the legal system and the variable satisfaction level of people.

Alternative Hypothesis (H_1): There is a significant association between the indicator, effectiveness of the legal system and the variable satisfaction level of people.

6.1.2 Cross Tabulation for the effectiveness of legal system and the satisfaction level of people

Table No. 6.3

Cross Tabulation for the effectiveness of legal system and the satisfaction level of people

		Satisfaction Level of the Respondent					Total
		Highly satisfied	Moderately Satisfied	No Opinion	Moderately Dissatisfied	Highly Dissatisfied	
The Legal system in kerala effectively ensures justice for All	Strongly disapprove	2	35	3	39	35	114
	Disapprove	1	79	16	60	21	177
	No Opinion	0	19	6	5	3	33
	Approve	4	47	0	2	0	53
	Strongly Approve	2	4	0	0	1	7
	Total	9	184	25	106	60	384

Source:survey data

Table No. 6.3 applies Chi-square Test to find out whether there exists any significant relation between the effectiveness of the legal system and the satisfaction level of people. If the legal system existing is effective then the people living there may be satisfied. The relationship is tested in the context of Kerala society.

Chi-square test result

Table No. 6.4

Chi-square for the effectiveness of legal system and the satisfaction level of people

	Value	df	P Value
Pearson Chi-square	118.188	16	0.001**

Source:survey data

**denotes 5% level of significance

Interpretation

- Using Chi-square analysis it is tested whether there is a significant association between the indicator effectiveness of the legal system and the variable satisfaction level of the people. The result established, P value is less than 0.05, which is significant at 5% level, shows that null hypothesis is rejected and alternative hypothesis is accepted. Therefore there is a significant association between the effectiveness of the legal system and satisfaction level of the people.
- It is inferred that the effectiveness of the legal system would lead to greater satisfaction of the people.
- It is inferred that the legal system existing in Kerala is not effective and so the satisfaction level of people regarding the legal system is low. This dissatisfaction is the reason that voluntary compliance with law is missing in Kerala society. Even after seven decades of constitutional practice, people still follow laws because of fear factors associated with punishment.

6.1.3

Hypothesis 3: Satisfaction level of the people with regard to the legal system depends on current employment status.

Null hypothesis(H_0): There is no significant association between the satisfaction level of the people and current employment status.

Alternative hypothesis(H_1): There is a significant association between the satisfaction level of the people and current employment status.

6.1.3 Cross Tabulation for the satisfaction level of the people and current employment status

Table No. 6.5

Cross Tabulation for the satisfaction level of the people and current employment status

		Satisfaction level					Total
		Highly satisfied	Moderately satisfied	No opinion	Moderately dissatisfied	Highly dissatisfied	
Current employment status	Govt. Employed	3	34	3	8	3	51
	Private employed	3	55	6	33	12	109
	Unemployed	0	18	1	5	6	30
	Self employed	1	17	6	27	14	65
	student	1	14	2	8	8	33
	retired	0	18	2	2	2	24
	Homemaker	0	26	4	19	12	61
	NRI	1	2	1	4	3	11
	Total	9	184	25	106	60	384

Source:survey data

Table No. 6.5 applies the chi-square test to find out whether there is significant association between the current employment status and the satisfaction level of the people with regard to the legal system. Legitimacy and acceptance of the political system may be very high if all people have employment opportunities.

Chi-square test result

Table No. 6.6

Chi-square for the current employment status and the satisfaction level of the people

	Value	df	P value
Pearson chi-square	50.137	28	.006**

source: survey data

**denotes 5% level of significance

Interpretation

- Using chi-square analysis it is tested whether there is a significant relation between the current employment status and the satisfaction level of people. The test result indicates that the P value is less than 0.05, which is significant at 5% level and shows that the null hypothesis is rejected and the alternative hypothesis is accepted. Therefore there is a significant relation between the current employment status and the satisfaction level of the people.
- It can be inferred that the legitimacy and acceptance of Kerala political system can be ensured by creating more job opportunities and thus increasing the satisfaction level of the people.
- When people are satisfied with the legal system, the legitimacy and acceptance of the legal system would improve and that may contribute to voluntary compliance to laws in the society.

6.1.4

Hypothesis 4: Political participation depends on the application of laws equally and fairly.

Null hypothesis(H_0): There is no significant relationship between the variable political participation and the indicator laws are applied equally and fairly.

Alternative hypothesis (H_1): There is a significant relationship between the variable political participation and the indicator laws are applied equally and fairly.

6.1.4 Cross Tabulation for the political participation and laws are applied equally and fairly

Table No. 6.7

Cross Tabulation for the political participation and laws are applied equally and fairly

Political Participation						
		Party leader	Party member	Supporter not a party member	Non partisan	Total
Laws are applied equally and fairly among all	Strongly agree	0	2	6	2	10
	Agree	1	14	23	12	50
	No opinion	0	3	12	9	24
	Disagree	2	16	75	77	170
	Strongly disagree	0	18	41	71	130
	Total	3	53	157	171	384

Source:survey data

Table No. 6.7 applies the chi-square test to find out whether there is significant association between the variable political participation and the legitimacy indicator laws are applied equally and fairly.

Chi-square test result

Table No. 6. 8

Chi square for political participation and laws are applied equally and fairly

	value	df	P value
Pearson chi square	26.812	12	.008**

source: survey data

** denotes 5% level of significance.

Interpretation

- Using chi square analysis it is tested whether there is a significant association between the variable political participation and the legitimacy indicator, laws are applied equally and fairly to all. The test result indicates that the P value is less than 0.05, which is significant at the 5% level and it shows that the null hypothesis is rejected. Therefore there is a significant association between the variable political participation and the legitimacy indicator laws are applied equally and fairly.
- Test result confirms the reason for low political participation in Kerala society. If the laws are applied equally and fairly to all then the legitimacy of the political system can be increased and the political participation can also be ensured.
- It can be inferred that more political participation may increase the legitimacy of the legal system and thus the possibility of voluntary compliance to laws in the society.

6.1.5

Hypothesis 5: Trust in the political system depends on the existence of fair procedure.

Null hypothesis (H_0): There is no significant association between the indicator, the existence of fair procedure and the variable trust in the legal system.

Alternative Hypothesis (H_1): There is significant association between the legitimacy indicator, the existence of fair procedure and the variable trust in the legal system.

6.1.5 Cross Tabulation for trust in the legal system and the existence of fair procedure

Table No. 6.9

Cross Tabulation for trust in the legal system and the existence of fair procedure

	Existence of fair procedure						Total
		Strongly support	support	No Opinion	Oppose	Strongly Oppose	
Trust in the legal system	Complete Trust	3	10	4	5	0	22
	Partial Trust	6	40	30	96	24	196
	No Opinion	0	5	8	17	6	36
	Partial Doubt	1	3	8	57	16	85
	No Trust At all	0	1	3	13	28	45
	Total	10	59	53	188	74	384

source:survey data

Table No. 6.9 applies the chi square test to find out whether there is significant association between the legitimacy indicator, all decisions made by the authorities are based on fair procedure and the variable, Trust in the legal system.

Chi-Square Test result

Table No. 6.10

Chi square for the indicator existence of fair procedure and trust in the legal system

	Value	df	P value
Pearson chi square	112.584	16	.001**

Source:survey data

*** denotes 5% level of significance*

Interpretation

- Chi square analysis is used to test whether there is any significant association between the variable trust in the legal system and the legitimacy indicator existence of fair procedure. The result indicates that the P value is less than 0.05, which is significant at 5% level. Therefore the null hypothesis is rejected, and that indicates that there is a significant association between the legitimacy indicator, existence of fair procedure and the variable trust in the legal system.
- It can be inferred that if all decisions by the authorities are strictly observing fair procedure, then the legitimacy and trust in the political system can be ensured.
- Legitimacy and trust in the political system may increase the possibility of voluntary compliance among people.

6.1.6

Hypothesis 6: Trust in the political system depends on decisions of authorities based on legal principles.

Null hypothesis(H_0): There is no significant association between the variable, trust in the legal system and the legitimacy indicator, all decisions of authorities are based on legal principles.

Alternative Hypothesis(H_1): There is a significant association between the variable, trust in the legal system and the legitimacy indicator, all decisions of authorities are based on legal principles.

6.1.6 Cross tabulation for the indicators trust in the legal system and decisions are based on legal principles.

Table No. 6.11

Cross tabulation for the indicators trust in the legal system and decisions are based on legal principles.

	Decision based on legal principles						total
		Strongly support	support	No opinion	oppose	Strongly oppose	
Trust in the legal system	Complete trust	3	10	4	5	0	22
	Partial trust	6	40	30	96	24	196
	No opinion	0	5	8	17	6	36
	Partial doubt	1	3	8	57	16	85
	No trust at all	0	1	3	13	28	45
	total	10	59	53	188	74	384

Source: survey data

Table No. 6.11 applies the chi-square test to find out whether there is significant association between the indicators, trust in the legal system and decision based on legal principle.

Chi-square test result

Table No. 6.12

Chi square - Trust in the legal system and decision based on legal principle

	value	df	P value
Pearson chi square	112.584	16	.001**

Source:survey data

*** denotes 5% level of significance*

Interpretation

- Using chi square analysis it is tested whether there is a significant association between the variable ,trust in the legal system and the indicator; all decisions of authorities are based on legal principles. The result indicates the P value is less than 0.05, the null hypothesis is rejected. Therefore there is a significant association between the variable trust in the legal system and the legitimacy indicator, all decisions of authorities are based on legal principle.
- It can be inferred that people's trust in Kerala political system can be ensured by strictly following the principle that all decisions of authorities are based on legal principles.
- Justice can be ensured by following legal principles strictly and thus trust in the political system can be guaranteed.
- Trust in the legal system contributes to voluntary compliance to laws.

6.1.7

Hypothesis 7: Political satisfaction depends on the indicator that all laws and regulations are fair and just.

Null hypothesis (H_0): There is no significant association between the variable, satisfaction of the people and the indicator, all laws and regulations in the society are fair and just.

Alternative hypothesis(H_1): There exists a significant association between the variable satisfaction of the people and the indicator; all laws and regulations in the society are fair and just.

6.1.7 Cross tabulation for the satisfaction level and fair and just laws

Table No. 6.13

Cross tabulation for the satisfaction level and fair and just laws

	Satisfaction level of the people						
		Highly satisfied	Moderately satisfied	No opinion	Moderately dissatisfied	dissatisfied	Total
Fair and just laws	Strongly oppose	2	11	4	27	28	72
	oppose	2	105	12	61	14	194
	No opinion	2	27	5	12	6	52
	support	3	41	1	4	9	58
	Strongly support	0	0	3	2	3	8
	total	9	184	25	106	60	384

Source:survey data

Table No. 6.13 applies the Chi-square test to find out whether there is significant association between the variable satisfaction of the people with regard to the political system and the legitimacy indicator, all laws and regulations are fair and just.

Table No. 6.14

Chi square test for the indicators satisfaction of the people and fair and just laws.

	value	df	P value
Pearson chi square	50.137	28	.006**

Source:survey data

Interpretation

- Chi square table shows that P value is less than 0.05, which is significant at 5% level, so null hypothesis is rejected and the Alternative hypothesis is

accepted. Therefore there is significant association between satisfaction level of the people and laws and regulations are fair and just.

- It can be inferred that the legitimacy and acceptance of Kerala political system can be ensured by making all laws and regulations fair and just.
- If all laws are fair and just then the possibility of voluntary compliance to laws would be higher.

Hypothesis 8 : Trust in the legal system leads to voluntary compliance to laws.

Null hypothesis(H_0): There is no significant association between the variables trust in the legal system and voluntary compliance to laws.

Alternative Hypothesis(H_1): There exists an association between the variables trust in the legal system and voluntary compliance to laws.

6.1.8 Cross Tabulation for trust in the legal system and voluntary compliance to laws

Table No. 6.15

Cross Tabulation for trust in the legal system and voluntary compliance to laws

	Trust in the legal system						total
	complete trust	Partial trust	No opinion	Partial doubt	No trust at all		
Strongly support	0	1	0	1	0	2	
support	9	38	3	3	1	54	
uncertain	3	44	15	18	6	86	
oppose	5	87	12	39	20	163	
Strongly oppose	5	26	6	24	18	79	
total	22	196	36	85	45	384	

Source: survey data

Table No. 6.15 applies the Chi-square test to find out whether there is significant association between the variables, trust in the legal system and voluntary compliance to laws.

Chi-square test result

Table No. 6.16

Chi square - Trust in the legal system and voluntary compliance to laws.

	value	df	P value
Pearson chi square	56.187	16	.007**

Source: primary data

*** denotes 5% level of significance*

Interpretation

- Using chi square analysis it is tested whether there is a significant association between the trust in the legal system and voluntary compliance to laws. The result established the P value is less than 0.05 and which is significant at 5% level . So the null hypothesis is rejected and the alternative hypothesis is accepted. Therefore there is a significant association between trust in the legal system and voluntary compliance to laws.
- It can be inferred that voluntary compliance to laws among people of Kerala state can be created by increasing their trust in the political system.

6.1.9

Hypothesis 9: Voluntary compliance with laws depends on the existence of fair and just laws

Null hypothesis(H_0) : There is no significant association between people’s voluntary compliance to laws and the existence of fair and just laws.

Alternative Hypothesis(H_1): There exists a significant association between people’s voluntary compliance to laws and the existence of fair and just laws.

6.1.9 Cross tabulation for the indicators voluntary compliance to laws and fair and just laws

Table No. 6.17

Cross tabulation for the indicators voluntary compliance to laws and fair and just laws

	Fair and just laws						
		Strongly oppose	oppose	No opinion	support	Strongly support	total
Voluntary compliance to Laws	Strongly support	0	1	1	0	0	2
	support	0	28	5	20	1	54
	uncertain	14	38	26	8	0	86
	oppose	30	88	13	29	3	163
	Strongly oppose	28	39	7	1	4	79
		72	194	52	58	8	384

Source:survey data

Table No. 6.17 applies the chi square test to find out whether there is a significant association between the indicator obeying laws voluntarily and fair and just laws.

Chi-square test result

Table No. 6.18

Chi square for the indicators,voluntary compliance to laws and fair and just laws

	value	df	P value
Pearson chi square	84.510	16	.001**

Source:survey data

**denotes 5% level of significance

Interpretation

- Using Chi-square analysis it is tested whether there exists an association between the variables, voluntary compliance to laws and the existence of fair and just laws. From the result it is observed that P value is less than 0.05, and hence the null hypothesis is rejected and alternative hypothesis is accepted. Therefore there is significant association between the indicators, voluntary compliance to laws and fair and just laws.
- It can be inferred that voluntary compliance to law among Kerala people can be cultivated by creating fair and just laws. Fair and just laws contribute to the legitimacy of the political system and authorities.

6.2 Correlation Analysis

6.2.1

Hypothesis 1: Transparency in the legal system can contribute to satisfaction with regard to the legal system.

Null Hypothesis(H_0): There is no linear relationship between the satisfaction level of the people and transparency in the legal system.

Alternative Hypothesis(H_1): There is a linear relationship between the satisfaction level of the people and transparency in the legal system.

6.2.1 Correlation for Satisfaction level of the people and Transparency in the legal system

Table No. 6.19

Correlation for Satisfaction level of the people and Transparency in the legal system

Variable 1	Variable 2	Correlation Coefficient	P Value	Result
Satisfaction Level of the People	Transparency In the Legal system	0.529 **	0.001	Significant

Source: survey data

*** correlation is significant at the 0.01 level*

Interpretation

- Correlation analysis is used to test the relationship between the satisfaction level of the people and transparency in the legal system. Since $P < 0.01$, null hypothesis is rejected at 1% level of significance.
- There is a significant moderate positive correlation between the variables.
- It can be inferred that an increase in the transparency level of the political system will lead to an increase in the satisfaction level of the people.
- Increase in the satisfaction level of the people will lead to more compliance with laws.

6.2.2

Hypothesis 2: Voluntary compliance to law depends on the variable laws being applied equally and fairly.

Null hypothesis(H_0); There is no linear relationship between the variables, people in Kerala obey law voluntarily and laws are applied equally and fairly.

Alternative hypothesis (H_1); There is a linear relationship between the variables, people in Kerala obey law voluntarily and laws are applied equally and fairly.

6.2.2 Correlation Analysis- Voluntary compliance to laws and laws are applied equally and fairly

Table No. 6.20

Correlation Analysis- Voluntary compliance to laws and laws are applied equally and fairly

Variable 1	Variable 2	Correlation coefficient	P value	result
Obey law voluntarily	Laws are applied equally and fairly	.406**	0.001	significant

Source; survey data

***correlation is significant at the 0.001 level*

Interpretation.

- Correlation analysis is used to test the relationship between the attitude of people in Kerala to obey law voluntarily and laws are applied equally and fairly. Since the P value is less than 0.01($P < 0.01$), therefore the null hypothesis is rejected at 1% level of significance and the alternative hypothesis is accepted.
- There is significant positive correlation between the variables.
- It can be inferred that chances of voluntary compliance to laws will be maximum, if people are having a feeling that laws in the society are applied equally and fairly to all.
- Since the majority of the sample believe that laws are not applied equally and fairly to all, this can be one of the reasons for the reluctance of voluntary compliance to law in Kerala society.

6.2.3

Hypothesis 3: Voluntary compliance to law depends on the satisfaction with regard to the legal system.

Null hypothesis (H_0): There is no linear relationship between the satisfaction level of the people with regard to the legal system and voluntary compliance to laws.

Alternative hypothesis (H_1): There is a linear relationship between the satisfaction level of the people with regard to the legal system and voluntary compliance to laws.

6.2.3 Correlation for satisfaction level of the people and voluntary compliance to laws

Table No. 6.21

Correlation for satisfaction level of the people and voluntary compliance to laws

Variable 1	Variable 2	Correlation coefficient	P value	result
Satisfaction level of the people	Obeying law voluntarily	.320**	.001	significant

Source:survey data

***correlation is significant at the 0.01 level*

Interpretation

- Correlation analysis is used to test the relationship between the satisfaction level of the people and obeying law voluntarily. Since the P value is less than 0.01($P < 0.01$), therefore, the null hypothesis is rejected at 1% level of significance and the alternative hypothesis is accepted.
- There is low positive correlation between the variables
- It can be inferred that the people are more likely to obey laws voluntarily if the people living in the society are more satisfied with the legal system.

6.2.4

Hypothesis 4: Political participation depends on the satisfaction of the people.

Null hypothesis (Ho): There is no linear relationship between satisfaction level of the people with regard to the political system and political participation.

Alternative hypothesis (H₁): There is a linear relationship between the satisfaction level of the people with regard to the political system and political participation.

6.2.4 Correlation for satisfaction level of the people and political participation

Table No. 6.22

Correlation for satisfaction level of the people and political participation

Variable1	Variable 2	Correlation coefficient	P value	result
Satisfaction level of the people	Political participation	0.198**	0.001	significant

source;survey data

** correlation is significant at the 0.01 level

Interpretation

- Correlation analysis is used to test the relationship between the satisfaction level of the people and political participation. Since the $P < 0.01$, the null hypothesis is rejected at 1% level of significance and the alternative hypothesis is accepted.
- There is very low positive correlation between the variables.
- It can be inferred that the political participation among people is very high, if people are satisfied with the political system's overall performance.

6.2.5

Hypothesis 5: Strict laws and harsh punishments can control crime in the society.

Null Hypothesis(H_0): There is no linear relationship between the indicators, strict laws and punishments can reduce criminal activities in the society and harsh punishments can deter potential law breakers.

Alternative Hypothesis(H_1): There is a linear relationship between strict laws and punishments in reducing criminal activities and harsh punishments can deter potential law breakers.

6.2.5 Correlation Analysis- Strict laws and harsh punishments to control crime in the society.

Table No. 6.23

Correlation Analysis- Strict laws and harsh punishments to control crime in the society.

Variable 1	Variable 2	Correlation Coefficient	P Value	Result
Strict laws and punishments	Harsh Punishments	0.400 **	0.001	Significant

source:survey data

*** correlation is significant at the 0.01 level*

Interpretation

- Correlation analysis is used to test the relationship between Strict laws and punishments and harsh punishments to control crime in the society.
- Since $P < 0.01$, the null hypothesis is rejected at 1% level of significance and therefore an alternative hypothesis is accepted.
- There is a significant moderate positive correlation between the variables.
- Correlation analysis establishes that Kerala society prefers strong deterrence measures to control crime in the society.

6.2.6

Hypothesis 6: Crime in the society depends on certainty and severity of punishment.

Null Hypothesis(H_0) : There is no linear relationship between certainty and severity of punishment in reducing criminal activities in the society.

Alternative Hypothesis(H_1) : There is a linear relationship between certainty and severity of punishment in reducing criminal activities in the society.

6.2.6 Correlation for certainty of punishment and severity of punishment

Table No. 6.24

Correlation for certainty of punishment and severity of punishment

Variable 1	Variable 2	Correlation Coefficient	P Value	Result
Certainty of Punishment	Severity of Punishment	.534**	.001	Significant

Source:survey data

** correlation is significant at the 0.01 level

Interpretation

- Correlation analysis is used to find the relationship between certainty and severity of punishment in reducing criminal activities in the society. Since $P < 0.01$, the null hypothesis is rejected at 1% level of significance and the alternative hypothesis is accepted.
- There is a significant moderate positive correlation between certainty and severity of punishment in controlling crime in society.
- It can be inferred that certainty and severity of punishments can reduce criminal activities in the society.

6.2.7

Hypothesis 7 : People’s compliance to law depends on certainty of punishment and surveillance of law enforcement agencies.

Null Hypothesis(H_0) : There is no linear relationship between certainty of punishment and surveillance of law enforcement agencies to increase people’s compliance with laws.

Alternative Hypothesis(H_1) : There is a linear relationship between certainty of punishments and the surveillance of law enforcement agencies to increase people’s compliance with law.

6.2.7 Correlation for certainty of punishment and the surveillance of law enforcement agencies to increase compliance to law.

Table No. 6.25

Correlation for certainty of punishment and the surveillance of law enforcement agencies to increase compliance to law.

Variable 1	Variable 2	Correlation coefficient	P Value	Result
Certainty of punishment	Surveillance of law enforcement agencies	.504**	.001	Significant

Source: survey data

***correlation is significant at 0.01 level.*

Interpretation :

- The correlation analysis used to test the relationship between certainty of punishment and the surveillance of law enforcement agencies to increase people’s compliance with law. Since $P < 0.01$, therefore the null hypothesis is rejected at 1% level of significance and the alternative hypothesis is accepted.
- There is a moderate positive correlation between these variables.
- It can be inferred that an increase in certainty of punishment and surveillance of law enforcement agencies will increase people’s compliance with law.

6.2.8

Hypothesis 8: Effectiveness of the legal system depends on the fair and just laws in the society.

Null hypothesis (H_0): There is no linear relationship between the effectiveness of the legal system and laws and regulations in our society are fair and just.

Alternative hypothesis(H_1): There is a linear relationship between the effectiveness of the legal system and laws and regulations in our society are fair and just.

6.2.8 Correlation for effectiveness of the legal system and fair and just laws in the society.

Table No. 6.26
Correlation for effectiveness of the legal system and fair and just laws in the society.

Variable1	Variable 2	Correlation coefficient	P value	result
Effectiveness of the legal system	Laws and regulations are fair and just	.378**	.001	significant

Source: survey data

*** correlation is significant at 0.01 level*

Interpretation

- Correlation analysis is used to test the relationship between the effectiveness of the legal system and the legitimacy indicator, laws and regulations are fair and just. Since $p < 0.01$, the null hypothesis is rejected at 1% level of significance and the alternative hypothesis is accepted.
- There is a low positive correlation between these variables.
- It can be inferred that the legitimacy indicators are at a developing stage in Kerala society.

6.3 ANOVA ANALYSIS

6.3.1 ANOVA Test 1 - Religion wise analysis of legitimacy indicators

India is known for its religious diversity and faith. Every aspect of an ordinary Indian is deeply embedded in his or her religious belief. How religious values and faith inculcate public attitude toward law and justice is investigated in this research study. Various legitimacy indicators were identified and in order to

compare the effect of religion on the legitimacy indicators, the researcher fixed the following hypotheses.

- There is no significant difference between various religions with regard to the indicator, the legal system in kerala effectively ensures justice for all.
- There is no significant difference between various religions with regard to the indicator, overall performance of the legal system.
- There is no significant difference between various religions with regard to the indicator, equality before law
- There is no significant difference between various religions with regard to the indicator, transparency of the legal system.
- There is no significant difference between various religions with regard to the indicator, voluntary compliance to laws.
- There is no significant difference between various religions with regard to the indicator, trust in the legal system.
- There is no significant difference between various religions with regard to the indicator, all laws are fair and just.

The Table provided below discusses the results of one-way ANOVA along with mean and standard deviation.

6.3.1 Religion wise Analysis of Legitimacy Indicators

Table No. 6.27

Religion wise Analysis of Legitimacy Indicators

Indicators	Religion	N	Mean	Std. Deviation	F	P
Effectiveness of Legal System	Hindu	194	2.36	1.35	6.968	.001
	Muslim	96	2.02	.962		
	Christian	80	1.67	.725		
	Other	6	1.83	.753		
	No Religion	8	2.13	.991		
	Total	384	2.12	1.043		
Satisfaction with regard to the performance of the legal system	Hindu	194	2.87	1.23	5.008	.001
	Muslim	96	3.07	1.190		
	Christian	80	3.52	1.113		
	Other	6	3.67	1.366		
	No Religion	8	2.63	.916		
	Total	384	3.06	1.214		
Equality before Law	Hindu	194	3.62	1.119	12.613	.001
	Muslim	96	4.02	.995		
	Christian	80	4.52	.763		
	Other	6	4.67	.516		
	No Religion	9	4.25	1.035		
	Total	384	3.94	1.075		
	Hindu	194	2.85	1.114		
	Muslim	96	2.78	1.038		

Transparency in the Legal System	Christian	80	3.30	1.048	3.401	.009
	Other	6	3.33	.816		
	No Religion	8	2.75	.886		
	Total	384	2.93	1.088		
Voluntary Compliance to Law	Hindu	194	3.47	.945	10.938	.001
	Muslim	96	3.76	.880		
	Christian	80	4.16	.906		
	Other	6	4.33	1.033		
	No Religion	8	2.75	1.035		
	Total	384	3.68	.971		
Trust in the Legal System	Hindu	194	2.54	1.087	8.748	.001
	Muslim	96	2.91	1.188		
	Christian	80	3.40	1.197		
	Other	6	3.50	.837		
	No Religion	8	2.75	1.389		
	Total	384	2.83	1.1185		
All Laws are Fair and Just	Hindu	194	2.52	1.074	5.928	.001
	Muslim	96	2.29	.939		
	Christian	80	1.91	.830		
	Other	6	1.83	.983		
	No Religion	8	2.00	.535		
	Total	384	2.31	1.010		

Source: survey data

One way ANOVA results (Table no. 6.27) observed that the significance values are found to be lower than 0.05 in all the cases, hence all the null hypotheses are rejected. This means statistically significant results were established among the categories, Hindu, Muslim, Christian, Others, and no religion. For precise analysis of the difference in mean scores, Post Hoc comparisons were conducted using the Tukey HSD Test.

6.4. Post Hoc Tukey Test

6.4.1 Post Hoc Tukey Test 1

6.4.1. A. Religion based comparison with regard to the indicator effectiveness of the legal system

Table No. 6.28

A. Religion based comparison with regard to the indicator effectiveness of the legal system.

Religion (I)	Religion(J)	Mean Difference(I-J)	Std. Error	Sig.
Hindu	Muslim	.340	.126	.126
	Christian	.686*	.134	<.001**
	Other	.527	.419	.812
	No Religion	.236	.365	.981
Muslim	Hindu	-.340	.126	.126
	Christian	.346	.153	.279
	Other	.188	.426	.996
	No Religion	-.104	.372	.999
Christian	Hindu	-.686*	.134	<.001**
	Muslim	-.346	.153	.279
	Others	-.158	.428	.998
	No Religion	-.450	.375	.837
Others	Hindu	-.527	.419	.812
	Muslim	-.188	.426	.996
	Christian	.158	.428	.998
	No Religion	-.292	.546	.991
No Religion	Hindu	-.236	.365	.981
	Muslim	.104	.372	.999
	Christian	.450	.375	.837
	Others	.292	.546	.991
*The mean difference is significant at 0.05 level H0				**rejected

Source:survey data

The Tukey Post Hoc Test shown in Table No. 6.28 observed that in the case of the indicator, effectiveness of the legal system, the mean scores of the religion Hindu(M=2.36, SD=1.35, P=<0.05) is significantly different from the religion christian(M=1.67,SD= .725). The difference in mean score is found to be significant as the P value is less than 0.05,Null hypothesis is rejected to establish significant difference from the religion christian. The table indicates that in the case of the religion Hindu is not significantly different from other religious groups. The Post Hoc Test couldn't reveal any significance difference in the mean scores of various religion based groups.

Graph No. 1

Post Hoc Analysis of legal system effectively ensure justice for all with regard to Religion

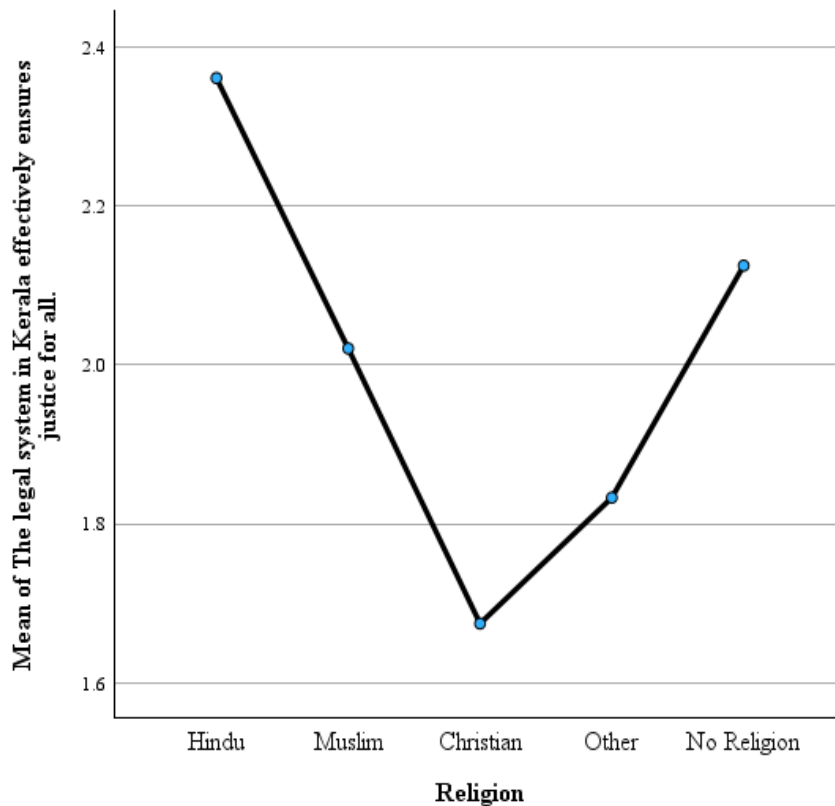


Table No. 6.29 illustrates Tukey Post Hoc Test results conducted on the effect of the indicator, performance of the legal system with regard to the variable religion. The mean score of the religious group, Hindu(M=2.87, SD=1.23, P=<0.05) is significantly different from the religious group Christian(M=3.52, SD=1.13). As the P value is less than 0.05, the difference is found to be significant and the null hypothesis is rejected. The table indicates that in the case of the religious group Hindu is not significantly different from other religious groups. In the case of the religious group Muslim, there is no significant difference with regard to any other religion based groups. The mean score of the religious group Christian(M=3.52, SD=1.13, P=<0.05) is significantly different from the religious group Hindu. But contrary to this, the Christian religious group has no significant difference with other religion based groups. Similarly other religion groups and no religion groups have no significant difference with Hindu, Muslim, and Christian. The Tukey Post Hoc Test couldn't establish any significant difference in the mean scores of the various religion based groups.

6.4.1.C Religion based comparison with regard to the indicator Equality before Law

Table No. 6.30

Religion based comparison with regard to the indicator Equality before Law

Religion(I)	Religion(J)	Mean Difference (I-J)	Std.Error	Sig.
Hindu	Muslim	-.402*	.127	.041**
	Christian	-.906*	.135	.001**
	Other	-1.048	.421	.187
	No Religion	-.631	.366	.563
Muslim	Hindu	.402*	.127	.041**
	Christian	-.504*	.154	.031**
	Other	-.646	.427	.683

	No Religion	-.229	.374	.984
Christian	Hindu	.906*	.135	.001**
	Muslim	.504*	.154	.031**
	Other	-.142	.430	.999
	No Religion	.275	.376	.965
Other	Hindu	1.048	.421	.187
	Muslim	.646	.427	.683
	Christian	.142	.430	.999
	No Religion	.417	.548	.965
No Religion	Hindu	.631	.366	.563
	Muslim	.229	.374	.984
	Christian	-.275	.376	.970
	Other	-.417	.548	.965
*The mean difference is significant at the 0.05 level		**rejected H ₀		

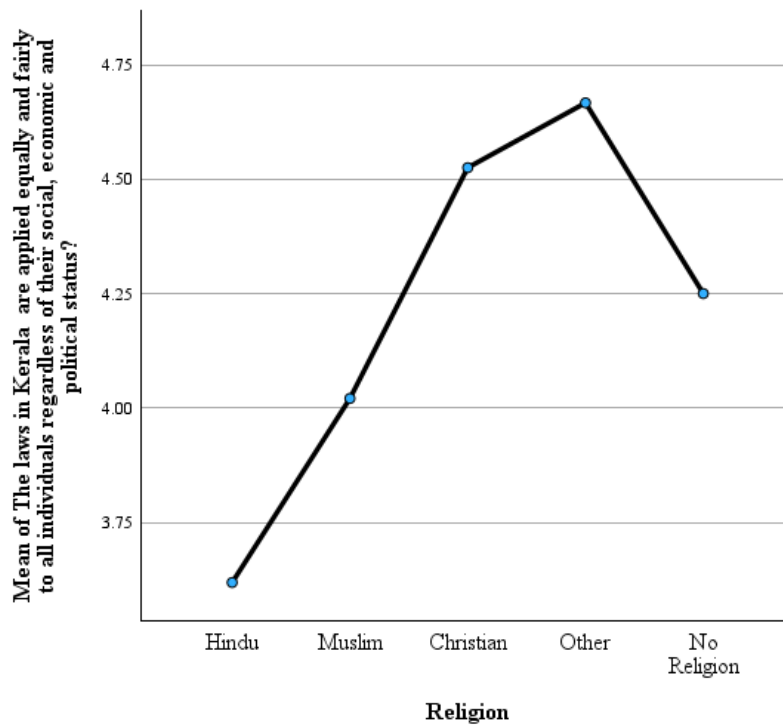
Source: survey data

Table No. 6.30 illustrates Tukey Post Hoc Test results conducted on the effect of the indicator, equality before law, with regard to the variable religion. The mean score of the religious group, Hindu (M=3.62, SD=1.119, P=<0.05) is significantly different from the religious group Muslim(M=4.02, SD = .995) and Christian(M=4.52, SD = .763). As the P value is less than 0.05, the difference is found to be significant and the null hypothesis is rejected. The table shows that the religious group Hindu is not significantly different from other religion based groups. In the case of the religious group Muslim (M= 4.02, SD= .995, P= <0.05) is significantly different from Hindu and Christian religious groups. Further it is observed that there is no significant difference between Muslim religion groups with regard to other religion groups and no religion based groups. Likewise the Christian religious group(M= 4.52, SD= .763, P= < 0.05) is significantly differ from Hindu,

and Muslim religious groups. But on the contrary, Christian and Muslim religious groups are not significantly different from other religious and non religious groups.

Graph No. 6.2

Religion based comparison with regard to the indicator Equality before Law



6.4.1.D Religion Based comparison with regard to the indicator transparency of legal system

Table No. 6.31

Religion Based comparison with regard to the indicator transparency of legal system

Religion(I)	Religion(J)	Mean Difference (I-J)	Std.Error	Sig.
Hindu	Muslim	-.242	.098	.193
	Christian	-.638*	.104	.001**
	Other	-.763	.325	.242

	No Religion	-.013	.283	1.000
Muslim	Hindu	.242	.098	.193
	Christian	-.396*	.119	.027**
	Other	-.521	.330	.647
	No Religion	.229	.289	.960
Christian	Hindu	.638*	.104	.001**
	Muslim	.396*	.119	.027**
	Other	-.125	.332	.998
	No Religion	.625	.291	.331
Other	Hindu	.763	.325	.242
	Muslim	.521	.330	.647
	Christian	.125	.332	.998
	No Religion	.750	.424	.537
No Religion	Hindu	.013	.283	1.000
	Muslim	-.229	.289	.960
	Christian	-.625	.291	.331
	Other	-.750	.424	.537
*The mean difference is significant at 0.05 level		**rejected H ₀		

Source: survey data

6.4.1.E Religion wise comparison of the indicator, Voluntary Compliance to Laws

Table No. 6.32

Religion wise comparison of the indicator, Voluntary Compliance to Laws

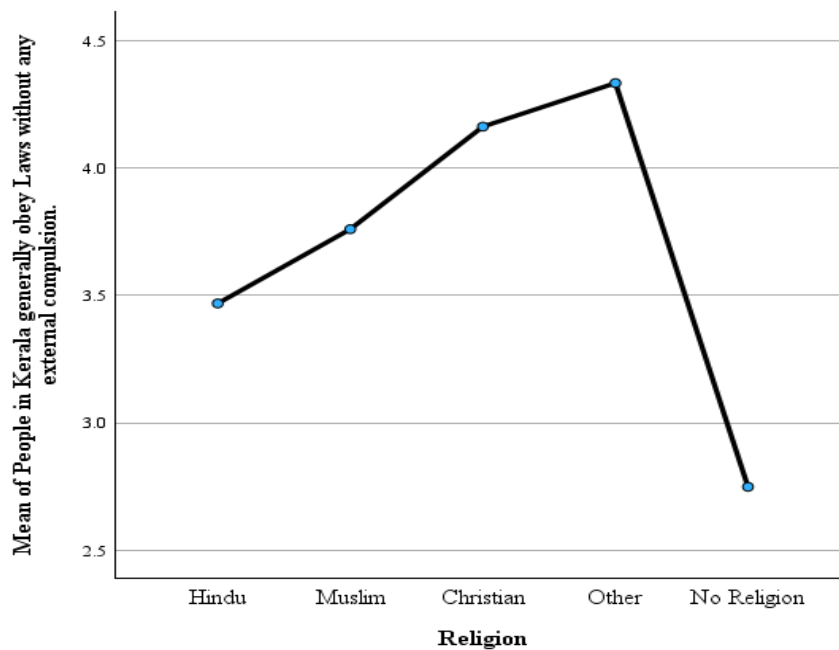
Religion(I)	Religion(J)	Mean Difference (I-J)	Std.Error	Sig.
Hindu	Muslim	-.291	.115	.175
	Christian	-.693*	.123	.001**
	Others	-.864	.383	.280
	No Religion	.719	.333	.327
Muslim	Hindu	.291	.115	.175
	Christian	-.402	.140	.085
	Others	-.573	.389	.704
	No Religion	1.010	.340	.068
Christian	Hindu	.693*	.123	.001**
	Muslim	.402	.140	.085
	Others	-.171	.391	.996
	No Religion	1.412*	.343	.002**
Others	Hindu	.864	.383	.280
	Muslim	.573	.389	.704
	Christian	.171	.391	.996
	No Religion	1.583*	.499	.041**
No Religion	Hindu	-.719	.333	.327
	Muslim	-1.010	.340	.068
	Christian	-1.412**	.343	.002**
	Others	-1.583**	.499	.041**
*The mean difference is significant at 0.05 level **rejected H ₀				

Source:survey data

The Tukey Post Hoc Test result shown in Table No. 6.32, observed that, in the case of the indicator, voluntary compliance to law, the mean score of the religious group Hindu(M=3.47, SD= .945, P= <0.05) is significantly different from the religious group Christian(M= 4.16, SD= .906). As the P value is less than 0.05, the difference is found to be significant and the null hypothesis is rejected. The table shows that the mean score of the religious group Hindu is not significantly different from other religion based groups. In the case of the religious group Muslim(M= 3.76, and SD= .880) there is no significant difference among other groups. In the case of the religious group Christian (M= 4.16, SD= .906, P= <0.05) is significantly different from the religious groups like Hindu(M= 3.47 and SD= .945) and no religion(M= 2.75 and SD= 1.035) and not significantly different from the religion based groups Muslim and others. In the case of the Other religion group is significantly different from no religion group and there is no significant difference from Hindu, Muslim and Christian. No religion group is significantly different from Christian and Others and there is no significant difference from Hindu and Muslim.

Graph No. 6.3

Religion wise comparison of the indicator, Voluntary Compliance to Laws



6.4.1.F. Religion based comparison with regard to the indicator trust in the legal system

Table No. 6.33

Religion based comparison with regard to the indicator trust in the legal system

Religion(I)	Religion(J)	Mean Difference	Std.Error	Sig.
Hindu	Muslim	-.365	.142	.162
	Christian	-.859*	.151	.001**
	Other	-.959	.473	.392
	No Religion	-.209	.411	.992
Muslim	Hindu	.365	.142	.162
	Christian	-.494	.173	.087
	Other	-.594	.480	.821
	No Religion	.156	.419	.998
Christian	Hindu	.859*	.151	.001**
	Muslim	.494	.173	.087
	Other	.100	.483	1.000
	No Religion	.650	.423	.669
Other	Hindu	.959	.473	.392
	Christian	.594	.480	.821
	Muslim	.100	.483	1.000
	No Religion	.750	.616	.829
No Religion	Hindu	.209	.411	.992
	Muslim	-.156	.419	.998
	Christian	-.650	.423	.669
	Other	-.750	.616	.829
		*The mean difference is significant at 0.05 level	**rejected H ₀	

Source:survey data

The Table No. 6.33 above shows the Tukey Post Hoc Test results, which shows the effect of Religion based groups on the indicator, trust in the legal system. The mean scores of the religious group Hindu (M= 2.54, SD= 1.087, P= <0.05) is significantly differ from the Christian group(M= 3.40, SD= 1.197) and not significantly different from other religion based groups. The test results observed that the religious group Muslim, Others and no religion are not significantly differ from other religious groups. Christian group is significantly different from Hindu group but no difference is observed regarding other groups.

6.4.1.G. Religion based Comparison with regard to the indicator, All laws are fair and just

Table No. 6.34
Religion based Comparison with regard to
the indicator, All laws are fair and just

Religion(I)	Religion(J)	Mean Difference (I-J)	Std. Error	Sig.
Hindu	Muslim	.224	.123	.507
	Christian	.603*	.131	.001**
	Other	.682	.408	.594
	No Religion	.515	.355	.716
Muslim	Hindu	-.224	.123	.507
	Christian	.379	.149	.169
	Other	.458	.414	.874
	No Religion	.292	.362	.957
Christian	Hindu	-.603*	.131	.001**
	Muslim	-.379	.149	.169
	Other	.079	.417	1.000
	No Religion	-.087	.365	1.000

Other	Hindu	-.682	.408	.594
	Muslim	-.458	.414	.874
	Christian	-.079	.417	1.000
	No Religion	-.167	.532	.999
No Religion	Hindu	-.515	.355	.716
	Muslim	-.292	.362	.957
	Christian	.087	.365	1.000
	Other	.167	.532	.999
*The mean difference is significant at 0.05		**rejected H ₀		

Source: survey data

The Tukey Post Hoc Test result shown in Table No. 6.34 observed that the effect of the variable religion on the indicator, all laws are fair and just. The mean score of the religious group Hindu (M= 2.52, SD=1.074, P= <0.05) is significantly different from the religious group Christian (M= 1.91, SD= .830) and not significantly different from other religion based groups. The test results observed that the religious group Muslim, Others and no religion group are not significantly different from Other religion based groups. Christian group is significantly different from Hindu, but no difference is observed regarding other groups.

6.3.2 ANOVA Test 2

6.3.2 Age Wise Analysis of Legitimacy Indicators

In order to compare the Legitimacy Indicators between different age groups, the fixed the following Hypotheses

- There is no significant difference between various age groups with regard to the Indicator, all laws and regulations in our society are fair and just.
- There is no significant difference between various age groups with regard to the indicator, trust in the legal system.

- There is no significant difference between various age groups with regard to the indicator effectiveness of the legal system.
- There is no significant difference between various age groups with regard to the Indicator, performance of the legal system.
- There is no significant difference between various age groups with regard to the indicator equality before law.
- There is no significant difference between various age groups with regard to the Indicator voluntary compliance to law.
- There is no significant difference between various age groups with regard to the indicator, transparency in the legal system.

6.3.2 Age wise Analysis of Legitimacy Indicators

Table No. 6.35

Age wise Analysis of Legitimacy Indicators

Indicators	Age	N	Mean	Std Deviation	F	P
Laws and Regulations are Fair and Just	18 - 27	91	2.57	1.002	3.625	.006
	28 - 37	102	2.08	.852		
	38 - 47	89	2.26	1.028		
	48 - 57	64	2.25	1.054		
	> 57	38	2.55	1.155		
	Total	384	2.31	1.010		
Trust in the Legal System	18 - 27	91	2.59	.989	4.183	.003
	28 - 37	102	3.20	1.211		
	38 - 47	89	2.88	1.251		
	48 - 57	64	2.64	1.226		
	>57	38	2.63	1.125		

	Total	384	2.83	1.185		
Effectiveness of Legal System	18 - 27	91	2.11	.875	4.186	.002
	28 - 37	102	1.92	.909		
	38 - 47	89	2.03	1.049		
	48 - 57	64	2.23	1.178		
	>57	38	2.68	1.297		
	Total	384	2.12	1.043		
Performance of the Legal System	18 - 27	91	3.13	1.249	.415	.798
	28 - 37	102	3.12	1.171		
	38 - 47	89	2.93	1.223		
	48 - 57	64	3.09	1.269		
	>57	38	3.00	1.162		
	Total	384	3.06	1.214		
Equality Before Law	18 - 27	91	3.75	.995	3.669	.006
	28 - 37	102	4.12	.904		
	38 - 47	89	4.15	1.082		
	48 - 57	64	3.86	1.193		
	>57	38	3.55	1.288		
	Total	384	3.94	1.075		
Voluntary Compliance to Laws	18 - 27	91	3.56	.872	1.383	.239
	28 - 37	102	3.75	.938		
	38 - 47	89	3.84	.903		
	48 - 57	64	3.56	1.097		
	>57	38	3.63	1.172		
	Total	384	3.83	.971		

Source:survey data

As per one way ANOVA results (table no. 6.35), the significance values are found to be lower than 0.05 in four cases, hence here the null hypotheses are rejected. This means that significant differences occur in the mean score among the age groups 18 - 27, 28 - 37, 38 - 47, 48 - 57 and above 57. The remaining two cases the significance values are found to be greater than 0.05, hence the null hypotheses are accepted. This means that there is no significant difference in the mean score among the age groups. For precise analysis of cases having differences in mean scores, Post Hoc comparisons were conducted using the Tukey HSD Test.

6.4.2. Post Hoc Tukey Test 2

6.4.2.A. Age wise comparison with regard to the indicator, Laws and regulations are fair and just.

Table No. 6.36

Age wise comparison with regard to the indicator, Laws and regulations are fair and just.

Age(I)	Age(J)	Mean Difference(I-J)	Std. Error	Sig.
18 - 27	28 - 37	.493*	.144	.020**
	38 - 47	.313	.149	.351
	48 - 57	.321	.163	.419
	Above 57	.019	.192	1.000
28 - 37	18 - 27	-.493*	.144	.020**
	38 - 47	-.180	.144	.817
	48 - 57	-.172	.159	.883
	Above 57	-.474	.189	.182
38 - 47	18 - 27	-.313	.149	.351
	28 - 37	.180	.144	.817
	48 - 57	.008	.163	1.000

	Above 57	-.294	.193	.677
48 - 57	18 - 27	-.321	.163	.419
	28 - 37	.172	.159	.883
	38 - 47	-.008	.163	1.000
	Above 57	-.303	.204	.699
Above 57	18 -27	-.019	.192	1.000
	28 - 37	.474	.189	.182
	38 - 47	.294	.193	.677
	48 - 57	.303	.204	.699
*The mean difference is significant at the 0.05 level				**rejected H ₀

The Tukey Post Hoc results as shown in the Table No. 6.36, observed that in the case of the indicator laws and regulations are fair and just, the age group of 18 - 27(M=2.57, SD=1.002, P=<0.05) is significantly different from age group of 28 - 37(M=2.08, SD=.852). As the P value is less than 0.05 the difference was found to be significant and the null hypothesis is rejected. It is observed that in the case of the age group 18 - 27 there is not a significant difference between mean scores from the age group of 38 - 47, 48 - 57 and above 57. In the case of the age group 28 - 37(M=2.08, SD=.852, and P=<0.05) is significantly different from the age group 18 - 27, there is no difference found among other groups. There is no significant difference in the case of age group 38 - 47, among other groups, similarly in the case of age groups 48 - 57, and above 57 among other groups.

6.4.2.B. Age wise comparison with regard to the indicator, Trust in the legal system

Table No. 6.37

Age wise comparison with regard to the indicator, Trust in the legal system

Age(I)	Age(J)	Mean Difference(I-J)	Std. Error	Sig.
18 - 27	28 - 37	-.603*	.168	.013**
	38 - 47	-.283	.174	.618
	48 - 57	-.047	.190	1.000
	Above 57	-.038	.225	1.000
28 - 37	18 - 27	.603*	.168	.013**
	38 - 47	.320	.169	.468
	48 - 57	.555	.186	.065
	Above 57	.564	.222	.168
38 - 47	18 - 27	.283	.174	.618
	28 - 37	-.320	.169	.468
	48 - 57	.236	.191	.823
	Above 57	.245	.226	.882
48 - 57	18 - 27	.047	.190	1.000
	28 - 37	-.555	.186	.065
	38 - 47	-.236	.191	.823
	Above 57	.009	.239	1.000
Above 57	18 -27	.038	.225	1.000
	28 - 37	-.564	.222	.168
	38 - 47	-.245	.226	.882
	48 - 57	-.009	.239	1.000

* The mean difference is significantly at the 0.05 level

** rejected H₀

Source:survey data

The Tukey Post Hoc results are shown in the Table No. 6.37, shows that in the case of the indicator trust in the legal system, the age group of 18 - 27 (M=2.59, SD=.989, P=<0.05) is significantly different from the age group of 28 - 37 (M=3.20, SD=1.211). As the P value is less than 0.05, the difference was found to be significant and the null hypothesis is rejected. It shows that the mean scores of the age group 18 - 27 is not significantly different from the other age groups. In the case of the age groups 28 - 37 (M=2.30, SD=1.211, P<0.05) is significantly different from the age group 18 - 27. There is no difference found among other groups. There is no significant difference between the mean sores in the case of age group 38 - 47, among other groups. Similarly in the case of age groups 48 - 57 and above 57 among other groups.

6.4.2.C. Age wise comparison with regard to the indicator, effectiveness of the legal system.

Table No. 6. 38

Age wise comparison with regard to the indicator, effectiveness of the legal system.

Age(I)	Age(J)	Mean Difference (I-J)	Std. Error	Sig.
18 - 27	28 - 37	.188	.148	.805
	38 - 47	.076	.153	.993
	48 - 57	-.124	.167	.968
	Above 57	-.574	.198	.080
28 - 37	18 - 27	-.188	.148	.805
	38 - 47	-.112	.149	.966
	48 - 57	-.313	.164	.456
	Above 57	-.763*	.195	.005**
	18 - 27	-.076	.153	.993
	28 - 37	.112	.149	.966

38 - 47	48 - 57	-.201	.168	.840
	Above 57	-.651*	.199	.032**
48 - 57	18 - 27	.124	.167	.968
	28 - 37	.313	.164	.456
	38 - 47	.201	.168	.840
	Above 57	-.450	.210	.334
Above 57	18 -27	.574	.198	.080
	28 - 37	.763*	.195	.005**
	38 - 47	.651*	.199	.032**
	48 - 57	.450	.210	.334
*The mean difference is significant at 0.05 level				
**rejected H ₀				

Source:survey data

The Tukey Post Hoc Test results are shown in the Table No. 6.38, shows that in the case of the indicator effectiveness of the legal system, the mean scores of the age group 28 - 37(M=1.92, SD=.909, P=<0.05) is significantly different from the age group of above 57(M=2.68, SD=1.297), and the age group 38 - 47(M=2.88, SD=1.251, P=<0.05) is significantly different from the age group of above 57. As the P value is less than 0.05, the difference is found to be significant and the null hypothesis is rejected. It shows that the mean scores of the age group 28 - 37 is not significantly different from the other age groups. It is also observed that the mean scores of the age group 38 - 47 is not significantly different from other age groups. In the case of the mean score of the age group above 57 is significantly different from the age group of 28 - 37 and 38 - 47. But in the other two cases(18 - 27, 48 - 57) there is no difference found. In the case of age groups 28 - 37 is not significantly different among other age groups. Similarly the age group of 48 - 57, there is no significant difference among other age groups.

6.4.2.D Age wise comparison with regard to the indicator, equality before law

Table No. 6. 39

Age wise comparison with regard to the indicator, equality before law

Age(I)	Age(J)	Mean Difference (I-J)	Std. Error	Sig.
18 - 27	28 - 37	-.370	.153	.211
	38 - 47	-.399	.158	.176
	48 - 57	-.112	.173	.981
	Above 57	.195	.205	.924
28 - 37	18 - 27	.370	.153	.211
	38 - 47	-.028	.154	1.000
	48 - 57	.258	.169	.675
	Above 57	.565	.201	.099
38 - 47	18 - 27	.399	.158	.176
	28 - 37	.028	.154	1.000
	48 - 57	.287	.178	.606
	Above 57	.563	.205	.082
48 - 57	18 - 27	.112	.173	.981
	28 - 37	-.258	.169	.675
	38 - 47	-.287	.174	.606
	Above 57	.307	.217	.737
Above 57	18 -27	-.195	.205	.924
	28 - 37	-.565	.201	.099
	38 - 47	-.593	.205	.082
	48 - 57	-.307	.217	.737

Source:survey data

The Tukey Post Hoc Test results are shown in table no. 6.39, observing that in the case of the indicator equality before law, the significance value of the age groups are found to be greater than 0.05 and the null hypothesis is accepted. This means that the mean scores of the age groups are not significantly different from other age groups.

6.3.3. ANOVA Test 3

6.3.3 Education based Comparison with regard to the performance of legal system

Inorder to compare the impact of education on the indicator the performance of the legal system, the following hypothesis is fixed

- There is no significant difference between different education levels with regard to the performance of the legal system.

Table No.38 below presents the result of One-way ANOVA along with mean and standard deviation.

Table No. 6.40

Education Based Comparison with regard to the performance of the legal system

Education	N	Mean	Std.Deviation	F	P
Below SSLC	30	3.67	1.093	6.977	0.001
SSLC	43	3.65	1.089		
+2	63	3.14	1.242		
Graduation	129	3.11	1.276		
Post Graduation	81	2.49	0.937		
PhD	6	2.33	1.366		
Other	32	2.94	1.134		
Total	384	3.06	1.214		

source:survey data

As per One-way ANOVA, the education level of the respondents were found to be significantly different in the case of the legitimacy indicator, performance of the legal system. As the P value is less than 0.05 ($P < 0.05$), the null hypothesis is rejected and a statistically significant result was established among the categories below SSLC, SSLC,+2, Graduation, Post Graduation, PhD and Other. For precise analysis of the difference in mean scores, Post Hoc comparisons were conducted using the Tukey HSD Test.

6.4.3. Post Hoc Tukey Test 3

6.4.3. A Education Based Comparison with regard to the performance of the legal system, Post Hoc Test

Table No. 6.41

A Education Based Comparison with regard to the performance of the legal system, Post Hoc Test

Education(I)	Education(J)	Mean Difference I-J	Std. Error	Sig.
Below SSLC	SSLC	.016	.276	1.000
	+2	.524	.258	.658
	Graduation	.558	.235	.468
	Post Graduation	1.173*	.248	.001**
	PhD	1.33	.519	.362
	Other	.729	.295	.413
SSLC	Below SSLC	-.016	.276	1.000
	+2	.508	.230	.558
	Graduation	.543	.204	.319
	Post Graduation	1.157*	.219	.001**
	PhD	1.318	.506	.344

	Other	.714	.271	.330
+2	Below SSLC	-.524	.258	.658
	SSLC	-.508	.230	.558
	Graduation	.034	.178	1.000
	Post Graduation	.649	.195	.089
	PhD	.810	.496	.849
	Other	.205	.252	.995
Graduation	Below SSLC	-.558	.235	.468
	SSLC	-.543	.204	.319
	+2	-.034	.178	1.000
	Post Graduation	.615	.165	.032
	PhD	.775	.485	.862
	Other	.171	.229	.997
Post Graduation	Below SSLC	-1.173*	.248	.001**
	SSLC	-1.157*	.219	.001**
	+2	-.649	.195	.089
	Graduation	-.615*	.165	.032**
	PhD	.160	.491	1.000
	Other	-.444	.242	.763
PhD	Below SSLC	-1.333	.519	.362
	SSLC	-1.318	.506	.344
	+2	-.810	.496	.849
	Graduation	-.775	.485	.862
	Post Graduation	-.160	.491	1.000

	Other	-.604	.516	.967
Other	Below SSLC	-.729	.295	.413
	SSLC	-.714	.271	.330
	+2	-.205	.252	.995
	Graduation	-.171	.229	.997
	Post Graduation	-.444	.242	.763
	Phd	.640	.516	.967
The Mean difference is significant at 0.05 level				

source:survey data

The Tukey Post Hoc Test result as shown in Table No. 6.41, revealed that in the case of of the indicator, performance of the legal system, the mean score of the education level below SSLC(M= 3.67,SD= 1.093,p=< 0.05) is significantly different from the education level post graduation (M=2.49, SD=0.937). The difference in mean score is found to be significant as the P value is less than 0.05, the null hypothesis is rejected to establish significant difference regarding the education level post graduation. The table indicates that in the case of the education below SSLC is not significantly different from other educational levels. In the case of group SSLC(M=3.65, SD=1.089, P=<0.05) is significantly different from Post Graduation (M=2.49, SD=0.937). It shows that the mean score of the education level SSLC is not significantly different from the other educational groups. In the case of the mean score of the education group Plus two is not significantly different from other educational groups. Similarly graduation is not significantly different from other educational groups. But in the case of Post Graduation(M=2.49, SD=0.937, P=<0.05) is significantly different from below SSLC, SSLC and Graduation but there is no significant difference with other groups. In the Mean score of the education group Phd and Others have no difference with other groups.

6.5 Independent Sample t-test 1

6.5.1 Gender-wise Analysis of the Attitude of the People Towards the Statement ‘Law Promotes Individual Freedom’

In order to compare the variable ‘law promotes individual freedom’ between different genders, the following hypothesis was fixed.

There is no significant difference in the attitude of the people towards the statement ‘Law promotes individual freedom’ between different genders of the respondent.

The table below shows the result of an independent sample t-test along with mean and standard deviation.

Table No. 6.42

Independent Sample T- Test - Gender-wise comparison of the attitude of people towards the statement laws promote individual freedom

Gender	N	Mean	Std.Deviation	T	P
Male	200	3.11	1.071	0.570	0.569
Female	184	3.17	1.038		
Total	384	3.14	1.0545		

Source:survey data

From the above analysis, it is observed that the significant value is found to be greater than 0.05($P > 0.05$), hence the null hypothesis is accepted, that is there is no significant difference between male and female attitude towards the statement law promotes individual freedom.

6.5.2 Gender-wise Analysis of Factors Influencing Legitimacy Indicators

Inorder to compare the variable, ‘factors influencing legitimacy indicators’ between different genders, the researcher fixed the following Hypothesis

Table No. 6.43, provided below discusses the results of the independent sample t-test along with mean and standard deviation.

Table No. 6. 43
Independent sample t-test gender wise analysis

Factor	Gender	N	Mean	Std. Deviation	T	P
All decisions of authorities are legal	Female	184	3.71	1.039	0.774	0.439
	Male	200	3.63	1.034		
	Total	384	3.67	1.0365		
Transparency in the Legal system	Female	184	3.04	1.070	1.974	0.051
	Male	200	2.83	1.096		
	Total	384	2.935	1.083		
Trust in the Legal System	Female	184	2.91	1.153	1.220	0.223
	Male	200	2.76	1.212		
	Total	384	2.835	1.1825		
Performance of Legal System	Female	184	3.08	1.223	0.294	0.769
	Male	200	3.05	1.208		
	Total	384	3.065	1.2155		
People obey Laws Voluntarily	Female	184	3.76	0.934	1.473	0.141
	Male	200	3.62	1.001		
	Total	384	3.69	0.9675		

Source:survey data

From the independent sample t-test, the significance values are found to be greater than 0.05($P>0.05$) in all the cases. Hence the null hypothesis is accepted.

- There is no significant difference in attitude among different genders towards the indicator, ‘all decisions made by the authorities are based on legal principles’

- There is no significant difference in the attitude among different genders towards the indicator transparency in the legal system.
- There is no significant difference in the attitude among different genders towards the indicator, trust in the legal system.
- There is no significant difference in the attitude among different genders towards the indicator, performance of the legal system.
- There is no significant difference in the attitude among different genders towards the indicator, people obey laws voluntarily

This indicates that there is no significant difference found among genders towards legitimacy indicators.

Conclusion

The inferential analysis done in this chapter has provided valuable insights into the study "Public attitude on compliance to law in Kerala". The findings of this analysis offer a significant contribution to many law and order problems in Kerala society. The findings have theoretical and practical significance as the foundation of any civilization lies in justice and peace. Inferential analysis revealed that there is a significant relationship between the education and acceptance of law to maintain peace and order in the society. Further the study established that the legal system existing in Kerala society is not effective and so majority people are dissatisfied with the legal system and as a consequence voluntary compliance to law is missing.

Moreover the legitimacy and acceptance of the political system depends on the satisfaction of people with the political system. If laws are applied equally and fairly to all then the legitimacy of the political system can be increased and more political participation can be ensured. Likewise, trust in the political system and authorities can be ensured by following a fair procedure in all transactions and strictly following the principle that all decisions of authorities are based on legal principles.

Furthermore legitimacy of the political system and authorities can be established by making all laws and regulations in the society as fair and just. If people trust their political system then the possibility of voluntary compliance to law is certain. Existence of fair and just laws contribute to voluntary compliance to law in the society. Additionally increasing transparency will also contribute to legitimacy and voluntary compliance to law. Voluntary compliance to law can be higher if laws are applied equally and fairly to all. If the legitimacy of the political system and authorities are not well established then the legal system has to rely on enforcement mechanisms like strict laws and harsh punishments. Likewise the Kerala society at present largely depends upon deterrence mechanisms to establish law and order. Certainty and severity of punishments along with surveillance of law enforcement agencies can reduce crime in the society.

Since the legitimacy indicators are at a developing stage in Kerala society, the state has to rely more on enforcement mechanisms through deterrence. Furthermore , the statistical tests used in this analysis have allowed us to confidently draw conclusions regarding the relationships between variables and their effect on various indicators. Various social, economic, political and demographic variables are studied against various indicators of legitimacy, deterrence, social pressure and morality of the individuals. Not much deviations found among various variables against the indicators. From the inferential analysis it can be concluded that the present Kerala society is going through the process of political modernization but the legitimacy indicators are all at the developing stage. So the society has to rely on enforcement mechanisms based on deterrence even though it has its own problems and limitations.

CHAPTER 7

CONCLUSION

7.1 Introduction

7.2 The Problem Revisited

7.3. Realization of Objectives

7.4. Validation of Hypothesis

7.5. Findings

7.1. Introduction

Civilization can only be built on the strong foundation of law and justice. There exists a close relationship between public attitude towards law, justice and civilization. The overall stability and performance of any society depends on the public attitude towards compliance to law. Positive public attitude influences the degree to which laws are followed, respected and obeyed by the people. If the attitude of people towards law is positive then the issue of law enforcement rarely occurs. People by themselves will follow most of the laws most of the time. The study was intended to address questions like why people obey or disobey laws in Kerala society, the factors shaping compliance with law, public attitude towards law and punishment. It was identified that there are four basic factors which shape compliance to law, like personal moral values, social pressure, deterrence and legitimacy. In traditional societies people basically obeyed laws because of personal moral values and social pressure.

With the establishment of the state, the factor shaping public compliance to law became deterrence. State makes laws and forces the people to obey those laws with certainty, severity and harshness of punishment mechanisms. Subject-ruler difference is very prominent in such a society. Rulers force the people to obey the laws with the help of deterrence mechanisms. Deterrence based governance is not very effective, it needs a lot of resources and it's very expensive. With the establishment of modern national states with democracy and republicanism, the difference between the rulers and subjects drastically reduced. The ideal democratic republicanism visualizes a commonwealth, where everyone is a ruler and a subject. Rational-legal authority became the base of governance and voluntary compliance with law is accepted by all.

So it is a journey from personal moral values to voluntary compliance based on the acceptance of rational-legal authority. Law enforcement will be effective only if it is based upon the factors shaping compliance to law. Blindly adopting reforms from highly developed countries without considering the local factors shaping compliance to law will lead to lawlessness and anarchism. Additionally, the research

considers the role of the primary law enforcement agency, the police department, as a secondary objective of this research. It explores the public perception of the police and vice versa. Examining why policing remains a challenge despite numerous reformatory efforts. Furthermore, the researcher analyzes various police reforms in the light of the survey results on public attitude towards laws and the factors shaping compliance to law.

7.2. The Problem Revisited

Public attitude towards laws could become a problem if it appears to be negative. Negative public attitude towards laws can lead to instability, law and order issues and a kind of disorder and breakdown of the system itself. Such a situation would demand a lot of resources and attention on the part of the state to bring order and peace in the society. People never follow laws on their own and the state has to depend on enforcement mechanisms. In this background the researcher is trying to explore the attitude of people in Kerala towards law and justice. The various factors shaping compliance to law in Kerala society are explored. The dominant factor shaping compliance to law in Kerala society should be identified. Public attitude towards the main law enforcement agency, the police department needs to be explored. Police attitude towards the public and its historical background need to be analyzed. Various Police reforms are scrutinized to find out the reasons for the failure and why policing remains a challenge in Kerala society.

7.3. Realization of the objectives

This study proposed mainly four objectives. The first objective was to find out the relationship between public attitude and law enforcement. Many law and order problems in any society are the result of public attitude and law enforcement. If public attitude towards law is positive, then the question of law enforcement never arises. People voluntarily obey laws of the state most of the time and the issue of enforcement rarely occurs. Such a positive attitude towards laws is shaped by so many factors like historical, economical, political, and socio-cultural factors. To establish the objective an analytical study was undertaken with special focus on the above mentioned parameters. It was found that the public attitude towards laws in

Kerala society is not very positive. The historical colonial legacy, non cooperation movement and civil disobedience movement associated with freedom struggle, British Imperial Police force, Marxian theory of class struggle, casteism, communalism, feudalism and the like contributed to the negativism. Often common people associated freedom with lawlessness or disobedience.

Through the analytical and empirical study it is established that people in Kerala society are having a negative attitude towards laws and its compliance. People have a general tendency to disobey most of the laws most of the time unless and until there are stringent enforcement mechanisms. Public attitude towards the main law enforcement agency; the police force is often a victim of such a negative attitude. Police attitude towards the public has also been shaped on this background. Even simple laws, that too for the safety of the public, need to be enforced by the police department. Common people still consider the police and laws restricting individual freedom. This public attitude makes law enforcement an issue in Kerala society. Lot of resources of the state are meant to make the people obey laws.

The second objective of the study was to explore the general attitude of people of Kerala society towards law and punishment. A survey was conducted by multi-stage sampling method to obtain a cross section of Kerala society. It statistically proved the general attitude of people of Kerala towards law and punishment. Many theories regarding punishment were taken into consideration analytically to validate the empirical data analysis. It was found that deterrence theory could logically explain the public attitude towards laws and punishments. Kerala society still believes that through swift, severe and certain punishments many law and order issues can be solved. Survey results confirmed that people have faith in stringent enforcement mechanisms to control crime in the society. A modern state is expected to be operated in accordance with legitimacy theory but Kerala society still found to be operated with deterrence theory regarding laws and punishment.

The third objective was to find out the main factor which shapes law abidingness in Kerala society. Many researchers in the field established that there are four main factors which shape compliance to law in a society. They were

legitimacy, deterrence, peer pressure or social pressure and morality of the individual. Through the analysis of political modernization theory it was established that human societies have gone through various stages of evolutionary growth to reach the modern national states. Constitutional governance at the final stage supported legitimacy factor shaping compliance. At the earliest stages of growth it can be social pressure, morality and deterrence. Modern nation states prefer legitimacy and voluntary compliance to law. The factor shaping law may vary from individual to individual. But generally every society has a common factor which shapes compliance to law. Through the survey data analysis it is established that in Kerala society the major factor which shapes law abidingness is deterrence. Majority respondents preferred deterrence over other factors shaping compliance. It shows that the concept of political modernization has yet to establish roots in Kerala society.

The fourth objective was to revisit the ongoing police reforms based on the findings of the research. The Researcher thoroughly analyzed the evolution and development of the police department in Kerala. A historical analysis was done on the area to find out the development of the police force and various reforms adopted after independence. In the post-independence period particularly after the formation of the Kerala state many commissions and committees were formed to reform the police department. The Imperial police force has to be accommodated to the democratic fabric of Kerala society.

On analyzing various reforms, it was found that the police department has got so many issues with the general public. It is found that many reforms failed because we adopted so many successful principles of policing from other foreign countries disregarding the factor which shapes law abidingness in that society. Blindly adopting reforms from other countries wouldn't support the police department to overcome its problems. Police reforms in order to become successful, should be based on the factors shaping compliance to law in Kerala society. The Police force in any country is a cross-section of its own society. So blindly

following a successful model of policing from other countries wouldn't do much benefit but costs more.

7.4. Validation of the hypothesis

The researcher at the beginning of the study on the basis of available resources and exposure put forward the following hypotheses for empirical testing and validation. The first hypothesis was the public attitude towards laws and punishments are a decisive factor in determining the success or failure of law enforcement. The study confirms this hypothesis that the success or failure of law enforcement depends on the public attitude of people living in that society. Even the issue of law enforcement arises if people are having a negative attitude towards laws. The second hypothesis was that the factors shaping law abidingness vary from time to time and place to place. Through the analytical study it is established that factor shaping law abidingness varies in accordance with place and time.

Through the survey data analysis the third hypothesis is also confirmed. Deterrence constitutes the most powerful single factor deciding obedience to law in the state of Kerala. This may be one reason for the failure of many reformatory measures adopted from other countries. The fourth hypothesis states, many law enforcement problems in Kerala society are the result of the colonial legacy of the police department. Through historical analysis the hypothesis has been validated. Public attitude towards the police and the police attitude towards the public are actually rooted in colonial British rule. British authorities utilized the police force to oppress and suppress Indian agitation for freedom. Native Indians considered the police department as something which curtailed their freedom. Police on the other hand considered themselves as superior to common Indian people and are more aligned with British rulers. Civil disobedience movement under the banner of freedom struggle actually legitimized disobedience. People considered it as something holy to disobey laws of the state. Still the gene of disobedience is stronger among Indians that creates a negative attitude towards police and laws. Police on the other hand are still living under the shadow of colonial police. Thus all the four hypotheses have been validated.

7.5. Findings

The following findings are the outcome of the research on the topic Public Attitude on Compliance to Law in Kerala: An Analysis.

- A notable consensus among the people is visible regarding the importance of laws and people consider that laws are essential for the maintenance of peace and order in the society. It confirmed the innate tendency of people living in Kerala society to live peacefully under the governance of law.
- The legal system has failed to ensure justice for all is the concern of a significant number of people in the society. All people living in the state should feel that justice is delivered to them, then only peace and order can be sustained in the society.
- The general statement, laws, promote individual freedom are not acceptable to the majority of people. In any society laws should be the base of freedom and all people living in the society should accept that, then there is a possibility of voluntary compliance to law. It shows that people are more aligned with negative freedom.
- A significant number of people are dissatisfied with the overall performance of the legal system in Kerala society. It may be one of the reasons for a negative attitude towards compliance to law. Satisfaction with the performance of the legal system leads to voluntary compliance to law.
- A noteworthy number of the people disagreed with the statement that laws are applied equally and fairly to all in Kerala society. Equality before law and equal protection of laws are the basis of rule of law and a modern liberal state. It may be one of the reasons for the negative attitude towards compliance to law in Kerala society.
- Transparency of the legal system is a legitimacy indicator. There are a significant majority who consider the legal system existing in Kerala as opaque.

Conclusion

- Colonial legacy and freedom movement, particularly the civil disobedience campaign created a negative attitude among people towards law and governance.
- Civil disobedience campaign legitimized non compliance with laws.
- British colonial police created a negative public attitude towards police. Even after independence the negative attitude still dominates.
- British Indian colonial police considered local people as uncivilized and subordinate. Even after independence Indian police are living under the shadows of colonial imperial police.
- A significant number of the population found a positive correlation between fear of facing legal consequences and staying away from illegal activities. It shows the effect of deterrence in shaping compliance to law in Kerala society.
- A significant portion of the people believe that moral values shape compliance to law. Morality is a traditional factor shaping compliance to law in a society. In a plural society like Kerala, morality of one religious group may be in conflict with other religions. A secular political culture with legitimacy as the factor shaping compliance to law may be a good option for a plural society.
- Majority people disagreed with the statement that they obey laws on their own without any external enforcement mechanisms. It shows voluntary compliance to law is not being practiced in Kerala society.
- Majority people believe that people obey laws only if enforced by the police department. People are yet to realize the value of laws for the protection of freedom. People somehow try to evade laws if not enforced.
- Majority people expressed partial trust in the legal system. It shows the legitimacy of the legal system is yet to be established.

Conclusion

- A significant majority of the people believe that many laws and regulations are not fair and just in society. Whenever people have a feeling that the laws and regulations are not fair and just then the legitimacy of the system will be failed. In such a society voluntary compliance to law is not possible.
- A significant majority of the people believe that the decisions made by the authorities are not based on legal principles. In such a society the possibility of voluntary compliance to such decisions are rare. Legitimacy of the system would be endangered if people are doubting the decision making process.
- It is observed that a high chance of getting caught prevents an individual from breaking the law is accepted by the majority of the people. It shows the effect of deterrence factor in shaping compliance to law in Kerala society.
- Majority people believe that strict laws and punishments can reduce criminal activities in the society. Deterrence factor constitutes the most powerful factor shaping compliance to law in Kerala society.
- Presence of law enforcement agencies and their vigilance influence people's decisions to obey laws. Dominating influence of deterrence is accepted by the majority of the people.
- People believe that personal values and ethics guide an individual to follow state made laws in all situations. Domination of moral and ethical factors in shaping compliance is evident in Kerala society.
- Likewise people believe that obeying state laws aligns with the personal moral values.
- People accept that feeling of shame in the social group compels an individual to stay away from unlawful activities. Influence of social pressure in shaping compliance to law is accepted.
- Peer groups significantly influence an individual's decision to obey or disobey laws of the state. Influence of civil society on individual behavior is established in Kerala society.

Conclusion

- A significant majority of the people believe that harsh punishments are necessary to deter potential law breakers. It shows that the people have faith in the deterrence factor.
- Sureness of Punishments would be a stronger motivation for obeying laws of the state that are accepted by majority people. It establishes the domination of deterrence factors on shaping compliance with law in Kerala society.
- Fear of punishments is accepted as the major factor shaping compliance to law in Kerala society. It shows the deterrence effect on people of Kerala society.
- There is a significant relationship between the educational qualification of the people and the indicator, laws are essential for the maintenance of peace and order in the society.
- There is a significant association between the effectiveness of the legal system and the level of satisfaction of the people with regard to the legal system.
- There is a significant relationship between the current employment status and the satisfaction of the people with regard to the legal system.
- There is a significant association between the variable political participation and the legitimacy indicator, laws are applied equally and fairly to all.
- There is a significant association between the legitimacy indicator, existence of fair procedure and the variable, trust in the legal system.
- There is a significant association between the variable trust in the legal system and the legitimacy indicator, all decisions of authorities are based on legal principles.
- There is a significant association between the satisfaction level of the people and laws and regulations are fair and just.

Conclusion

- There is a significant association between trust in the legal system and voluntary compliance with laws.
- There is a significant association between the indicator, voluntary compliance to law and fair and just laws.
- There is a significant moderate positive correlation between the variable satisfaction level of the people and transparency in the legal system.
- There is a significant positive correlation between the variable voluntary compliance to law and laws are applied equally and fairly to all.
- There is low positive correlation between the variable satisfaction level of the people and voluntary compliance to laws.
- There is very low positive correlation between the variable satisfaction level of the people and political participation.
- There is a significant moderate positive correlation between the variables, strict laws and punishments and harsh punishments
- There is a significant moderate positive correlation between certainty and severity of punishments to control crime in the society.
- There is a moderate positive correlation between the variables, certainty of punishments and surveillance of law enforcement agencies.
- There is a low positive correlation between the effectiveness of the legal system and the legitimacy indicator, laws and regulations are fair and just.
- ANOVA test results confirmed that statistically significant results were established among the various religious communities, Hindu, Muslim, Christian, Others and no religious group with regard to the variable effectiveness of the legal system.
- The Tukey Post Hoc test confirmed that in the case of the indicator, effectiveness of the legal system, the mean scores of the religion Hindu

($M=2.36$, $SD=1.35$) is significantly different from the region Christian ($M=1.67$, $SD = .725$). The Post Hoc test couldn't reveal any significant difference in the mean scores of various other communities.

- The test of ANOVA indicated that significant differences occur in the mean scores of the various religious communities with regard to the indicator performance of the legal system.
- The Tukey Post Hoc test confirmed that in the case of the indicator, performance of the legal system with regard to the variable religion, the mean scores of the religious groups, Hindu ($M=2.87$, $SD=1.23$) is significantly different from the religious group Christian ($M=3.52$, $SD=1.13$). The mean score of the religious group Christian ($M=3.52$, $SD=1.13$) is significantly different from the religious group Hindu. The Tukey Post Hoc test couldn't establish any significant difference in the mean scores of other various communities.
- The test of ANOVA indicated that significant differences occur in the mean scores of the various religious communities with regard to the indicator, voluntary compliance to law.
- The Tukey Post Hoc test confirmed that in the case of the indicator voluntary compliance to law, with regard to religion, the mean score of the religious group Hindu ($M=3.47$, $SD = .945$) is significantly different from the religious group Christian ($M=4.16$, $SD = .906$). In the case of religious group Christian ($M=4.16$, $SD=.906$) is significantly different from the religious group Hindu ($M=3.47$, $SD=.945$) and no religion ($M=2.75$, $SD=1.035$) and not significantly different from the region based groups Muslims and others. In the case of the other religion group is significantly different from no religion group and there is no significant difference with Hindu, Muslim and Christian. No religion group is significantly different from Christian and others and there is no significant difference from Hindu and Muslim.

- The test of ANOVA indicated that significant differences occur in the mean scores of the various religious communities with regard to the indicator, equality before law.
- The Tukey Post Hoc test confirmed that in the case of the indicator equality before law with regard to the variable religion. The mean score of the religious group, Hindu(M=3.62, SD=1.119, P=<0.05) is significantly different from the religious group Muslim(M=4.02, SD = .995) and Christian(M=4.52, SD = .763). In the case of the religious group Muslim(M= 4.02, SD=.995, P=<0.05) is significantly different from Hindu and Christian religious groups. Further it is observed that there is no significant difference between Muslim religion groups with regard to other religion groups and no religion based groups. Likewise the Christian religious group(M= 4.52, SD= .763, P= < 0.05) is significantly differ from Hindu, and Muslim religious groups. But on the contrary, Christian and Muslim religious groups are not significantly different from other religious and non religious groups.
- The test of ANOVA indicated that significant differences occur in the mean scores of the various religious communities with regard to the indicator, trust in the legal system.
- The Tukey Post Hoc test confirmed that in the case of the indicator trust in the legal system with regard to religious groups, the mean scores of the religious group Hindu(M= 2.54, SD= 1.087, P= <0.05) is significantly differ from the Christian group(M= 3.40, SD= 1.197) and not significantly different from other religion based groups. The test results observed that the religious group Muslim, Others and no religion are not significantly differ from other religious groups. Christian group is significantly different from Hindu group but no difference is observed regarding other groups.
- The test of ANOVA indicated that significant differences occur in the mean scores of the various religious communities with regard to the indicator, all laws are fair and just.

- The Tukey Post Hoc test confirmed that in the case of the indicator all laws are fair and just with regard to the variable religion, the mean score of the religious group Hindu ($M= 2.52$, $SD=1.074$, $P= <0.05$) is significantly different from the religious group Christian ($M= 1.91$, $SD= .830$) and not significantly different from other religion based groups. The test results observed that the religious group Muslim, Others and no religion group are not significantly different from Other religion based groups. Christian group is significantly different from Hindu, but no difference is observed regarding other groups.
- The test result of ANOVA indicated that significant differences occur in the mean scores of the various age groups with regard to the indicator, all laws are fair and just.
- The Tukey Post Hoc test confirmed that that in the case of the indicator laws and regulations are fair and just, the age group of 18-27 ($M=2.57$, $SD=1.002$, $P=<0.05$) is significantly different from age group of 28-37 ($M=2.08$, $SD=.852$). As the P value is less than 0.05 the difference was found to be significant and the null hypothesis is rejected. It is observed that in the case of the age group 18-27 there is not a significant difference between mean scores from the age group of 38-47, 48-57 and above 57. In the case of the age group 28-37 ($M=2.08$, $SD=.852$, and $P=<0.05$) is significantly different from the age group 18-27, there is no difference found among other groups. There is no significant difference in the case of age group 38-47, among other groups, similarly in the case of age groups 48-57, and above 57 among other groups.
- The test result of ANOVA indicated that significant differences occur in the mean scores of the various age groups with regard to the indicator, trust in the legal system.
- The Tukey Post Hoc test confirmed that in the case of the indicator trust in the legal system, the age group of 18-27 ($M=2.59$, $SD=.989$, $P=<0.05$) is significantly different from the age group of 28-37 ($M=3.20$, $SD=1.211$). As the P value is less than 0.05, the difference was found to be significant and

the null hypothesis is rejected. It shows that the mean scores of the age group 18-27 is not significantly different from the other age groups. In the case of the age groups 28-37 (M=2.30, SD=1.211, P<0.05) is significantly different from the age group 18-27. There is no difference found among other groups. There is no significant difference between the mean scores in the case of age group 38-47, among other groups. Similarly in the case of age groups 48-57 and above 57 among other groups.

- The test result of ANOVA indicated that significant differences occur in the mean scores of the various age groups with regard to the indicator, effectiveness of the legal system.
- The Tukey Post Hoc test confirmed that in the case of the indicator effectiveness of the legal system, the mean scores of the age group 28-37(M=1.92, SD=.909, P=<0.05) is significantly different from the age group of above 57(M=2.68, SD=1.297), and the age group 38-47(M=2.88, SD=1.251, P=<0.05) is significantly different from the age group of above 57. As the P value is less than 0.05, the difference is found to be significant and the null hypothesis is rejected. It shows that the mean scores of the age group 28-37 is not significantly different from the other age groups. It is also observed that the mean scores of the age group 38-47 is not significantly different from other age groups. In the case of the mean score of the age group above 57 is significantly different from the age group of 28-37 and 38-47. But in the other two cases(18 - 27, 48-57) there is no difference found. In the case of age groups 28-37 is not significantly different among other age groups. Similarly the age group of 48-57, there is no significant difference among other age groups.
- The test result of ANOVA indicated that significant differences occur in the mean scores of the various age groups with regard to the indicator, equality before law.
- The Tukey Post Hoc test confirmed that in the case of the indicator equality before law, the significance value of the age groups are found to be greater

than 0.05 and the null hypothesis is accepted. This means that the mean scores of the age groups are not significantly different from other age groups.

- The test result of ANOVA indicated that there are no significant differences between various age groups with regard to the indicator, performance of the legal system.
- The test result of ANOVA indicated that there are no significant differences between various age groups with regard to the indicator, voluntary compliance to law.
- The test result of ANOVA indicated that significant differences occur in the mean scores of the education level with regard to the indicator, performance of the legal system.
- The Tukey Post Hoc test report confirmed that the mean score of the education level below SSLC ($M= 3.67, SD= 1.093, p < 0.05$) is significantly different from the education level post graduation ($M=2.49, SD=0.937$). The difference in mean score is found to be significant as the P value is less than 0.05, the null hypothesis is rejected to establish significant difference regarding the education level post graduation. The table indicates that in the case of the education below SSLC is not significantly different from other educational levels. In the case of group SSLC ($M=3.65, SD=1.089, P < 0.05$) is significantly different from Post Graduation ($M=2.49, SD=0.937$). It shows that the mean score of the education level SSLC is not significantly different from the other educational groups. In the case of the mean score of the education group Plus two is not significantly different from other educational groups. Similarly graduation is not significantly different from other educational groups. But in the case of Post Graduation ($M=2.49, SD=0.937, P < 0.05$) is significantly different from below SSLC, SSLC and Graduation but there is no significant difference with other groups. In the Mean score of the education group Phd and Others have no difference with other groups.

Conclusion

- Independent sample T test confirmed that there is no significant difference between male and female attitude towards the statement law promotes individual freedom
- Independent sample T test confirmed that there is no significant difference found among genders towards the statement all decisions of authorities are legal.
- Independent sample T test confirmed that there is no significant difference found among genders towards the indicator transparency in the legal system.
- Independent sample T test confirmed that there is no significant difference found among genders towards the indicator trust in the legal system.
- Independent sample T test confirmed that there is no significant difference found among genders towards the indicator performance of the legal system.
- Independent sample T test confirmed that there is no significant difference found among genders towards the statement people obey laws voluntarily.

CHAPTER 8

RECOMMENDATIONS

Recommendations

The study titled as "Public Attitude on Compliance to Law in Kerala: An Analysis" put forward the following Recommendations.

- The state should promote legal literacy and awareness campaigns to educate the people about the importance of laws and make them realize that their freedom and existence depends on laws.
- Introduction of legal socialization at schools and colleges.
- Engage community leaders, religious institutions, and local influencers to spread the message of voluntary compliance with laws.
- Ensure a responsive and efficient legal system that can provide speedy and fair resolution of legal issues.
- Promote easy access to legal aid services especially for the weaker sections of the society.
- Ensure transparency in the legal processes.
- Promote a culture of respect for the laws within social circles and peer groups.
- Offering rewards or incentives for law abiding behavior.
- Recognise and celebrate individuals and communities that exhibit exceptional adherence to the laws.
- Collaboration with the media and entertainment industry to spread the message of voluntary compliance with laws.
- Cultivate a culture of respect for laws and regulations to increase the freedom of all.
- Use Student Police Cadets to spread the culture of voluntary compliance with laws.

Recommendations

- Develop youth programs that encourage responsible citizenship and voluntary compliance with the laws.
- Make sure that the legal system ensures justice for all in the society.
- Efforts should be taken to implement a zero percent corruption in the political system.
- All the decisions of the authorities should be based on legal principles.
- The principle of equality before law and equal protection of laws should be implemented in letter and spirit.
- Ensure the independence and autonomy of the judiciary from external influences.
- Continuous review and update the laws to ensure relevance and effectiveness.
- Strengthening of the law enforcement agencies, prosecution services and legal aid organizations. Provide them with adequate resources, infrastructure and training to perform their functions effectively and efficiently.
- Encourage police officers to engage with the community through regular interactions.
- Efforts should be made to keep the police department away from political interference and make it an impartial and independent force.
- Efforts should be made to change the colonial mindset of the people and police.
- People should have a positive appreciation for police and vice versa.

Recommendations for Future studies

- A comparative analysis of public attitude towards police force before and after independence.
- Public attitude towards the principle equality before law and equal protection of laws in the Indian context.
- Political Modernization challenges and prospects in Indian society.

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APPENDICES

