

Jan
28-4-06

**AN ENQUIRY INTO THE PROBLEM OF RISING
CRIMINALITY IN THE STATE OF KERELA
AND LEGAL AND SOCIOLOGICAL
REMEDIES IN THE PRESENT INDIAN
CONTEXT – A PHILOSOPHICAL ANALYSIS**

Written account submitted to
University of Calicut in fulfillment of the
Final examination for the degree of

Doctor of Philosophy
In Philosophy

By
POULOSE V.T.

**DEPARTMENT OF PHILOSOPHY
UNIVERSITY OF CALICUT
2006**

DECLARATION

I, Poullose V.T., hereby declare that this thesis has not previously formed the basis for the award of any degree, diploma, associate ship, fellowship or other similar title or recognition.

Poullose V.T.

Poullose V.T.

Dr. P. K. Pokker
Reader, Dept. of Philosophy
University of Calicut.

CERTIFICATE

I, Dr. P. K. Pokker, do hereby certify that this written account entitled ' An Enquiry into the problem of rising criminally in the state of Kerala and legal and sociological remedies in the present Indian context- A philosophical Analysis' is a record of research work done for the fulfillment of the final examination for the degree of Doctor of Philosophy in Philosophy.

C. U. Campus,
24-04-2006


Dr. P.K. Pokker

ACKNOWLEDGEMENT

I wish to express my profound sense of gratitude to Dr. P.K. Pokker, Reader, Department of Philosophy, for giving me necessary suggestions and guidelines, his liberal yet exacting critical acumen and his generosity. I am grateful to Dr. P.V Unnikrishnan, Professor and Head of the Department of Philosophy for extending his help in official matters.

Poulose V. T.

Poulose V. T.

CONTENTS

CHAPTER		PAGE
1	INTRODUCTION	1-4
2	THEORIES OF CRIME	5-41
3	INDIVIDUAL FACTORS	42-84
4	SOCIOLOGICAL FACTORS	85-110
5	PROSTITUTION AND SEX CRIMES	111-129
6	ALIENATION AND SELF-CONFLICT	130-163
7	MOROLISATION OF SOCIETY	164-215
8	REVIVAL OF EDUCATION	216-263
9	PHILOSOPHY OF LAW AND PUNISHMENT	264-276
10	REFORMATION OF LEGISTLATION	277-286
	CONCLUSON	
	APPENDIX	
	BIBILOGRAPHY	

INTRODUCTION

Poulose V.T. "An enquiry into the problem of rising criminality in the state of Kerala and legal and sociological remedies in the present Indian context - A philosophical analysis" Thesis. Department of Philosophy , University of Calicut, 2006

CHAPTER – I

INTRODUCTION

Crime is an antisocial behavior, which is disapproved by society. All those activities for which punishment is laid down by society are crimes. C.Darrow defines crime as an act forbidden by the law of the land and for which penalty is prescribed. This is one of the social definitions of crime.

From legal point of view crime is the violation of law. According to Barnes and Tieters the term "crime" technically means a form of antisocial behavior that has violated public sentiments to such an extent as to be forbidden by statute. According to Elliot and Merrill, crime ipso facto implies a disturbance in a social relationship and social definition as to what such a disturbance is.

Crime is a relative phenomenon because the criminal law is not constant and universal. It is constantly changing. Therefore many acts, which were, crime in the early times are no longer crimes in our modern society and vice versa. In primitive society customs and traditions regulated human conduct and behavior. These were based on certain beliefs and superstitions. Therefore any breach of custom or traditions was considered as an offence against the whole society. Thus primitive attitude towards crime was superstitious.

In the modern society the concept of crime has undergone a radical change. Thus an act may be crime in one society at one time and may not be a crime at another time. It is because the society is dynamic. Like everything in the society the concept of the crime is also in a constant flux of changes. For instance during the Middle Ages the custom of *sati* was a necessary practice. But today the practice of *sati* is a criminal act. Thus the concept of crime is neither stable nor homogeneous. It varies from time to time and place to place.

According to Wester Marck, customs and laws are based on moral ideas and that crimes are such modes of behavior as are regarded by society as crime. For, Edwin H. Sutherland and Donald Cressy, criminal behavior is behavior in violations of the criminal law. No matter what the degree of immorality, reprehensibility, or indecency of the act, it is not a crime unless it is prohibited by the criminal law. In short, crime is an act, which is prohibited by the law of the land.

Though Kerala is the second highly educated state, next to Mizoram, It is also the first highly crime intensive state in India. The number of various types of crimes in Kerala is increasing at a very high speed. The report on the statistics of crimes by the central and state crime statistics bureau underlines the above fact. It seems highly paradoxical that the higher the level of education, the higher the increasing number of crime. The reasons for this kind of paradoxical phenomena are to be analysed in detail.

The first chapter of the thesis is the introduction and second chapter is devoted to explain the theories of criminality. The contributions of Robert S. Feldman, Sigmund Freud , B.F.Skinner , Emile Durkheim , Robert C. Curson , JamesButcher and Kevin Wheldall are explained in this chapter

The third chapter is devoted to explain the individual factors behind criminality. The contributions of Curt R. Bartol, Philip Feldman , Ian Marsh , David Krech and Richard Sahacht are discussed.

In the fourth chapter the socio-political factors leading to criminality are explained In this regard the contributions of Eron , Walder , Wilson , Herrnstein and others are considered.

The fifth chapter explains the reasons for sex crimes. The contributions of Harry Benjamin, R.E.L Masters, Aldous Huxley, Fernando Henriqfues, Michael Gelder, Jay R.Greenberg and others are discussed.

The sixth chapter is a critical examination of alienation and self- conflict in promoting criminality. The contributions of Jean Paul Sartre, Karl Marx, Richard S. Lazarus, Joachin Israel, Erich Fromm, Anthony Elliott, Walton Kaufmann and others are included.

The seventh chapter is a philosophical analysis of the basic reasons for criminality and it suggests the solutions in the light of moral and ethical science.

The eighth chapter explains what morality and ethics can do in the system of education and thereby create a crime free generation. The contributions of Mahathma Gandhi, Vivekananda, John Dewey, R.G. Woods, R.C Barrow, R.S. Peters, Dr. Wayne W. Dyer, Dr. D. Vjaya Bharathy and others are discussed.

The ninth chapter goes through the philosophy of punishment in the light of the theories of Socrates, Plato and Aristotle. Contributions of Robert L. Schwitzgebel, John Wilson, H.L.A. Hart, John Hospers and others are discussed.

The last chapter points to the necessity of reformation in the present legal system. The contributions of Michel Foucault, Lawrence S. Wrightsman, C.E Detmold, George P.Stein, Hudson and others are discussed

THEORIES OF CRIME

Poulose V.T. "An enquiry into the problem of rising criminality in the state of Kerala and legal and sociological remedies in the present Indian context - A philosophical analysis" Thesis. Department of Philosophy , University of Calicut, 2006

CHAPTER -2

THEORIES OF CRIME

Theories of crime are basically grouped into four categories. They are:-

- 1, Sociological theory of crime
2. Biological theory of crime
3. Psychological theory of crime
4. Socio Psychological theory of crime

1.Sociological theory of Crime: - Sociological theories explain crime as the result of social or cultural forces that are external to any specific individual, that exist prior to any criminal act, and that emerge from social class, political, ecological, or physical structures attaching large groups of people. Sociological theory can be sub-divided into two classes. They are: -

- (a) Structural theory
- (b) Sub-cultural theory

(a) Structural theory: - Structural theories emphasise that most people have similar interests but differ dramatically in opportunities to employ their talent in socially legitimate ways. Discrepancies between aspirations and means of attainment create strains on people that lead

them to crime. Thus disorganised social arrangements thwart legitimate attainments and result in illegal conduct.

(b) Sub-cultural theory: - According to sub-cultural theories, crime originates when various groups of people adhere to cultural values that are inconsistent with the dominant, general rules of society. On this view, Crime is the product of sub cultural deviation from the agreed-upon norms that underline the criminal law.

2. Biological theory of crime: - According to biological theory, the bio-physical factors like genetic influence, chromosomal abnormalities, bio-chemical irregularities etc. predispose certain people to crime.

3. Psychological theory of crime: - According to the psychological theory, crime results from personality attributes uniquely possessed, or possessed to a special degree, by the potential criminal. Thus crime is the result of an immature ego and super ego, which are too weak to control the sexual and aggressive instincts of the id.

4. Socio-Psychological theories: - Socio-Psychological theories are subdivided into two classes. They are: -

(a) Control theory

(b) Social learning theory

(a) Control theory: - According to control theory people will behave antisocially unless they learn not to offend through a combination of inner controls and external constraints on their behavior.

(b) Social learning theory: - Social learning theory explains about the ways individuals acquire specific criminal behaviors through different forms of learning. According to Albert Bandura most human behavior is learning by observation through modeling. Observational learning depends on (a) attention to the important features of modeled behaviour (b) retention of these features in memory so that they guide later performance (c) reproduction of the observed behaviours and (d) reinforcement of attempted behaviours which determines to a great extent whether they will be performed again. The theory emphasises modeling of aggression in three social contexts. They are: -

(1) Familial influences

(2) Sub-cultural influence

(3) Symbolic models

(1) Familial influences: - Familial aggression can assume many forms, from child abuse at one extreme to aggressive parental attitudes and language at the other.

2. Sub-cultural influences: - The highest rates of aggressive behavior are found in environments when aggressive models abound and where aggressiveness is regarded as a highly valued attribute.

3. Symbolic models: - The major influence of symbolic models on aggression has been attributed to the mass media, particularly television. A large number of studies have investigated the effects of televised violence on viewers especially children. Social-learning theory stresses the importance of environmental cues that increase

antisocial behavior. "Social learning theory suggests an even more direct way to reduce aggression: limiting exposure to aggressive models. If television and other media could reduce the violent content of programming, it seems reasonable that aggression could be reduced"¹

Kinds of aggression: - Two entirely different Kind of aggression can be distinguished in human beings. They are: -

1. Defensive aggression
2. Malignant aggression

1. Defensive aggression: - This type of aggression is that which he shares with all animals, and it is a phylogenetically programmed impulse to attack or to flee when vital interests are threatened. It is reactive and defensive .It aims at the removal of the threat, either by destroying, or by removing its source. This type of aggression is in the service of the survival of the individual and the species, is biologically adaptive, and ceases when the threat

has ceased to exist. Thus defensive aggression is a part of human nature and is based on instinct and is rooted in man's physiological needs. Thus organic drives are behind defensive aggression. The aim of defensive aggression is not lust for destruction, but the preservation of life. Once the aim has been attained , the aggression and its emotional equivalents disappear.

Different from animals, in human species two more types of defensive aggressions are found. They are: -

(a) Defensive aggression based on future threats

(b) Defensive aggression due to brain wash

(a) Defensive aggression based on future threats: -Since man is being endowed with a capacity for foresight and imagination, reacts not only to present dangers and threats or to memories of dangers and threats, but to the dangers and threats he can imagine as possibly happening in the future. If an individual or a group feels threatened, the mechanism of defensive aggression is mobilised even though the threat is not immediate. Thus man's capacity to foresee future threats enhances the frequency of his aggressive reactions. Aggression based on politics is an example for this.

(b) Defensive aggression due to brain wash: - The arousal of defensive aggression by means of brain-washing can occur only in humans in order to persuade people that they are threatened, one needs, above all the medium of language, without this, most suggestion would be impossible. In addition, one needs a social structure that provides a sufficient basis for brain-washing. This process of brain-washing is usually done by the political as well as religious leaders. The result is religious as well as political aggression.

Defensive aggression due to mass suggestion and brainwashing can be reduced by the development of independent critical thinking. In order to reduce group narcissism, the misery, monotony, dullness and powerlessness that exist in large sectors of the population would have to be eliminated. It will require the highest

degree of active participation and responsibility on the part of each person in his role as a worker or employ or whatever he is as well as in his role as a citizen.

2. Malignant aggression: - This is specific to human species and virtually absent on most mammals. It includes cruelty and destructiveness. It is not phylogenetically programmed and not biologically adaptive. It has no purpose and its satisfaction is lustful. It is biologically harmful because it is socially disruptive. Its main manifestations - killing and cruelty-are pleasure without needing any other purpose. It is harmful not only to the person who is attacked, but also to the attacker.

Malignant or destructive aggression is based on human passions rooted in his character. Character is man's second nature, the substitute for his poorly developed instincts. Human passions such as the striving for love, tenderness, and freedom as well as the lust for destruction, sadism, masochism, the craving for power and property are answers to existential needs, which in turn are rooted in the very conditions of human existence. Thus instincts are answers to man's Physiological needs, and man's character-conditioned passions are answers to his existential needs and they are specifically human. While these existential needs are the same for all men, man differs among themselves with regard to their dominant passions. Whether man's dominant passion is love or whether it is destructiveness depends largely on social circumstances. These social circumstances operate in

reference to man's biologically given existential situation and the needs arising from it. "However man differs from the animal by the fact that he is a killer, he is the only primate that kills and torture members of his own species without any reasons, either biological or economic and who feels satisfaction in doing so"¹ According to Fromm, destructiveness is a secondary potentiality rooted in the very existence of man, and having the same intensity and power as any passion can have.

Vital interest v/s vital threats: - Man like the animal defends himself against threat to his vital interests. But the range of man's vital interests is much wider than that of the animal. Man must Survive not only physically, but also psychically. He needs to maintain a certain psychic equilibrium lest he lose the capacity to function. Man has a vital

Interest in-retaining his frame of orientation. His sense of identity and his capacity to act depends on it. It others threat him with ideas that question his own frame of orientation; he will react to these ideas as to a vital threat.

Man needs not only a frame of orientation but also objects of devotion, which become a vital necessity for his emotional equilibrium. Whatever they one- values, ideals, ancestors, father, mother, the soil, Country, Class, religion and hundreds of other phenomena - they are perceived as sacred. Even Customs can become sacred because they symbolise the existing values. The individual or

the group reacts to an attack against the sacred with the same rage and aggressiveness as to an attack against life.

Even fright tends to mobilise either aggression or tendency to flight. The latter is often the case when a person still has a way out that saves him. But if he is cornered and no possibility of evasion is left, the aggressive reaction is more likely to occur. The flight reaction is based on the interaction of two factors. The first is the magnitude of the realistic threat. The second is the degree of physical and psychological strength and self-confidence of the threatened person.

Fright, like pain, is a most uncomfortable feeling and man will do almost anything to get rid of it. There are many ways to get rid of fright and anxiety, such as the use of drugs, sexual arousal, sleep, and the company of others. One of the most effective ways of getting rid of anxiety is to become aggressive. When a person can get out of the passive state of fright, and begin to attack, the painful nature of fright disappears.

Among all the threats to man's vital interest, the threat to his freedom is of extraordinary importance, individually and socially. Freedom is a biological as well as a psychological need of the human organism. The inherent impulse in man to fight for freedom lies in the fact that freedom is the condition for the full growth of a person, for his mental health and his well being. Thus for the development of the human organism, freedom is a vital biological interest of man and threats to his freedom arouse defensive aggression.

Conformist aggression:- Conformist aggression comprises various acts of aggression that are performed not because the aggressor is driven by the desire to destroy, but because he is told to do so and considers it his duty to obey.

Resistance: - Another important source of defensive aggression is aggression as a reaction to any attempt to bring repressed striving and fantasies into awareness. There are many reasons why a person represses certain strivings, often throughout his life. He might be afraid of being punished, of being humiliated, of not being loved, if his repressed impulses were known to others. This type of reaction is one of the aspects of what Freud called "resistance"

Vengeful destructiveness: - It is a spontaneous reaction to intense and unjustified suffering inflicted upon a person or the members of the group with whom he is identified. It differs from normal defensive aggression in two ways: -

(a) It occurs after the damage has been done and hence is not a defense against a threatening danger.

(b) It is of much greater intensity, and is often cruel, lustful and insatiable

Vengeful aggression is widespread, both among individuals and groups and usually in groups it lead to a kind of chain reaction in which destructiveness and cruelty become so intense.

Instrumental aggression: - Another biologically adaptive type of aggression is instrumental aggression, which has the aim of obtaining

that, which is necessary or desirable. The aim is not destruction as such; this serves only as an instrument for attaining the real aim. In this respect it is similar to defensive aggression, but in other important aspects it is different. It can be defined in terms of an unquestionable physiological need, as, for instance, warding off starvation. If a man steals or robs because he and his family do not have even the minimal amount of food they need, the aggression is clearly an act motivated by physiological necessity.

However the truth is that people desire not only what is necessary in order to survive, not only that which provides the material basis for a good life, most people in our culture are greedy, greed, for more food, drink, sex, possessions, power and fame. What all people have in common is that they are insatiable and hence never satisfied.

Greed is one of the strongest non-instinctive passions in man. It is clearly a symptom of physical dysfunction of inner emptiness. In our culture greed is greatly reinforced by all those measures that tend to transform everybody into a consumer. Of course the greedy person does not need to be aggressive, provided he has enough money to buy what he desires. But the greedy person who does not have the necessary means must attack, if he wants to satisfy his desires.

Pseudo aggression: - That aggressive act that may cause harm, but are not intended to do so, comes under pseudo aggression.

Aggression as exaggerated anal characteristics: -According to Franz Alexander that the criminal cannot postpone immediate gratification in order to obtain greater rewards in the future. The criminal does not orient his behaviour with reality principle, which is a basic lesson to be learned during the anal stage of development. Alexander regarded the antisocial activities of the adult as exaggerated anal characteristics acquired in childhood.

Aggression as substitute gratification of basic needs: -According to some psychoanalysts, criminal behaviour is a means of obtaining substitute gratification of basic needs such as love, nurturance and attention, which should have been satisfied normally within the family.

Fraud's theory of instinctivism: - Freud in his first theory considered that human life is ruled by two egoistic drives, one for food, and the other for sex. However in his second theory he recognised that it is not egoistic drives, but two passions i.e. love and destruction, which rules human life. He called these two passions as life instinct and death instinct. Thus according to Freud human destructiveness is one of the two fundamental passions in man. All though these two passions are not directly serving physical survival, they are stronger than instincts. They form the basis for man's interest in life, his enthusiasm, his excitement etc. Their intensity is not due to specific physiological needs but to the need of the whole organism to survive- to grow both physically and mentally. These two passions are at the very root of human existence. These non-instinctual passions excite man, fire him on, and make life worth living. According to the French philosopher

von Holbach, a man without passions or desires would cease to be a man. The human passion transforms man from a mere thing into a being. The death instinct is directed against the organism itself and thus is a self-destructive drive but if it is directed outward, then it tends to destroy others rather than oneself.

Sexual instinct and environment: - According to the analytic therapy the development of a person is by the specific environmental constellation of infancy i.e. the impact of the family. This aspect is reconciled with instinctivism, by the assumption that the modifying influence of the environment occurs via the influence of the libidinous structure. Thus every negative development in a person is to be understood as the result of damaging influences in early childhood.

The sexual instinct in Freud's system was supported to a large extent moulded by environmental influences. Thus the character was understood as being the outcome of the interaction between sexual instinct and environment. According to Freud the differences between the various motivating forces are the result of environmental influence in the libido. Thus love, tenderness, sadism, masochism, ambition, curiosity, anxiety, rivalry and many other drives were no longer each attributed to a special instinct, but to the influence of the environment, especially in the early childhood via libido.

Character traits and behavior: - Character determines behavior. The character trait, whether loving or destroying, drives man to behave in a certain way, and that man in acting according to his character feels

satisfied. Thus the character trait tells us how a person would like to behave. However an average person tries to find a compromise between what his character would make him want to do and what he must do in order not to suffer more or less harmful consequences.

Character traits and self-interest: - The motivating power of character traits is influenced by self-interest in varying degrees. They imply that character constitutes the main motivation of human behavior, but restricted and modified by the demands of self-interest under varying conditions. Man of course also behaves in accordance with his self-interest, but not always, and not necessarily so. He often acts according to his passions, his meanest and noblest and is often willing to risk his self interest, his fortune, his freedom and his life in the pursuit of love, truth and integrity or for hate, greed, sadism and destructiveness.

Self-preservation or ego-interest: - The degree to which a person follows the dictates of self-preservation i.e.: ego-interest varies. At one extreme the weight of ego-interest is zero, and if the ego-interest is zero, then the person will be a martyr or a fanatical killer. At the other extreme the ego-interest will be the maximum and the person will be an opportunist for whom self-interest includes everything that could make him more successful and popular or comfortable. Between these two extremes all people can be arranged, characterised by a specific blend of self-interest and character-rooted passions.

Influence of situations: - How much a person represses his passionate desires depends not only on factors within him but also on the situation. If the situation changes, repressed desires become conscious and are acted out. For example a sadistic-masochistic person will be submissive to his boss, but he will be sadistically domineering to his wife and children. When the total social situation changes, there can be a total change in the character of a person. For example the sadistic character who may have posed as a meek or even friendly individual may become a wicked and malicious person in a terrorist society.

Theory of innate force: - According to Freud and Lorenz, human aggressiveness is an instinct fed by an ever-flowing fountain of energy, and not necessarily the result of a reaction to outer stimuli. Lorenz holds that energy specific for an instinctive act accumulates continuously in the neural centres related to that behavior pattern and if enough energy has been accumulated an explosion is likely to occur even without the presence of a stimulus. However, the animal and man usually find stimuli, which release the dammed-up energy of the drive; they do not have to wait passively until the proper stimulus appears. Thus according to Lorenz aggression is primarily not a reaction to outside stimuli, but a built-in inner excitation that seeks for release and will find expression regardless of how adequate the outer stimulus is. It is the spontaneity of the instinct that makes it so dangerous.

Lorenz's model of aggression is called hydraulic model, in analogy to the pressure exercised by dammed-up water or steam in a

closed container. This refers to the mechanism through which aggression is produced. The hydraulic character of dammed-up aggression is used to explain the murderous and cruel impulses of man, but there is no supporting evidence for this.

According to Lorenz defensive aggression is supposed to be transformed in man into a spontaneously flowing and self-increasing drive that seeks to create circumstances which facilitate the expression of aggression, or that even explodes when no stimuli can be found or created. Hence even in a society that is organised from a socio-economic view point in such a way that major aggression could find no proper stimuli, the very demand of the aggressive instinct would force its members to change it or, if they would not, aggression would explode even without any stimulus. Thus the conclusion at which Lorenz arrives that man is driven by an innate force to destroy. According to the older instinctivists also, each motive of behaviour was attributed to special kind of innate drive.

Environmental theory human aggression: - The theories about human aggressiveness by environmentalists are just opposite that of instinctivists. According to environmentalists, man's behavior is exclusively moulded by the influence of the environment i.e.: by social and cultural, as opposed to 'innate' factors. This is particularly true with regard to aggression. According to the philosophers of the Enlightenment period, man was supposed to be born good and rational, and it was due to bad institutions, bad education, and bad example, that

he developed evil strivings. They believed that the "good society" would create the good man, or rather allow the natural goodness of man to manifest itself.

Behaviorism: - Behaviorism was founded by J.B. Watson. It is based on the premise that the subject matter of human psychology is the behavior or activities of the human being.

Neo-behaviorism: - B.F. Skinner was the founder of neo-behaviorism. It is based on the same principle as Watson's concepts. According to skinner, as a science, Psychology has to study what reinforcements tend to shape human behavior and how to apply the reinforcements most effectively. Skinners "Psychology" is the science of the engineering of behavior, its aim is to find the right reinforcement in order to produce a desired behavior.

Instead of simple conditioning in the Pavlovian model, skinner speaks of 'operant' conditioning. Briefly this means that unconditioned behavior, provided it is desirable from the experimenter's stand point, is rewarded, i.e. followed by pleasure. According to skinner the rewarding reinforcement is much more effective than the punishing. As a result, the subject will eventually continue to behave in the desired fashion. Skinner has shown that by the proper use of positive reinforcement, the behavior of animals and humans can be altered to an amazing degree, even in opposition to what some would loosely call 'innate' tendencies.

The result of Skinner's experimental work supports the views of those who believe that the social-structure can shape man, even though not necessarily through operant conditioning. Skinner

does not neglect genetic endowment. However according to Skinner, apart from genetic endowment, behavior is determined entirely by reinforcement. According to Skinner reinforcement can occur in two ways: it happens in the normal cultural process, or it can be planned, and thus lead to a 'design for culture.'

Behavior and motivating impulse: - The behaviour of a person depends on the motivating impulse whether love or sadism. However this difference may not be visible on a superficial inspection. For example each of two fathers with different character structures spansks his son because he believes that the child needs this kind of punishment for the sake of his healthy development. The fathers behave in what seems to be an identical manner. They slap the children with their hands. If we compare the behaviour of a loving and concerned father with that of a sadistic father, we find that the behaviour is in reality not the same. Their way of holding the child and of talking to the child before and after the punishment, their facial expression, make the behavior of one quite different from that of the other. Correspondingly, the children's reactions to the respective behaviours differ. The one child sense the destructive, or sadistic quality of the punishment, the other have no reason to doubt his fathers love. All the more so because

this single instance of the fathers behaviour is only one among innumerable behaviors the child has experienced before and which have formed his picture of his father and his reaction to him. The fact that both fathers have the conviction that they are punishing the child for his own good makes hardly any difference, on the other hand, if the sadistic father never beats his child, his non-violent behavior will produce the same reaction because his eyes convey to the child the same sadistic impulse that his hands would do in beating and because children are generally more sensitive than adults, they respond to the father's impulse and not to an isolated bit of behavior.

Instinctivism and behaviourism: - According to Erich Fromm, that the man of the instinctivist's lives the past of the species, as the man of the behaviourist's lives the present of his social system. The former is a machine that can produce inherited patterns of the past; the latter is a machine that can only produce social patterns of the present. According to instinctivists, mans primary instincts lead him either to indulge himself in unlimited freedom, or to see dominion over others.

Instinctivism and behaviourism have one basic premise in common: that man has no psyche with its own structure and its own laws. According to instinctivists and behaviourists man is exclusively determined by conditions outside himself, he has no part in his own life, no responsibility and not even a trace of freedom. He is a puppet, controlled by instincts or conditioning.

Frustration-Aggression theory: - This theory was developed by J.Dollard, N.E. Miller and others in 1939. According to this theory the cause of all aggression is frustration i.e.: the occurrence of aggressive behaviour always presupposes the existence of frustration and the existence of frustration always leads to some form of aggression.

However in 1941 N.E Miller dropped the second part of the hypothesis, allowing that frustration could instigate a number of different types of responses, only one of them being aggression. According to A.H. Buss, this theory was accepted by almost all psychologists. However Buss concluded that frustration is only one antecedent of aggression and it is not the most potent one.

According to A.H. Buss, basically there are two meanings in which the term frustration has been understood. They are-

- (a) The interruption of an on - going, goal-directed activity
- (b) Frustration as the negation of a desire or wish.

If a child, for instance, is forbidden to eat candy, this frustration, provided the parents attitude is genuinely loving and free from pleasure in controlling, will not mobilise aggression. But if this prohibition is only one of the many manifestations of the parent's desire for control or if, for instance a sibling is permitted to eat it; considerable anger is likely to result. What produces the aggression is not the frustration as such, but the injustice or rejection in the situation.

According to Fromm, the most important factor in determining the occurrence and intensity of frustration is the character of the person.

A very greedy person, for instance, will react angrily when he does not get all the food he wants, and a miserly person, when his wish to buy something cheap is frustrated, the narcissistic person feels frustrated when he does not get the praise and recognition he expects.

Thus the character of the person determines in the first place what frustrates him, and in the second place the intensity of his reaction to frustration. ‘‘Providing examples of alternative, non-aggressive ways of dealing with frustration, however, leads to a reduction in aggressive behaviour’’²

Washburn's theory of Carnivorous Psychology: - According to S.L. Washburn man has a carnivorous psychology. Washburn identifies the carnivorous psychology with a drive for and pleasure in killing. It is easy to teach people to kill, and it is hard to develop customs which avoid killing. Many human beings enjoy seeing other human beings suffer or enjoy the killing of animals. Washburn claims that many people enjoy killing and cruelty. In contrast to virtually all mammals, man is the only primate who can feel intense pleasure in torturing and killing. Man's hyper-aggression is due to the fact that aggression producing conditions are much more frequent for humans than for animals living in their natural habitat. Only man appears to be destructive beyond the aim of defense or of attaining what he needs.

Non-identification of co-species: - According to Fromm that there are good reasons to assume that man does not experience his fellow man as a member of the same species, because his recognition of another man is not facilitated by those instinctive or reflex-like reactions by which either smell, form certain colours etc. give immediate evidence of species identity among animals. Since man has less instinctive equipment than any other animal, he does not recognise or identify co-specifics as easily as animals. For him different language, customs, dress, and other criteria perceived by the mind rather than by instincts determine who is a co-specific and who is not, and any group, which is slightly different, is not supposed to share in the same humanity. In short man's humanity makes him so inhuman.

Rational theory of Crime: - According to Nettler rational crime involves illegal behavior in which a person is rewarded for doing it. Crime organised as a business is an examples for rational crime. The illegal provision of liquor, drugs, prostitution and gambling comes under rational crime.

Containment theory of Crime: - According to Walter Rackless's containment theory, it is largely external containment- that is social pressure- that controls crime. If a society is well integrated, with well-defined social rules and limits on behavior, effective family discipline and supervision, and reinforcement for positive accomplishments, crime will be contained. But if these external controls weaken or disappear, control of crime will depend on internal restraints, or the individual

super- ego. Thus a positive self-concept becomes an insulator against delinquency. Strong inner containment is inferred from the abilities to tolerate frustration, to be goal directed, to resist distractions, and to find substitute satisfactions.

Equity theory: - Equity theory states that people make comparisons between what they feel, they deserve and what they observe other people receiving. If a person perceives himself as being unfairly treated by society, this sense of inequity can lead him to a crime like stealing to encourage his gains because such behaviour will help him to restore his sense of equity

Anomic theory: - According to Emile Durkheim there should be a functional necessity for moral bonds between individuals in society. Life without moral obligation or social requirements would become intolerable and result in anomie, a feeling of normlessness that may precede destructive behaviors like suicide or crime which has been increasing with the growth of industrialisation. One implication of anomie theory was that unlimited aspirations produce a pressure for deviation from social norms. Merton applied anomie to situations in which the social structure stimulates common aspirations like wealth property ownership etc.

In Durkheim's theory anomie was a condition in a social structure, in which the norms and goals of the social systems no longer influenced individual behaviour. This is a state of 'normlessness.' He meant by the term anomie the destruction of all traditional social

bonds, due to the fact that all truly collective organisations had become secondary to the state and that all genuine social life had been annihilated. He believes that people living in the modern political states are 'a disorganised dust' of individuals.

The anomie of industrial society can only be removed if the whole social and spiritual structure is changed radically. The individual is not only adequately fed and housed, but also the interests of society become identical with the interests of each individual is a must. Man can change the social structure; he can develop bonds of solidarity and common values.

Personality theory: - Eysenck explains three major types of personality disorders in his personality theory. They are: -

- (a) Extraversion
- (b) Neuroticism
- (c) Psychoticism

According to Eysenck extraverted persons are outgoing, active, aggressive and impulsive. Persons high in neuroticism are restless, emotionally volatile and hypersensitive. Persons high in psychoticism are trouble some, lacking in empathy and insensitive to the point of cruelty.

Persons high in neuroticism have a reactive autonomous nervous system and react excessively to stimuli. Therefore high neuroticism interferes with efficient learning because of irrelevant

arousal that is evoked. In addition high neuroticism leads to greater drive to carry out behaviour of all sorts, including crimes.

Eysenck believed that high scores on extraversion and neuroticism would result in poor conditioning and consequently, inadequate socialisation. Poor conditioning leads to a faulty conscience, which in turn produces a higher risk for criminality. Moreover if the person is high on psychoticism, he or she would tend to be more of a primary “tough-minded” psychopath. Behaviourally, psychoticism is characterised by cold cruelty, social insensitivity, unemotionality, disregard for danger, troublesome behaviour, dislike of others and an attraction to the unusual. Psychotics are hostile toward others and enjoy ridiculing them. The data on relationships of extraversion, neuroticism and psychoticism to criminality support a positive association between elevated extraversion and increased law breaking.

Anti social personality disorders: - Many psychologists attribute the cause of crime to a personality defect in the offender. The concept of psychopathy refers to persons who have frequent and repetitive criminal activity. They lack adequate conscience development. The underlying unsocialised character, the lack of conscience, brings such persons into repeated conflict with society, often from very early ages. They are superficial, arrogant and unable to feel guilt. They lack empathy and loyalty to individuals, groups or society's values. The official diagnostic designation for the psychopath is Antisocial Personality

Disorder. "Individuals with antisocial personality disorder continually violate the rights of others through aggressive, antisocial behaviour without remorse or loyalty to any one."³

Psychopaths appear unable to understand and accept ethical values except on verbal level. They glibly claim to adhere to high moral standards that have no apparent connection with their behaviour. In short, their conscience development is severely retarded or non-existent, although their intellectual development is typically normal.

Psychopaths are characterised by selfish, irresponsible and deceitful behaviour. They are highly impulsive, lacking in judgement, deficient in inner reality and moral controls and seemingly unable to learn from punishment and experience. They have a callous disregard for the rights, needs and well-being of others.

Psychopathic persons are also thought to have a reduced anxiety level and to be relatively underaroused in the resting state as well. This combination of low cortical and autonomic arousal results in a high need for stimulation. Consequently, the psychopath prefers novel situations and tends to 'shorten' stimuli, there by being less controlled by them.

The thrill seeking and disruptive behaviour of the psychopath serves to increase sensory input and arousal to more tolerable level. One result of this thrill seeking is that the psychopathic person may be 'immune' to many social cues that govern behaviour. Prone to thrill seeking and deviant and unconventional behaviour, they

often break the law impulsively and without regard for the consequence. They live in the present without realistically considering either past or future. External reality is used for immediate personal gratification.

Often Psychopaths are charming and likable, with a disarming manner that easily wins friends. Typically, they have a good sense of humour and an optimistic outlook. They are frequent liars and if caught in a lie, they usually will seem sincerely sorry and promise to make amends- but will not do so. They seem to have good insight into other people's needs and weaknesses and are adept at exploiting them. They readily find excuses and rationalisation for this antisocial conduct, typically projecting the blame on to someone else. Thus they are often able to convince other people as well as themselves that they are free of fault. Although initially able to win the liking and friendship of other people, psychopaths are seldom able to keep close friends. Irresponsible and egocentric, they are unusually cynical, unsympathetic, ungrateful and remorseless in their dealings. They seemingly cannot understand love in others or give it in return. Psychopaths and highly alienated or narcissistic people enjoy the suffering of others and feel no remorse when their behaviour is punished by authority. Apparently they have little or no feeling of opposition to the cruel acts they perform. They lack in any kind of moral reaction.

Psychopaths pose a menace not only to chance acquaintances but also to their family and friends. Violence towards family members is common. Manipulative and exploitative in sexual

relationships psychopaths are irresponsible and unfaithful mates. Although they often promise to change, they rarely do so for long.

Only individuals eighteen or over are diagnosed as antisocial personalities. However many psychopathic and antisocial personalities improve after the age of forty even without treatment, possibly because of weaker biological drives, better insight into self-defeating behaviours and the cumulative effects of social conditioning.

Causes of psychopathic behaviour: - There are many theories about the causes of psychopathic behaviour. One view is that psychopathic persons suffer a cortical immaturity that makes it difficult for them to inhibit behaviour. Robert Hare has proposed that psychopaths may have a deficiency in the left hemisphere of their brains that impairs their ability to plan and regulate behaviour carefully.

A general explanation for psychopathy involves familial disturbance, especially parental rejection or early parental loss, either by death or divorce. It is assumed that lack of parental affection and inconsistent discipline, in childhood are the other main reasons for the development of psychopathic and antisocial behaviour.

Buss (1966) identified two parental patterns that might foster psychopathy. First there are parents who are cold and distant. The child who imitates these parents develops a cold, detached interpersonal style that gives the superficial appearance of social involvements; but lacks the empathy required for stable, satisfying relations. Second there are parents who are inconsistent in their use of

rewards and punishments, making it difficult for the child to imitate a stable role model and to develop a consistent self-identity. Buss felt that a child in this situation learns how to avoid blame and punishment, rather than how to distinguish right and wrong behaviour. However all those who come from such family backgrounds does not become psychopaths and antisocial elements. Heredity also plays a dominant role in creating psychopaths and antisocial elements.

Borderline Personality Disorder: - They typically display intense anger, outbursts with little provocation. They might threaten suicide over minor setbacks.

Sadistic personality Disorder: - A person with sadistic personality disorder will have a pervasive pattern of cruel, demeaning and aggressive behaviour toward other people. Sadistic personality disorder is sub divided into two. They are:-

(a) Physical sadism

(b) Mental sadism

(a) **Physical sadism:** - Individuals with this disorder have a history of using physical cruelty to inflict pain on other people, usually for the satisfaction of seeing them suffer. They are characteristically fascinated with violence, weapons, martial arts or torture.

(b) **Mental Sadism:** - Mental cruelty, the wish to humiliate and hurt another person's feelings is probably even more wide spread than physical sadism. This type of sadistic attack is much safer for sadist; after all, no physical force, but only words have been used. On

the other hand, the psychic pain can be an intense or even more so than the physical. Parents inflict it upon their children, professors on their students, superiors on their inferiors, beurocrates on their sub-ordinates. In short it is employed in any situation, where there is someone who cannot defend himself against the sadist. This kind of sadism is often the more effective if the humiliation is inflicted in front of others. To force someone to endure pain or humiliation without being able to defend himself is one of the manifestations of absolute control, but it is by no means the only one. According to Fromm, the person who has complete control over another living being makes this being into his thing, his property, while he becomes the other being's god.

It is found that most sadism is malevolent. Complete control over another human being means crippling him, choking him, thwarting him. One of the main traits of sadist is that he is stimulated only by the helpless, never by those who are strong.

Albert Camus's play, Caligula, gives an example of an extreme type of sadistic control, which amounts to a desire for omnipotence. Caligula, in his position of unlimited power, sleeps with the wives of the senators and enjoys their humiliation. He kills some of them, and those that remain still have to smile and joke. But even all this power does not satisfies him; he wants absolute power, he wants the impossible.

Character- rooted sadism: - The destructive and sadistic passions in a person are usually organised in his character system. In a sadistic

person, the sadistic drive is a dominant part of his character structure. It motivates him to behave sadistically, limited only by his concern for self-preservation. In a person with sadistic character, a sadistic impulse is constantly active, waiting only for a proper situation. Thus character-rooted sadism is a spontaneously flowing impulse, seeking for occasions to be expressed or to create such occasions. The sources of the sadistic passion lie in the character and not in a phylogenetically programmed neural area. These character-rooted passions do not appear as single units but as syndromes.

According to Fromm there are two types of syndromes.

They are:-

1, Life furthering syndrome, such as love, solidarity, justice, reason etc. They are all interrelated and are manifestations of the same productive orientation.

2, Life thwarting syndrome such as sado-masochism, destructiveness, greed, narcissism, incestuousness etc. They are all interrelated and are rooted in the same basic orientation.

Where one element of the syndrome is to be found, the others also exist in various degrees. The average person is a blend of both syndromes, what matters for the behaviour of the person and the possibility of change is precisely the respective strength of each syndrome.

Sadism and masochism: - For the sadistic character there is only one admirable quality, and that is power. He admires loves, and submits to

those who have power, and he despises and wants to control those who are powerless and cannot fight back. In short control of those below and submission to those above. The need to submit is rooted in masochism. Thus sadism and masochism are invariably interlinked.

Bureaucracy and sado-masochism: - In a social sense, the bureaucratic character is roughly equivalent to the sado-masochistic character. In the bureaucratic system every person controls the one below him and is controlled by the one above. Both sadistic and masochistic impulses can be fulfilled in such a system. Those below, the bureaucratic character will hold in contempt, those above, he will admire and fear. So also the attitude of the bureaucrats is contempt towards the public. In our bureaucratic system, common people are considered as things by the bureaucrat. They think that the common people are below them. They believe that they have the power to control the common people. That is why they behave in a sadistic way to the public. The important aspect of the behaviour of a bureaucrat is the fact that he enjoys in frustrating people, showing then that he controls them, the same is the case of police force in Kerala. They are not the friends or servants of the public, but the controllers. According to Fromm, a society based on exploitative control tends to weaken the independence, integrity, critical thinking and productivity of those submitted to it.

Causes of Sadism: - A non-sadistic child may become a sadistic adult because of fright producing terrific punishments by sadistic parents. This type of punishment is not strictly limited in intensity. Depending

on the temperament of the child, fear of such punishment can become a dominant motive in his life, his sense of integrity may be slowly broken down, his self-respect lowered, and eventually he may have betrayed himself so that he has no more sense of identity, that he is no longer "he"

The other condition for the generation of vital powerlessness is a situation of psyche scarcity. If there is no stimulation, nothing that awakens the faculties of a child, if there is an atmosphere of dullness and joylessness, the child freezes up, there is nothing upon which he can make a dent, nobody who responds or even listens, the child is left with a sense of powerlessness and impotence. This is one of the main sources that contribute to the development of sadism, both individually and socially.

Sadism is much more frequently found among frustrated and socially lower class individuals who feel powerless and have little pleasure in life, for example, the lower class in the colonies and coastal areas of Kerala. Their material poverty and social impotence is compensated by sadistic spectacles.

Narcissism: - One of the most important sources of defensive aggression is the wounding of narcissism. The concept of narcissism was formulated by Freud in terms of his libido theory. The schizophrenic patients do not seem to have any libidinous relationships to objects either in reality or in fantasy. According to Freud the libido that has been withdrawn from the external world has been directed to

the ego and thus gives rise to an attitude which may be called narcissism. Freud divided narcissism into two types. They are:-

- (a) Primary narcissism
- (b) Secondary narcissism

(a) Primary narcissism: - The original state of man in early infancy is primary narcissism, in which, there are not yet any relationships to the outside world. Primary narcissism is a normal phenomenon conforming with the normal physiological and mental development of the child. At birth and still for sometime afterward, the infants attachment to mother occurs in a manly narcissistic frame of reference. While physiologically the infant has his own independent existence, psychologically he continues an 'intra-uterine' life in some respects and to some degree. He still lives through mother; she feeds him, cares for him, stimulates him and gives him the warmth bodily and emotional -that is a condition for healthy development. In the process of further development the infant's attachment to mother becomes warmer, more personal as it were, she changes from being a quasi intra-uterine home into a person for whom the child feels warm affection. In this process the little boy breaks through the narcissistic shell.

b, Secondary narcissism:- Narcissism exists also in later stages of life, if the growing child fails to develop the capacity for love or lose it again. In the course of normal development the child increased his libidinal relationships to the out side world in scope and intensity, but under special circumstances-the most drastic one being

insanity-the libido is with drawn from objects and directed back to the ego. Freud calls this phenomenon as secondary narcissism. Even in the case of normal development, however, a human being remains to some extent narcissistic throughout his life.

Narcissism is the basic of all severe psychic pathology. Narcissism can be described as a state of experience in which only the person himself, his body, his needs, his feelings, his thoughts, his property, everything and everybody pertaining to him are experienced as fully real, while everybody and everything that does not form part of the person or is not an object of his needs is not interesting, is not fully real.

A person, to the extent to which he is narcissistic, has a double standard of perception. Only he himself and what pertains to him has significance, while the rest of the world is more or less weightless or colourless. Because of this double standard, the narcissistic person shows severe defects in judgement and lacks the capacity for objectivity. He needs to hold on to his narcissistic self-image, since his sense of worth as well as his sense of identity is based on it.

Often the narcissistic person achieves a sense of security in his own entirely subjective conviction of his perfection. If his narcissism is threatened he is threatened in a vitally important area. When others wound his narcissism by slighting him, criticising him, showing him up when he has said something wrong, defeating him in

game or on numerous occasions, a narcissistic person usually reacts with intense anger or rage. The intensity of this aggressive reaction can often be seen in the fact that such a person will never forgive someone who has wounded his narcissism and often feels a desire for vengeance which would be less intense if his body or his property had been attacked.

Narcissism and insanity: - The most extreme form of narcissism is to be seen in all forms of insanity. The insane person has lost contact with the world, he has withdrawn into himself, he can not experience reality, either physical or human reality as it is, but only as formed and determined by his own inner processes. He either does not react to the world outside, or if he does, reacts not in terms of its reality, but only in terms of his own processes of thought and feeling. Narcissism is the opposite pole to objectivity, reason and love.

The fact that utter failure to relate oneself to the world is insanity, points to the other fact that some form of relatedness is the condition for any kind of sane living . But among the various forms of relatedness only the productive one, love, fulfills the condition of allowing one to retain ones freedom and integrity while being,at the same time, united with ones fellow man. The attainment of a non-judgemental understanding can lower aggressiveness or do away with it altogether; it depends on the degree to which a person has overcome his own insecurity greed and narcissism.

Group narcissism: - Group narcissism is one of the most important sources of human aggression. This like, all other forms of defensive aggression, is a reaction to an attack on vital interests. It differs from other forms of defensive aggression in that intense narcissism in itself is a semi-pathological phenomenon. Fanaticism is a characteristic quality of group narcissism. In considering the causes and the function of bloody and cruel mass massacres as they occurred between Hindus and Muslims in some part of Kerala, group narcissism plays a considerable role

Theories of rape: - Ellis has identified three theories of rape- They are:-

(a) The feminist theory, emphasising rape as a pseudo sexual act of male domination and exploitation of women.

(b) The social learning theory, suggesting that sexual aggression is learned through observation and limitation.

(c) The evolutionary theory holding that natural selection favours men who use forced sexual behaviour.

Notes and references

1¹ Feldman Robert S.: *Social Psychology, Theories, Research and Applications*, 1985, p-325

2. Fromm Erich : *The Anatomy of Human Destructiveness*,. Penguin.

Book Ltd. Middlesex, England, 1977. p-25

3. Wheldall Kevin.: *Social Behaviour*, 1975, p-47

4 Carson Robert C. and. Butcher James N.: *Abnormal Psychology and Modern Life*. 1992, p- 272

INDIVIDUAL FACTORS

Poulose V.T. "An enquiry into the problem of rising criminality in the state of Kerala and legal and sociological remedies in the present Indian context - A philosophical analysis" Thesis. Department of Philosophy , University of Calicut, 2006

CHAPTER - 3

INDIVIDUAL FACTORS

There are a number of individual factors, which give rise to criminal behaviour. It is analysed under the following heads.

Selfishness: - "The belief that humans are innately untrustworthy, self-centred, or violent may promote behaviour and interactions that support this belief. In other words, if we do not trust people, we may unthinkingly get up situations of distrust where by others not only act distrustfully but also distrust in turn. By example and by provocation, we actually generate behavior we condemn." ⁴

The above statement about human behaviour by Curt R. Bartol is relevant with respect to the society of Kerala. Many writers claim that an average Keralite is selfish, self-centered and not absolutely trust-worthy. He or she is exclusively after money and want to amass money to attain the modern amenities and enjoyments of life which money can give him or her. During his or her way to achieve the end i.e. money, he or she forgets the irreducible minimum of ethics and morality of man as a social being as well as that of the society. For him/her only end that matters not means. He/she wants to make money without much effort, because an average Keralite is not willing to work

hard. This attitude makes him selfish, self-centered, cruel and cunning. This approach makes him/her to cheat others in order to amass wealth. According to James F. Lincoln selfishness is the driving force that makes the human race what it is, for good or evil. There are two types of selfishness “stupid” and “intelligent”, the former being the selfishness that permits man to steal, the latter that causes a man to struggle toward perfection, so that he become more prosperous.

Generally people do what they feel good for themselves and not for the general good or common good. The self-consciousness of a person differs from that of other. Therefore truth and justice have different meanings in different minds. But when truth and justice of a person matches with the universal law, then only we can say that his consciousness is true and real. Self-centred people interpret their deeds as good or bad according to their convenience. Thus there is no consideration for the general good. In Short the inner self of and average Keralite is contaminated by selfish motives. This makes him/her do any harmful things to other individuals, for his/her personal good. The result is the pollution of moral and ethical values in the society. Since the existence of a society is based on its moral and ethical principle, this sort of degraded morality and ethics of the members of the society totally contaminated the society itself. Since most of the Malayalees think only about their own head and not about others, they have no feelings to do any dirty deeds just to satisfy their own personal needs. The result is the rise of criminality.

Frustration: - "when an individual suffers severe or prolonged frustration, his inability to achieve his goal may give rise to feelings of personal failure and anxiety. His goal-directed problem-solving behaviour may there by supplanted by behaviour aimed at defending his self-conception and warding off threats to self-esteem. In the course of such defensive behaviour he may develop or reinforce interpersonal response traits of aggressiveness, unsociability, competitiveness, rejection of others etc. The accumulated tension arising out of persistent frustration often finds expression in aggressive acts, which seem to allay, at least temporarily, the frustrated state. Aggressiveness may take the form of feelings and action of anger and rage of actual physical violence against objects and people, of verbal attacks (denunciations and slander) of fantasies of violence and attack".⁵

The problem of unemployment and social recognition has become so acute that the young hearts are filled with disappointment and frustration, which in turn lead to criminal activities.

Boredom-Chronic depression:- Boredom is a psychological phenomenon that has a great part in generating aggression and destructiveness. With regard to stimulation and boredom we can distinguish between three types of persons. They are:-

(a) The person who is capable of responding productively to activating stimuli is not bored.

(b) The person who is in constant need of ever changing, 'flat' stimuli is chronically bored, but since he compensates for his boredom, he is not aware of it.

(c) The person who fails in the attempt to obtain excitation by any kind of normal stimulation is a very sick individual, sometimes he is acutely aware of his state of mind, sometimes he is not conscious of the fact that he suffers.

However boredom is a state of chronic depression. **boredom leads to the consumption of alcohol as well as the use of psycho drugs.** The dangerous result of insufficiently compensated boredom is violence and destructiveness. The person suffering from chronic, uncompensated boredom, have a peculiar blend of depressed and schizophrenic elements in varying degrees of malignancy. Among such persons we find extreme form of destructiveness.

Supremacy of money: - With the advent of capitalism man as a being has been rejected from the central point of life and money has replaced his place. Thus it is money which decides human freedom in the social life. This is the phenomenon called "money alienation" by Karl Marx. Accordingly a priest as well as a lawyer ceases to execute his real work owing to the influence of money. This painful situation obstructs the growth and development of an ordinary individual in the capitalist society. Thus the values of human personality get deteriorated in the present society. Since Kerala is a market-oriented society, people are becoming more and more alienated.

Prejudice: - Generally it is found that many of the keralites are prejudiced. Certain pre-notions lead their approach towards others. They don't want to know the actual facts and truths of things because of the prejudiced mind. They either accept or reject whether good or bad without much thinking. They easily believe what they hear and propagate the same things, no matter, whether true or false. False and wrong propaganda about other's personal life will cause conflicts between individuals in the society, which leads to collision, and criminal acts.

Emotive factors: - Eruption of violence is often caused by high emotion. High emotion seems to reduce the ability to internal standards of conduct and general self-awareness. High emotion renders people more susceptible to "mind less" behaviours and places them under the influence of external stimuli or events. Self-regulatory mechanisms develop through socialisation and personal belief about what is right or appropriate, wrong or inappropriate. Under normal conditions self-regulatory mechanisms control behavior by providing cognitive templates for what is proper behavior for a specific situation. See that the term self-regulation refers to behavioral control.

Individuals who show high emotionality are referred as neurotics (The term neurotics as used here should not be confused with the neurotic classification of mental disorders) and their counter-opposites as stables. Like extraversion, neuroticism is a significant variable in the relationship between personality and crime. "Neuroticism reflects an innate biological pre-disposition to react

bodily to stressful events. Basically neuroticism deals with the intensity of emotional reactions. It is believed to occur in the 16% of the general population."⁶ Even under low stress condition such people are likely to be moody, touchy, sensitive to slights, anxious and to complain of various physical ailments, like head aches, backaches, digestive problems etc. Their opposites i.e. Stables, display emotionally stable, calm and even-tempered behaviour.

Essenck assumes that the person high on emotionality is more likely to engage in criminal activity than the person low on that dimension.

Emotional withdrawal:- A way of making the other a 'non-person' is cutting all affective bonds with him. This occurs as a permanent state of mind in certain severe pathological cases, but it can also occur transitorily in one who is not sick. It does not make any difference whether the object of ones aggression is a stranger or a close relative or a friend. What happens is that the aggressor cuts the other person off emotionally and 'freezes' him. The other ceases to be experienced as human and becomes a 'thing-over there.' Under these circumstances there is no inhibitions against even the most severe forms of destructiveness. There is good clinical evidence for the assumption that destructive aggression occurs, at least to a large degree, in conjunction with momentary or chronic emotional withdrawal

Impulsiveness: - It is found that a good percentage of modern kerala youths are impulsive. They are more inclined to act on sudden urges

than on thought. It is found that they do not think about what they are doing, they are reflexive creatures who respond to the urge of the moment, unpredictably, irrationally and uncontrollably. Most of the murder cases that took place in Kerala in recent times are the result of this impulsiveness and uncontrollable emotions.

Lack or self control (Anger): - Severe anger is a form of insanity. It takes the form of rage, hostility and leads to physical violence. Carried to the extreme, this behaviour leads to crimes of violence including assaults and murder, which are almost always committed under the influence of immobilising anger and emotions which are out of control. Anger is a learned reaction of frustration, in which a person behave in ways that he would rather not. However the expression of anger is a healthy alternative to storing it up, not having it at all is the healthiest choice of all. Instead of being an emotional slave to every frustrating circumstances, use the situation as a challenge to change it, and one will have no present moment time for the anger.

Psychoticism: - Behaviourally, Psychoticism is characterised by cold cruelty, social insensitivity, unemotional, disregard for danger, troublesome behaviour dislike of others and an attraction to the unusual. Psychotics are hostile toward others and enjoy ridiculing them. Children should be classically conditioned during childhood by verbal reprimandation or physical punishment for behaviour that is against social mores . Inappropriate behaviour in childhood should be; followed by reprimand. Child punches, Parent reprimands. Following a few repetitions of this sequence, the thought of punching stimulates fear of

the consequences. In essence, by punishing antisocial behaviour numerous times, parents, teachers and others concerned, with the upbringing of the child including his or her peers, perform the role of Pavlovian experiments. The child associates punching with punishment and this bonding between the behaviour and aversion consequences should deter him or her from performing the act.

According to Eysenck, the conditioned conscience has two effects on behaviour. It may prevent us from indulging in forbidden activities or it makes us feel guilty after we commit them. The conditioned conscience inhibits us from engaging in antisocial activities by its association with prior adverse consequences. In addition once we have committed the act we tend to feel uncomfortable about our transgressions.

Intelligence Quotient: - In an incisive review of relevant literature, Hirsch and Handling (1977) argue that evidence suggests a strong relationship between intelligence quotient and delinquency independent of socio-economic class. That is upper and middle class delinquents have also been found to have lower intelligence quotients than upper and middle class non-delinquents and lower-class delinquents have scored lower than the lower class non-delinquents. In fact I.Q. is more accurate predictor of delinquency than is social class. Loeber and Dishion (1983) also support this observation in the literature review.

Neurological factors: - Hans Eysenck's theory place heavy emphasis on genetic predisposition toward criminal conduct, or at least toward

antisocial behavior. It is important to note at the outset that he is not suggesting that individuals are born criminal, but rather that some people are born with nervous system characteristics that are significantly different from the general population and that affect their ability to conform to social expectancies and rules. Specifically Eysenck isolates features of the central and peripheral nervous system to account for a substantial portion of the differences found in personality. The way each individual's nervous system functions may be as unique as his or her personality characteristics. Carrying this, a step further we could posit that some nervous systems are more likely to engage in criminal activity because of their reactivity, sensitivity and excitability.

The essence of Eysenckian theory is that individuals with certain types of nervous systems (introverts) condition better or associate the mores of the society with approval or disapproval much more readily than individuals with other types (extraverts and ambiverts)

Hormone Factor:- A number of experiments have shown that male hormones tend to generate aggressive behavior. Physiological factors like high levels of testosterone, increased secretion of insulin and lower levels of certain metabolites of serotonin lead to increased aggressiveness and delinquency. “Androgen injected into a human adult female can increase her level of aggressiveness”⁷

According to E.A. Beeman, the male hormone is a stimulation for fighting behavior, but not a condition without which it could not occur. The experiments done with chimpanzees by G. Clark and H.G. Bired explains that the male hormone raised the level of aggressiveness and the female hormone lowered it. In animal experiments where the injection of male hormone renews or increases the fighting capacity of the animal, there can be two possible interpretations. They are:-

- 1, Hormones generate rage and aggression.

- 2, Hormones increase the self assertion of the animals in pursuing its already existing hostile aims that were integrated by other sources.

Cognitive restructuring: - First people do not ordinarily engage in antisocial conduct until they have justified to themselves the rightness or morality of their actions. Reprehensible acts can be made honorable through cognitive restructuring. Thus, a distressed father, convinced that he must save his family from the evil of the world, kills his children his wife and then himself. In essence he reconstructed his construct system to fit what he believed was the right thing to do under the circumstances. This is an example for cognitive restructuring.

A large number of the mothers indicate that their reasons for killing the children were basically altruistic. They claimed that they acted in the best interest of their victim, death would allow the children to escape a cruel and miserable existence. Parents killing their own

children and committing suicide have become common in Kerala. Whatever may be the actual reason (Generally financial problems or family conflicts) behind this sort of murder and suicides cognitive restructuring is the psychological factor behind killing the children before the parents commit suicide

Revenge:- A person, out of hatred for the man who has harmed him, is determined to return that harm whatever the cost. He is prepared to go to jail for it, if need be for the rest of his life. He wants to return to this man the evil he has done to him, for in harming the person who has harmed him.

Lack of spirituality: - According to the French philosopher Karl Jaspers with out belief in God philosophy is not possible. Likewise the eminent western philosopher George Berkley has emphasised the importance of faith in God. God is the universal soul in Berkley's philosophy. If a person is a firm believer in God, then he will be afraid to do wrong deeds since his consciousness will blame him immediately. But if a person is having only superficial belief in God he may go to temples, churches or mosques to worship God, but in personal and social life he will commit any wrong thing for his personal needs and welfare. He never thinks about the good or welfare of others. Thus philosophically speaking lack of firm belief in God also leads to criminality. If a man is not a firm believer in God, he will not have the fear of God and a person who does not fear God will not fear anybody. A person who does not fear anybody will have the tendency to do any wrong thing to attain his personal needs. Instead a firm believer in God

will be able to love his fellow beings because for him God is love and love comes from God. In short lack of love and respect towards fellow beings is a great problem in the social life of Kerala. Lack of love leads to wrong deeds for personal needs and the result is rising of criminal deeds and acts in the society.

The welfare of a society not only lies in the material welfare but also it lay in spiritual welfare as well. When there is lack of spiritual welfare then material welfare is of no use because it is spiritual welfare that gives the society calmness and peace. It is found that in this modern era most of the Keralites are materialistic and they lack spirituality. Avoiding spirituality and accepting the materialistic view, society looses its calmness and peace.

According to Swami Vivekananda spirituality in social matters should mean the development of the spirit of fellow feelings, sympathy understanding and sharing of common problems between people themselves. He taught that even the secular education should be imparted through religion, only for it was through religion that these noble traits of character could be developed and the efforts for political and social advancement could take firm roots in the society. Here religion is understood to be the cultivation of virtues through self-control and canalisation of human potentialities. Every form of human behaviour, even secular, must be ethical pursuit of life for consummation of Dharma; the code of behaviour in India's age long tradition and culture.

Facial and Physical unattractiveness: - It is assumed that there is a connection between facial and physiological appearance and criminal behaviour. Perhaps facial unattractiveness plays a role in the development of crime and increases the probability of being adjudicated delinquent by the courts. It is customary that people favour attractive children. In fact attractive children are less negatively evaluated than less attractive children even when they have committed identical antisocial acts. "In one study using a simulated jury, good-looking criminals were treated more gently and were considered less dangerous than a comparable group of unattractive criminals [Sigall and Ostrove, (1978). Agnew (1984) found a significant relationship between appearance [i.e. physical features, dress, and grooming] and delinquency. The Agnew data also showed that unattractive adolescents are significantly lower in parental and school attachment and aspire less prestigious occupations or educational achievement. While these studies reveal correlation between appearance and delinquent behavior they do not explain the reasons for the relationship".⁸

The thesis that physical unattractiveness might have something to do with criminal behavior has sometimes been applied to rehabilitation. In the mid-1970, corrective surgery was offered to inmates with facial deformities at Rikers Island as a part of a pilot project testing the value of plastic surgery as a rehabilitative measure (Kurlzberg et al, 1978). The surgery was to be performed just prior to prison release. After extensive medical and psychological screening, 425 inmates were divided in to four groups. Depending upon his group

the inmate would receive either surgery, counseling, both or neither (the control group). The result though complex, showed some support for the benefits of a "new image". The offenders who seemed to benefit most from the intervention were non-addicts who received surgery they were substantially less likely to engage in crime during a one-year follow up period than a comparable group of offenders who received no surgery. Interestingly, the group that received counseling alone committed more detected crime during the follow up period; than even the group that had neither counseling nor surgery. Although the study's results are not clear-cut, they do suggest that physical improvements also improve prisoner's self-image and the likelihood of acceptance by others, possibly the individual with the improved appearance has less need to defend or prove his worth through crime or to react aggressively to slights or challenges.

Feeble-mindedness:- According to Goddard every feeble-minded person is bound to be the victim of his environment because he has no intelligence, judgement and will power enough to control that environment. Many of the evils of society are traceable in part to the incapacity of many people to make normal adjustments to the conditions of life. "It is well known that feeble-mindedness is a potent factor in drunkenness"⁹

Low capacity for endurance: - Now-a-days it is found that people of Kerala are lamentably lacking the irreducible minimum of patience and endurance. He/she is unable to control his or her self, thoughts, words and deeds. This is due to the lack of actual education. Education does

not merely mean academic education, but it should enable a person to behave properly and decently in the society and to make him a person of minimum morality and ethics. Thus education should make a person socialised. Moral, ethical, religious and philosophical teachings play an important role in the socialisation of an individual. Due to the lack of socialisation an average Keralite is unable to forget and forgive. He selects the path of vengeance. The old law of eye for eye and teeth for teeth has become a symbol of average Malayalee's attitude. This attitude of the Keralites makes the actions and interactions between individuals in our society worse and decayed. Thus this attitude of an average individual of our society to take revenge on his enemy by using any means result in crimes.

Unconscious Conflict: - Freudians, neo-Freudians and other psycho dynamically oriented personality theorists believe that human behavior is largely determined by conscious and unconscious forces, urges, conflicts or motives. Therefore a psycho-dynamically oriented, dispositional theorist may argue that criminal behaviour result from some unresolved, unconscious conflict. Finally those who believe that situational and dispositional variables are equally responsible for behaviour are called interactionists. To them both individual and environmental factors play crucial roles in determining behaviour.

Extraversion: - "Roughly 16% of populations are extraverts and 16% introverts. The rest 68% are ambiverts."¹⁰ According to Eysenck, the typical extravert is sociable, impulsive, and optimistic. They tend to lose their temper quickly, become aggressive easily and are unreliable.

They like to have people around; they enjoy parties and are usually talkative.

The typical introvert on the other hand is reserved quiet and cautious. He or she keeps feelings under close control and generally tries to avoid excitement, change and most social activities. An introvert tends to be reliable and unaggressive and to place great value on ethical standards.

Ambiverts exhibit some features of both extraversion and introversion, but not to the same degree of consistency as clinical extraverts and introverts. Extraverts are more likely to run counter to the law. They tend to be impulsive, unloving, thrill-seeking people who are willing to take chances and stick their necks out. They enjoy pranks and practical jokes and find challenge in opportunities to do the unconventional or even the anti-social.

Hereditary and environmental factors:-Genetics may play a role in criminality but only an insignificant one. There is little doubt that environment is the principal determinant and cause of criminal behavior. We no longer ask whether behaviour is due to heredity or environment. We agree that both are involved in a complex way. Most behavioural scientists and many social scientists recognise however that behavioural traits result from an interaction of hereditary and environmental factors.

Born criminals, the biologically predisposed, exhibited a lack of guilt or remorse for any wrongdoing and a peculiar inability to

learn the distinction between good and evil. Lombroso reported that they did not develop close friendships and were likely to betray companions and accomplices. They displayed exaggerated notions of their own importance, were impulsive, cruel and had a high tolerance for pain.

According to Lombroso psychologically a born criminal woman is more terrible and cruel than any man, almost monster like. Lombroso based this on his belief that women in general have many traits in common with children such as revenge, jealousy and an inclination toward vengeance of a refined cruelty.

Hans Eysenck the famous investigator regarding the role of genetics in criminality concluded that the concordance of a particular behaviour in twins is found over four times as frequently in identical twins as in fraternal, a finding which seems to but beyond any doubt that heredity plays an extremely important part in the genesis of criminal behaviour.

Hutchings and Mednick (1975) conducted a study examining the effects of genetics and environment. In their study it is found that where the biological father had a criminal record and the adoptive father had none, a significant number of adoptees (22%) still became criminal, but where the biological father had no record and the adoptive father had a criminal record, the number of adoptees who pursued criminal activities was lower (11.5%). If both the biological

and adoptive fathers were criminals, the percentage of adoptees who became criminals were much greater.

Hutchings and Mednick concluded that genetic factors continue to exert strong influences on the tendency toward criminality even though environmental factors also play important roles. Mednick concluded that some people inherit biological characteristics which permit them to be antisocial more readily than others. In short their adoption studies suggest that genetic components may contribute significantly to a tendency to become criminal but they have also found that environments are highly important. The available data so far indicate that some people may be born with a biological predisposition to behavior that runs counter to social values and norms and that environmental factors may either inhibit or stimulate it

Hans Eysenck (1977) proposes that criminal behavior is the result of an interaction between certain environmental condition and inherited personality traits. Thus crime cannot be understood in terms of heredity alone, but it can also not be understood in terms of environment alone. Both biological make up and socialisation history of each individual is important as far as criminality is concerned.

"In general Eysenck's prediction that the criminal and antisocial populations should score significantly higher on the extraversion scale has not been consistently supported. (Passingham, 1972, Allsops, 1976, Feldman, 1977, Farrington, Biron and LeBlance, 1982)"¹¹ While he originally supported that criminality was an

unidimensional phenomenon, Eysenck now recognises that different criminal offences may involve different personalities. That is homicide and other violent offences may be committed by introverts as well as by extraverts. Thus crime like all other human behaviour results from an interaction between heredity and environment.

Thus is clear that like heredity, environment also plays an important role in moulding the character and behaviour of a person. People who are living in places like slums and congested colonies usually show less thinking capacity and they are more emotional. Such people will be unable to think freely and rationally. This is due to lack of education and knowledge. In such places educational facilities are very low, which in turn make people living in such place less cultured and uneducated. They are temperamental and their temperament deceives them. They are easily prone to provocation by simple and minute reasons. They get easily agitated and unable to control their emotions. It is found that they suddenly believe rumours and the result is uncontrolled actions and agitation in such societies which results in mass social crimes. Thus thickly populated and congested colonies and slums play an important role in increasing the criminality. Agitation and social crimes, both political and communal in the coastal areas of Kerala are examples for this.

Biological factors:- The two most important philosophical issues about crime and human nature are (a) the extent to which humans differ from subhuman or animals, especially the primates and (b) the locus of responsibility for human actions and conduct. The first issue raises the

question that - are we different in degree from animals or different in kind.? The second raises two prolonged questions that- to what extent should individuals be held responsible for their criminal conduct, and to what extent is behavior determined by a combination of internal and external factors.?

A large segment of psychological and psychiatric research on criminal behavior is dominated by the belief that human beings are basically animals, controlled by a myriad of biological urges, drives and needs.

The writings of Charles Darwin (1809-1882) have had an extensive impact on this view of contemporary human beings. Darwin's main thesis was that humans are fundamentally animals developed from a common biological ancestry along with all animals and other living things. Long before Darwin many philosophers and scholars considered humans animals and not very good ones at that. Niccolo Machiavelli (1469-1527) for example, stripped man of all human qualities and reduced him to the status of an animal governed by force and fraud. According to Thomas Hobbs man is basically a mean-spirited, brutish animal.

Darwin legitimised the difference in degree perspective by placing humans along a single continuum of all living things. Contemporary post Darwinian position agree with Darwin's tenets and at the same time adds another component. Humans differ in kind '*superficial*' from other animals, that are intellectually humans appear

to differ in kind from all animals in the known universe. Humans can certainly do a lot more than other animals because our brain is far more organically complex than the brain of sub-human. For post Darwinians this explains the conceptual thinking ability of human beings. Still humans are basically animal in origin influenced and controlled by the same biochemical and physical forces and motives inherent in all creatures. Even though we appear to differ in kind, even though we can perform complex intellectual activity we still differ in degree from our infrahuman brethren. Most contemporary psychological, biological and psychiatric theories of criminal behaviour and many sociological ones are built upon this foundation.

Thus the biologically hidden animality in human beings is a basic reason for criminal behaviour. In fact there is an animal in each human mind. At times this animal behaviour comes out which result in criminality.

Childhood experiences and character formation:-The childhood experience is a main factor which determines the character and behavior of an individual in the society, both personal as well as social. The earliest years of life is more important because in childhood the mind and brain are more impressionable and the deepest impressions are the most difficult to eradicate. It is a matter of common knowledge that a single experience may change our whole attitude towards life, and make a complete change in our character. Bitterness of character may be produced by a disappointment, a sexual assault may produce timidly, hysteria or sexual frigidity. Hard and cruel experience in

childhood may harden the child's mind and it may become a cause for juvenile delinquency

Child abuse: - Hirschi (1983) notes that the correlation between violent physical child abuse and delinquency is consistent and strong. Brown (1984) cites evidence that emotional abuse and neglect may play an even more critical role than physical abuse in the development of delinquency. Emotional abuse includes such behaviours as frequently screaming at the child, calling the child insulting names excessively criticising or generally ignoring the child. Neglect usually refers to a gross lack of proper supervision and physical care. The motivations for child abuse are quite different. Instigating circumstances frequently involve elements of frustration, social and economic set back, marital disenchantment, and blows to self-esteem. According to Steele, Pollock, Rigler and others that abusive parents were subjected to abuse in their own childhood. Child abuse obstructs the correct and proper mental growth of the child. It leads to the formation of defective and incorrect personality. It is to be remembered that criminal behavior results from faulty personality development.

Unjust punishment :- Punishment should be just and proportional. If not the child loses faith in the justice of the parent or teacher and hence takes refuge in deceit almost all-conscious lying originals in fear of punishment. Further there is a general loss of confidence, which increases the distance between the child and adult to an unhealthy extent and the sense of security of the growing child is shaken to an extent that is perhaps irreparable

Severe and unpropotionate parental punishment leads to more aggressive behaviour in children. A child who has been. Severely punishment by the parent, may go outside the home and be even more aggressive, possibly as a result of the frustration associated with being punishment. The fact that high degrees of parental punishment lead to high levels of aggression outside the home has been confirmed in many studies. The most aggressive boys and girls were those from homes in which parental punishment was frequent

The punishment, which is not just and proportional make the mind of the child avengeful. This will lead to serious defective personality traits in the child. Therefore punishment should be always just and propotionate.

Influence of family background:- “The first and the most important place in a list of environmental factors influencing character development must be assigned to the home”¹² Thus the family back ground and the views, attitudes, character and behavior of parents and other family members are the prime factors, which influences an individuals personality and social behaviour. According to Fromm, the family is the medium through which the society or social class stamps its specific structure on the child, and hence on the adult.

The number of members in the family is also an influencing factor on the personality of the child. “Single children have also been reported to be more aggressive than those who have brothers and

sisters.”¹³ Thus children from nuclear families are more prone to aggressive behaviour than children from large families.

Parent models:- According to Bandura, children develop many behaviour merely by watching their parents and significant others in their environment, a process called modeling or observational learning. A child’s behavioural pattern therefore is often acquired through the modeling or limitation of other people, real and imagined in the child’s environment. Since parents are powerful models, we would expect aggressive parents to have aggressive children. Thus one of the first and most influential situations in the formation of aggression is obviously the family. The acts of aggression and violent behaviour of the parents and other family members influence the children and such children show aggressive behaviour. In short children learn by observation the good and bad, right and wrong in the parental behaviour and the child try to imitate unknowingly the same. The child absorbs ideas by suggestion, that is to say, with out criticism. He is especially impressionable to suggestions form his mother or father, adopts their mannerisms, and responds with the same emotions to the same stimuli. Say for example, in the presence of a sick man, a child watches the father, adopts his attitude whether of pity or disgust and will thereafter react according to this emotional response of the parent. Thus the process of imitation plays a great role in the character formation of the child.

Weak parental supervision: - A child should be reared under strict parental supervision. The quality of parental supervision is a

determining factor in the character building of a child. Thus weak parental supervision causes abnormality in the personality development of a child.

Parental Approval: - Approval seeking is a self defeating need. In order to encourage freedom from the need for approval in an adult, it is helpful to give the child an abundance of approval from the very beginning. However if a child grows up to feel that he cannot think or act without first securing the permission of the parent, then the neurotic seeds of self-doubt are early planted.

Social and economic disadvantages of parents: - Social and economic disadvantages of parents, such as poverty unemployment, poor housing, over crowding etc. affect the personality development of a child. It is found that these disadvantages help to cause parental difficulties and hamper good parenting.

Lack of affectional bond: - Essential for mental health is that a child should experience a warm, intimate and continuous relationship with his mother (or permanent mother substitute) in which both find satisfaction and enjoyment. Parental coldness and rejection, minimal involvement with the child and lack of shared leisure time are all predictive of delinquent behaviour. The affectionate bond or tie that an infant forms between himself and his mother figure- a bond that tends to be enduring and independent of specific situation. The belief of many child psychologists is that the development of the bond is not

inevitable and that its absence has important psychological and behavioural consequences one of which may be antisocial behaviour.

Thus the lack of affectional bond has got an adverse effect on the personality development of a child. In short it is argued that the emotionally deprived child becomes the criminal who offends with out remorse for his victim.

Unscientific method of discipline: - Parental discipline also appears related to juvenile delinquency. Inconsistent or physically harsh discipline in the home may result in more delinquency than consistent and reasoning form of discipline. Button (1973) found high correlation between the severity of physical punishment and the amount of severity of antisocial aggression displayed during adolescence.

Buss (1966) described two types of parental behaviour he felt, are conducive to psychopathic patterns. In the first type parents are cold and distinct to the child allowing no close relationship to develop. In the second type, discipline, rewards and punishment are inconsistent and capricious. Instead of learning right from wrong the child learns to avoid blame and punishment by lying or by other manipulative means.

“When discipline at home is lax, neglectful, erratic, inconsistent, overly harsh or punitive, it is found to be predictive of adolescent delinquency and aggression”¹⁴ Many psychological theories refer to faulty parent-child relationships, such as abnormal experiences in early childhood having a lasting effect and influence on personality.

"Studies in this area have indicated that too strict and too lax parental attitude increase the risk of delinquency (the work of John Bowlby for example) they have found that if a young child is deprived of close personal relationships with parents or parent figures then problem behaviour is more common. It is well established that in the delinquent-prone, home discipline is more liable to be too lax, strict or erratic"¹⁵

Thus in short, scientifically, discipline in home should be accompanied through reasoning, not through physical beatings.

Lack of proper guidance: - Eysenck is asserting that increase in crime may be traced directly to a permissive society where parents teachers and significant others do not take seriously the task of imposing upon children a conscience that will lead them to behave in a socialised manner.

Thus guidance from parents, teachers and significant others are an important factor in the character building of a child. Through proper guidance and correct direction the personality of a growing child can be developed in a socialised manner.

Family conflict and disharmony: - According to Loeber and Dishion, children from families characterised by employment problems, disorganisation and instability, inadequate supervision, conflict and disharmony and poor parent- child relationships are much greater risk of becoming delinquents than children from families with out these problems.

Deviant parental values may be followed by family conflict because parents overlook trivial conduct problems, seeing them as age-appropriate. The children then move to more serious antisocial behaviour, at which point the spouses are pitted against each other in mutual blame and undermining. Family conflict may be followed by neglect; problematic behaviour by a child persists for a long period resulting in parental dislike for the child and a lack of persistence in effective discipline. Neglect or conflict may follow family disruption. For example after chronic discord parents are more coercive, or are so absorbed in their problems that they exercise less and less effective supervision. There may be cumulative effects of family handicaps. Multiple Family handicaps increase the risk of later delinquency.

Thus family conflict and disharmony plays an important role in the formation of defective personality traits in a child, which finally leads to juvenile delinquency.

Wreck of family ties: - Now a days in Kerala the number of divorce cases in the family courts are highly increased; This shows the wreck of family ties. The children of such families are born and brought up in a loveless atmosphere. Due to lack of love, affection, care, concern and guidance from the parents such children are more prone to become the anti-social elements of the society. The result is increase in crimes.

Researches of Elliot, Knowles and canter (1981) shows that both the incidence and prevalence of self-reported delinquency to be higher among youths living with one biological parent than with both.

Boys from 'low-risk' families (both parents present in the early years of life) who were unaggressive were least likely to become delinquent, the most likely were aggressive boys from mother only families. Boys who were aggressive at an early age were likely to become delinquent irrespective of family type. They may have been exposed to inadequate family interactions or were biologically predisposed to aggression, or some combination of the two.

Poor parental supervision, parental absence, parental rejection, lack of involvement, parental alcohol-drinking habit, lack of discipline and guidance, marital discord etc. are the result of wreck of family ties and are powerful and strong predictors of juvenile delinquency. Thus children reared in a home broken by death or divorce (usually the latter) will have defective personality traits and are more likely to be delinquents. According to Bowlby (1949) that maternal separateness and parental rejection are believed together to account for a majority of the more intractable cases of delinquency.

Peer association factors: - Peer association factors play an important role in the character building of an individual. Some children's home situations are so unbearable, aversive and non-reinforcing that the children are forced to find models and reinforcements almost exclusively outside, usually within their peer groups, but sometimes in the form of other adults. According to Loeber, Distion, Hirschi and others peer association is one of the strongest and most consistent single predictors of delinquency. But a healthy peer group contributes to the healthy socialisation process.

According to Philip Feldman that any boy whether bright or dull placed with boys with an existing high level of criminal activity will be more likely to learn criminal attitudes and behaviours than if he were placed with boys with a low level of criminal activity

Assuming that there is some kind of peer group effect, Wilson and Herrnstein (1985) suggest a number of possible determinants .They are:-

- (a) The kind of criminal behaviour
- (b) The kind of youth.
- (c) The kind of group.

(a) The kind of criminal behaviour: - Breaking and entering, drug and alcohol abuse and vandalism are often carried out in groups; stealing small sums; selling drugs and robbery are more likely to be solitary offences.

(b) The kind of youth:- Richards, Berk and Forster (1979) suggest that peer influences are greatest for youths from upper-middle class backgrounds for whom the shared "fun" of law breaking is more important than the proceeds, if any, of crime.

(c) The kind of group:- An organised gang with a name and emblem ritualised initiation ceremonies and a specific "turf" to defend provides a much more powerful set of social reinforces for members than does a causal group of friends who meet for the occasional beer.

It is important to add that observational learning (people learn through the observed experiences of others as well through their own direct experiences.) is likely to play a key role in all peer group influences relevant to delinquent behaviour. Family variables are also likely to interact with peer group influences. Patterson and Dishion (1985) found that poor parental monitoring and low levels of academic skills, as well as deviant peers, combined to produce increased levels of delinquent behaviour.

Steinberg (1986) found that those boys who relatively removed from adult supervision were more susceptible to peer pressure to engage in antisocial activity than their colleagues who were under close supervision. Boys who went straight home after school; even though they were alone rather than with their parents (who were still at work) were less susceptible than those who went to a friend's house. In turn, the latter were less responsive to pressure.

Thus it is a basic fact that a person's character can be determined by looking at his friends. The influence of peer association is so strong that a person's way and style of life can be changed by it whether for good or bad. In short, association with criminal minded peers influences a person's social behaviour in terms of criminality.

Delinquent behavior and adult criminality:-Various conditions, singly and in combination, may be involved in the development of delinquent behavior. According to Gerald Patterson there are four

family interaction patterns associated with later delinquency. They are:-

(1) Poor disciplinary techniques involving either over involved nagging or indifferent laxness.

(2) Lack of positive parenting and affection toward children.

(3) Ineffective parental monitoring of a child's behavior.

(4) Failure to employ adequate problem-solving strategies to reduce stress and irritability within the family.

“Children who become seriously involved in criminal activity are very likely to continue their criminal patterns into adulthood”¹⁶. The studies by Mc Cord and Zola on adult law breakers show that their mature behavior has usually been foreshadowed by delinquent acts committed as early as between the ages of six to ten.

Remedies to these harmful patterns involve warmth and supportiveness combined with consistent enforcement of clear rules for proper behavior. The correct and proper moral treatment given at the ages from five to thirteen will enable the child to grow into an adult without being a juvenile delinquent. “The child's development of internal controls[moral-ethical values] is an important factor in the elimination of juvenile delinquent actions”¹⁷ Unfortunately, these methods are not likely to be practiced by parents whose own traits reflect the predispositions they have passed on to their children. There

fore such children face the double whammy of problematic predispositions coupled with inadequate parental control.

The interaction between biological factors and early school experiences also play an important role in delinquency. The impulsive, poorly socialised children of lower intelligence are more directly at risk for criminality. Their interaction with cold, indifferent and undisciplined schools that do not foster educational achievements is an additional liability that discourages traditional social conformity.

Status frustration:-It is usually found at schools and colleges, the problem figures come from lower class and low middle class families which are educationally, culturally and financially backward. The eminent social psychologist Albert Cohen's sub-cultural theory explains it as 'status frustration.'

Cohen looks to the educational system for his explanation of sub-cultural theory of delinquency. Schools, he argues, emphasise and embody middle-class values. Thus individuals socialised into the working class will suffer from status frustration, and will adopt an outlook set on turning the middle-class value system on its head. Anything, which the school sees as wrong the working class delinquent will see as good, delinquency is explained as a direct denial of middle-class values. Working-class boys suffer disadvantages in the educational system and are not brought up to accept the values of this system, they are likely to reject the school values and form a delinquent sub-culture.

Educational factors: - Educated criminals are more dangerous than uneducated ones. Their actions are always well planned, properly prepared and correctly organised and they are fully aware of the consequences of what they do. Instead of using muscle power and direct fight, they use brain power and misuse their knowledge for doing criminal activities.

It is found that education itself does not prevent a person from doing a crime, because as far as Kerala is concerned education and culture are entirely different aspects and the educational system at present does not make a person actually cultured and civilised. In fact an average Keralite is lamentably lacking the irreducible minimum of discipline, decency, decorum and dignity in social life. For example whether in schools or colleges or in Government offices or in industrial sectors, or even in a bus stop he/she does not have the minimum discipline. Thus indiscipline has become the symbol of Malayalee's social character, in all the walks of life. Every where plays his selfishness in front. This shows that there is a basic fault in our educational system.

At the same time lack of education also is another reason for the increase in the number of crimes. Educated criminals can easily cheat the ordinary people who are poor, innocent, ignorant and uneducated. So also it is found that usually uneducated people are more short-tempered and with less thinking capacity. Usually their temperament deceives them. They can be easily provoked, which may lead to a social agitation, results in mass social crimes. Agitation

and social crimes, both political and communal in the coastal areas of Kerala are examples for this.

Narcotic Factors: - The influence of narcotics and psychotropic drugs like hallucinoids and barbiturates play a prime role in increasing criminality. The use of narcotics and psychotropic drugs promote the criminal tendency in a person. Narcotics and psychotropic drugs make the users addicted to it, which finally lead that person either depressed or aggressive. Usually it is found that an addicted person becomes the part of that business. It is reported that in many murder and suicide cases the accused was under the influence of narcotic and psychotropic drugs. The relationship between drugs and crime may be viewed from two perspectives:(a) The use, sale and possession of an illegal drug as a crime and (b) the effect of drugs on anti-social behaviour.

There are three major categories of psychoactive drugs:-

(a) **The hallucinogens or psychedelics:-** Include L.S.D. Marijuana, Hashish, Mescaline, Ketamine etc. They are so called because they generate hallucinations; the hallucinogens are chemicals that lead to a change in consciousness involving an alternation of reality.

(b) **Stimulants:-** They appear to stimulate central nervous system functions. They include amphetamines, clinical antidepressants, cocaine, caffeine and nicotine.

(c) **Sedatives or opiate narcotics:-** Generally has sedatives (sleep-inducing) and analgesic (pain-relieving) effects. Heroin will be

featured in this section. The heroin addict appears frequently in crime statistics, since he or she often turns to crime-particularly property crime-to finance this expensive habit. Thus male heroin addicts are often involve in thefts and female addicts in thefts as well as prostitution.

The relationship between drugs and crime is complicated by a threefold interaction.

(a) The pharmacological effects of the drugs, which refers to the chemical impact of the drug on the body.

(b) The psychological characteristics of the individual, using the drug,

(c) The psychological conditions under which the drug is taken.

The cultural, sub-cultural and racial aspects of drug consumption further complicate the relationship between drugs and crime.

"Research strongly indicates that addicts do not, as a general rule participate in violent crimes such as assault rape or homicide (National Institute on Drug abuse, 1978, Canadian governments commission on inquiry, 1971, National Commission on Marihuana and drug abuse, 1973, Tinklenberg and Stillman, 1970) However according to some other researchers there are strong connections between property crimes and heroin addiction." ¹⁸Cannabis, which includes Marihuana and Hashish, is a relatively mild-

hallucinogen with few psychological or physiological side effects. No significant relationship between cannabis use and crime has been consistently reported in the research literature. If anything marijuana seems to reduce the likelihood of violence, since its psychoactive ingredient, THC, induces muscle weakness and promotes feelings of lethargy.

Amphetamines and cocaine represent the stimulant group. Most illegal users do not participate in crime other than the possession or sale of these drugs. However several studies have found correlation between violent offenders and a history of amphetamine abuse.

Alcoholic factors: - Though alcoholic drinks directly do not play an important role in increasing the number of crimes, it gives reckless courage and fearlessness to do crimes, especially in the criminal minded persons. Alcoholic drinks intensify the person's criminal thoughts and activities and reduces his thinking capacity. Alcohol makes him to forget about the afterward effect of his deeds and actions. Thus alcoholic drinks itself does not lead all too criminal activities, but atleast in very many cases it acts as a booster in doing criminal activities. In many of the reported murder cases, it is found that the accused was under the influence of intoxication from alcoholic drinks.

As to alcoholism, there is no doubt that it, too, is a symptom of mental and emotional instability. The high frequency of suicide alone indicate a lack of mental health in a population. It is a fact that suicide and alcoholism figures largely coincide, seems to make it

plain that they are symptoms of mental unbalance. The immoderate consumption of food, drink and the use of drugs are wrong because they weaken our ability to act rationally and morally.

Alcohol will represent the sedative hypnotic chemicals that depress central nervous system function. In most instances the sedative hypnotics are all capable of sedating the nervous system and reducing anxiety and tension.

Alcohol lowers the alertness of the cerebral cortex of the brain, which in turn lessens its censorship over the primitive, sub-cortical regions of the nervous system. This facilitates inappropriate antisocial behaviours usually held in check by the cortex.

Thus under the influence of alcohol, the introverts will do things they normally would not do. On the other hand, even relatively small quantities of alcohol influence the extravert, who functions at a low level of cortical arousal to begin with, toward even more uninhibited behaviour.

At low doses, alcohol seems to act as a stimulant on the central nervous system. Initially it appears to affect the inhibitory chemical process of nervous system transmission, producing in the individual feelings of euphoria, good cheer and social and physical warmth.

In moderate and high quantities however, alcohol begins to depress the excitatory processes of the central nervous system as well as its inhibitory processes. Consequently, the individuals neuro-muscular

co-ordination and visual activity are reduced and he or she perceives pain and fatigue. The ability to concentrate is impaired and the ordinary restraints on speech and behaviour are weakened. Very often self-confidence increases and the person becomes more daring, sometimes foolishly so. In general alcohol at moderate levels begins to numb the higher brain centres that integrate information with judgement.

Coleman (1976) calls alcohol a catalyst for violence. Alcohol plays a large role in violent crime. The Wolfgang findings suggest that people become volatile under the influence of alcohol and the damage increases greatly when both parties i.e. the offender and the victim have been under the influence of alcohol.

It is found that a large portion of offenders was under the influence of alcohol when they committed a violent-crime. Research in psychology laboratory also finds strong evidence that alcohol facilitates physical aggression.

According to pharmacological disinhibition theory alcohol influences the portion of the brain that controls biologically the expression of aggression, specifically by chemically affecting the brain centres responsible for inhibiting aggression. A second version of this theory is the "psychodynamic model" which hypothesises that alcohol breaks down the mechanisms that normally control the universal, innate tendency to harm and be physically aggressive. Both versions contend

that alcohol consumption will increase aggressive and violent behaviour regardless of other factors.

"A survey of united state prisons in 1974 found that 43% of all inmates had been drinking when they committed the crime. (Law enforcement Assistance Administration - 1976). Glaser (1978) estimate that about half of the people arrested on any charge in United States either are under the influence of alcohol when taken in to custody."¹⁹ Study by Wolfgang (1958) on 588 Philadelphia homicides brought the alcohol-violence, relationship into clear focus and stamped it with scientific confirmation. The Wolfgang survey reported that in 9% of the homicides, the victims had been drinking alcohol at the time of offence, 11% of the offenders had been drinking. More importantly, however an additional 44% of the cases, alcohol was present in both the offender and victim.

The Wolfgang findings suggest that people become volatile under the influence of alcohol and that the danger increases greatly when both parties have been drinking. Research continues to support this finding.

Alcohol plays an important role in creating family conflicts, Since alcohol addiction adversely affects the sexual power, the addicts will have a tendency to suspect his own spouse as far as sexual matters are concerned. This leads to family conflict, which in turn leads to physical attack on the spouse with or without weapons resulting in

serious injuries or even murder. Thus alcohol addiction leads to criminal acts and deeds in ones own family itself.

Since alcohol breaks the financial status of a person he may try to make up his financial position by doing property crimes. Alcohol addicted parents become models for their children who in turn may become attracted by alcohol. Thus many crimes both murder and suicide with in the family are the result of alcohol addiction.

In many cases of sexual offence against women, it is found that alcohol played an important role behind it. It is also to be noted that many road accidents are the result of alcohol consumption by the drivers. In short the combination of alcoholism and drug addictions as a secondary diagnosis was common in persons labeled anti-social personality.

Notes and references

5.Bartol Curt R: *Criminal Behaviour, A Psychosocial Approach* (second edition), 1986 p-3

6.Krech David, Crutchfield Richards, Ballachey Egerton L: *Individual in Society, A Textbook of Social Psychology* .1972 .p-119 and 120

7.Bartol Curt R.: *Criminal Behaviour, A Psychosocial Approach*, 1986. p-38

8.Mc Mahon Frank B., and Mc Mahon Judith W.,: *Psychology, The Hybrid Science*. 1982 , p- 386

9. Bartol Curt R.: *Criminal Behaviour, A Psychosocial Approach*, 1986. p-27
10. Dashiell John Frederick.: *Fundamentals of General psychology*. 1937, p- 357
11. Bartol Curt R.: *Criminal Behaviour, A Psychosocial Approach*, 1986. p-35
12. Bartol Curt R.: *Criminal Behaviour, A Psychosocial Approach*, 1986. p-45
13. Jones Vernon, Lewin Kurt, Jones Harold E. etc, Edited by Leonard Carmichael .: *Manual of Child Psychology* . 1954, p- 800
14. Mc Candless Boyd R and Trotter Robert J.: *Children-Behavior And Development...* 1961, p- 437
15. Feldman Philip, *The Psychology of Crime, A Social Science Text-book* 1993. p-196
16. Marsh Ian: *Crime- Sociology in Focus Series*. (General Editor- Murray Morison, 1986, p-14
17. Haas Kurt .: *Understanding, Adjustment, and Behaviour..* 1965, p-107
18. Thompson George. G. : *Child Psychology*. 1965, p-547

19. Bartol Curt R.: *Criminal Behaviour, A Psychosocial Approach*,
1986. p-275

20. Bartol Curt R.: *Criminal Behaviour, A Psychosocial Approach*,
1986. p-276

SOCIOLOGICAL FACTORS

Poulose V.T. "An enquiry into the problem of rising criminality in the state of Kerala and legal and sociological remedies in the present Indian context - A philosophical analysis" Thesis. Department of Philosophy , University of Calicut, 2006

CHAPTER 4

SOCIOLOGICAL FACTORS

Life is faster than before and people want to earn more and more money with in a short spell of time. In this craze for making money and to overtake the neighbouring persons in wealth and richness, people lost their faith in the basic philosophy of morality and ethics of human life. In the crazy venture for amassing wealth people use any method whether legal or illegal, proper or improper, decent or indecent to make money. This illegal, improper and indecent way of making money leads to criminality. The sociological factors can be sub-divided in to the following heads.

Social structure and situation: - We have to see crime and the criminal in relation to the social structure, to specific social conditions and opportunities. Merton's structural theory of crimes explains criminal behaviour in terms of the structure and culture of the society; rather than individual characteristics. In the present day society, we have cultural goals of material success, plenty of money, big house, posh cars, pretty girl, for example. Although the desirability of such goals is constantly stressed by society, different groups in society clearly have different degree of access to them. Certain groups are well equipped to achieve such goals through legitimate means, for example, those with enough wealth and power to transfer to their children. At the other extreme, there are groups who face an enormous task in releasing their goals. It is in these circumstances that there occurs, according to Merton, a situation of anomie, with people striving for goals of material success, but not having the opportunities to reach them through legitimate means. For Morton, such behaviour occurs as a result of a

discrepancy or contradiction between the aspirations which society has socialised into its members (the ends or goals) and the way that is provided for the realisation of such aspirations (means). So people have to devise ways of adapting to this gap between what they want and expect from society and the means they have availed to obtain these things. Morton puts forward five possible ways of adapting to this gap. Firstly conformity-accepting the goals and means. Secondly innovation, which involves the adoption of unconventional methods of chasing the goals, such as through crime, Thirdly ritualism, abandoning the goals but sticking rigidly to the legitimate means of achieving them. Fourthly retreatism, abandoning both the goals and means such as dropping out of society. Fifthly, rebellion, giving up the conventional goals and means and replacing them with new ones.

Chanakya, the author of *Artha shastra* has laid great stress on knowledge and learning. For him through knowledge and learning it is possible to change the views of the society and bring about the welfare of mankind. Chanakya has laid down great stress on social organisation. In fact he wants the society to be properly organised and its objectives kept intact. For this he has laid down the punishment as inevitable and unavoidable. Unless proper punishment is awarded to those who try to disturb the organisation and texture of the society, it shall not be possible to maintain the balance in the social structure. However punishment in the present Kerala society is not severe and criminals, especially professional criminals take it easy and are not afraid of punishment.

Genetic structure and social environment;- “The individual man at birth has no innate or immutable psychological traits or ideological orientations; such as greed, envy, altruism, religious or ethical sense, solidarity feeling for fellow men and others. In fact, these traits and orientations are the products of the subsequent interaction of the individuals genic structure with the particular social milieu in which he lives”²⁰ Thus mans character is formed by the society in which he lives, or in behaviouristic terms, by the social conditioning to which he is exposed. He is moulded by the society for better or worse. “Delinquent or criminal behavior may also occur when an individual is socialised into a delinquent or criminal subculture”²¹. At the same time the nature of a particular society is based on the personal as well as the social character and conduct of the individuals living in that society.

According to Fromm, mere habits of action and thought which develop as the result of an individual’s conforming with the cultural pattern and which are not rooted in the character of a person are easily changed under the influence of new social pattern. If on the other hand, a person’s behavior is rooted in his character, it is changed with energy and changeable only if a fundamental change in a persons character takes place. For such a fundamental change, a person should have some extra-ordinary, or particular or peculiar experience in life which may enable him to have a change in his view points, attitudes and personal philosophy which may lead him to a change in his morale and dignity.

Determinism and Free will:- The word determinism refers to the nature and location of causes of behaviour. In other words what factors 'cause' (determine) behaviour and where they are located with in us? Are they biological factors or drives over which we have little or no control? What causes criminal behaviour? Is it the social environment of parents, peers, institutions and groups, the biological environment of urges and needs or an interaction of both? If both, which is more important? Do mental process cause criminal behaviour?

If the causes of behaviour exist primarily with in the individual (internal determinism), we are correct in trying to change the behaviour of individual criminals. If on the other hand the causes of behaviour exist primarily with in the social environment (external determinism) we should change society to better fit the needs of all individuals

Internal determinism is the belief that we are driven by powerful instinctual drives or biological needs. External determinism is the belief that man is more than a complicated robot, responding reflexively or automatically to environmental stimuli.

"If you believe that the primary determining factor of human behaviour is the environment (e.g.: society) you are endorsing physical determinism or *situationalism*." ²² Thus a situationist argues that criminal conduct results from one or a combination of variables found in the society or the immediate environment, reinforcements, the media, institutions, organisations, parents or peer groups, for example.

Social class:- “The statistical evidence suggests that there is some association between crime and social class”²³ Generally low social class is more prone to criminality. This is perhaps the low social class is liable to be linked with other factors, perhaps parental criminality deprivation or inadequacy of some kind which might predispose individuals brought up in certain social classes toward criminality.

Another sub-cultural type theory that stresses deprivation and develops and draws on the work of Merton and Cohen is that of Cloward and Ohlin. Briefly Cloward and Ohlin argue that there is greater pressure on members of the working class to behave criminally or delinquently due to the fact that they have less opportunity to succeed by legitimate means. They agree with Cohen's argument that working-class boys are likely to form and join delinquent sub-cultures, but they feel he has not taken account of the different and specialised types of subculture that exist. They suggest that the potentially delinquent individual may respond to his situation by joining one of three types of subculture, a criminal sub-culture, where delinquency is linked with adult criminality, a conflict sub-culture which occurs in areas where links between juvenile and adult criminality are not established and thirdly, a retreatist or ‘escapist’ subculture. Thus it is found that a good percentage of criminals are from low-class and low middle class families which are financially culturally and educationally backward.

Lack of Socialisation:- To get socialised means to obey the social norms and rules of the society and to behave accordingly. It is found that people who are not adequately socialised display criminal behaviour. The people who are not socialised will be lacking the feelings of obligation and responsibility towards the society in which they live and they act against the social norms and rules of the society.

Cultural factors:- The culture of the society shows its way of thinking and the kind of its learned behavior and characteristics. Our present day culture is fostering capitalistic and male-dominant ideology. Human beings lose their actual existence and become sheer commodities. This is more applicable to the female population of the society. They are subjected to both economic and sexual exploitation by the contemporary mass media. A vast male population of the contemporary society approach women as sex objects.

According to some sociologists it is poverty which leads to criminality. But if accept that view then there arises a question whether all poor people are criminals or criminal minded and rich are not so? But it is not so. We cannot say that all poor people show the tendency of criminality. As far as criminality is concerned there is no difference between poor and rich because criminality is not based on financial status. It is found that there are criminals from both poor and rich. Thus in fact it is not poverty, but culture of the people that lead to criminality.

“A culture that encourages aggressive action is more likely to bring out innate, biological aggressive tendencies than one that discourages it.”²⁴

Unhealthy competition:- In modern society, men are continually in competition for earning wealth. However the unhealthy competition consequently leads to personal envy, grudge and hatred. This leads to conflict between individuals and finally to unlawful and criminal activities.

The evil of consumerism:- The phenomenon of ‘keeping up with the Joneses’, living for an endless succession of consumer goals, each of which is pursued as the one thing needed to make ones life complete. The immersion in the pursuit of the next commodity, and the fact that the acquisition of it, is immediately succeeded by the emergence of a new desire. Thus he become the victim of consumerism. The desire for the unaffordable commodities and amenities force him to find out enough sources of money, in which, if he fails, his mind turns to illegal ways and means.

Influence of mass media: - Including television, movies, magazines, newspapers and books provide abundant symbolic models. Television pervades the life of the growing child, even the very young one, and offers hundreds of potentially powerful aggressive and violent models in a variety of formats.

Researches of Letkowitz, Eron, Walder and Hewsmann, (1977) shows that aggressive children watch more television than non-aggressive children.

Many social scientists like Bandura, hold strong opinions, typically unfavorable about the influence of television. There is no longer any justification for equivocating about whether children or adults learn techniques of aggression from televised models. People who watch television for any length of time will learn a number of tactics of violence and murder. Television is a superb tutor. It teaches how to aggress and by the way it portrays the functional value of aggressive behaviour.

Wilson and Herrnstein (1985) suggest that at best there may be a significant correlation between TV viewing and aggression for aggressive children with low I.Q.'s who spend more time watching than the average, particularly material which is both simple and violent.

Situational and physiological factors:-Situational and physiological factors also contribute significantly to aggressive behaviour. Aggressive stimuli crowds, pollution, temperature, smells and central nervous system pathology all must be entertained as possible contributors. The situational and physiological factors can subdivided into the following heads

- (a) Mob-behaviour and crowd violence.
- (b) Sound pollution.
- (c) Air pollution

(a) **Mob behaviour and crowd violence:** - Let us examine what happens to the self-regulatory mechanisms of normally gentle people caught up in a madding crowd. The crowd, it seems often robs the individual of his or her identity and consequently his or her usual reliance on personal standards of conduct. Some of the most violent behaviour is exhibited, not by single individuals, but by excited groups, especially large ones. Physical assaults that occur in the midst of riots or demonstrations, vigilante-instigated lynchings or beatings, gang rapes and public stoning all illustrate this mob violence.

According to Zimbardo, the aggressor loses individuality to the collective mind of the crowd; he or she neither feels compassion nor considers the circumstances. The victim may plead, beg, cry or scream, but these stimuli will have little effect on the crowd behaviour.

According to Diener (1980) a person's normal self-regulatory behaviour is reduced by the unusual and exciting activity of the crowd and that this reduced private self-awareness creates an internal state of deindividuation. In crowds people do report a strong loss of individual identity, and overwhelming tendency to concentrate on the moment rather than the future, and substantially altered thinking and emotion. (Prentice-Dunn and Rogers, 1983). They become less aware of thoughts, moods, bodily status and other internal processes.

According to Diener since deindividuation does not pay attention to their internal processes, including their self-regulatory capabilities, they depend more on environmental cues for behavioural

direction. Thus when aggressive and violent cues are present, they are far more likely than usual to engage in violence.

(b)Sound pollution: - According to Konecni (1975) loud, unpredictable or complex noises may influence aggressive tendencies. For example, Konecni (1975) found that angry subjects exposed to loud or complex noise became more aggressive than angry subjects exposed to soft and simple noise. Apparently, the additional arousal instigated by the noise adds to the arousal effects of anger already felt by the subject. This increase in arousal level presumably facilitates aggressive behaviour.

(a)Air pollution:- According to Jones J .W. and Bogat air pollution becomes a reason for aggressive character in some persons. According to the studies of Jones and Bogat, 1978, that individuals exposed to cigarette smoke are more aggressive than individuals in clean-air conditions.

Urbanisation:- With the tremendous progress in science and technology, rapid industrialisation and urbanisation has taken place. This has given rise to crowded cities and towns in which individual is lost. In cities, every thing is fast and human life has become mechanised. Thus in cities all personal values and individual likes and dislikes are altogether lost. Thus science has made the value of man negligible with the growing application of technology and consequent increase in the mechanisation of life; there is growing despair in the minds and hearts of men. The result is that each and every person has

become a stranger to others. Thus in thickly populated places like cities life is so fast that nobody is having time to think or care about others. People are more self-centred in cities. Whatever thing happens in the neighbourhood whether theft, robbery or even murder, nobody cares, because of lack of interest in other's matters. This mentality of the city dwellers is a boon to the thieves and robbers. Thus urbanisation is an important factor which increases the number of crimes.

“Ross points out that rural areas have a lower crime rate than cities”²⁵. It is a fact that the crime rate is higher in urban areas than it is in rural areas and the larger the urban area, the greater the crime rate is. It is likely to be easier to commit crime in urban areas in that; it is easier to be unnoticed and to remain anonymous in such areas. In rural areas there is a tendency for many of the inhabitants to know one another, strangers are highly visible and liable to cause suspicion. But in urban areas the effectiveness of informal social control is reduced. In rural areas it might be that people will tell the parents of youths whom they see committing some offence, and although crimes may be committed they will often be dealt with informally and so will not figure in the criminal statistics.

"According to Coolli (1908) social disorganisation is due to urbanisation. The dynamic forces that bring about social disorganisation also produce disorganisation not only of the individual but also of the community. Crime, unemployment, venereal diseases, divorce..... are all indices of different aspects of a disorganised society. Some of these relate primarily to the disorganisation of the

individual, others to that of the family and still others to that of the local community."²⁶It is a general belief that city is the centre of crimes. The life of professional criminals in cities depends on criminal activities. The city population has great mobility and people of varied belief, castes live in the cities and go on without feeling of any attachment for others. Industrialisation leaves its effect on the cities and due to shortage of houses; many slum areas come into being. The poor people, who came in search of jobs, have to work as labourers and reside in slum areas. They came in contact with criminals and they themselves become criminals, which results in the increase in criminality.

The accumulation of population with different and varied cultures and beliefs in city results into cultural conflicts and criminal acts and make ground for the same, has become the life of the city. Prostitution, gambling dens, illegal means of entertainment and recreation etc. are characteristics of city criminality.

In cities large population is of single males, because their families live in the villages. After coming from the hard work of the day and due to lack of healthy entertainment and recreation they are attracted towards prostitution, drinking, gambling etc. There is more criminality and corruption in metropolitan City like Kochi than in small towns. This is because in a metropolitan city criminals can easily change their identity, names, and appearance and hide themselves in the crowds. It is also found that the problem of juvenile delinquency is more acute in cities, especially in the backward areas and slums.

According to Ross the broad socio-economic environment rather than the characteristics of the culture is mainly responsible for crime. The children in slum areas are not given due place in the society and are looked down by others. They are poor, financially and educationally backward and they are devoid of love, affection, care and concern. All these things make the children mentally disturbed and then he wants to take revenge on the society. In this way he is easily prone to juvenile delinquency.

At the same time parents of the well to do families in cities are over-busy and therefore they are not able to care their children properly and there is a lack of vigilance over the child, with the result that the children roam as they wish, there is no control over them, and they come in contact with bad elements of the society. The result is that the children become prone to criminality.

Moral Laxity in Women:- Moral laxity in women both in married and unmarried leads to crimes. A very good percentage of unmarried women in Kerala have pre-marital sex relations. So also a very high percentage of married women have extra-marital sex relations. According to a social survey report by the famous social psychiatrist Dr.K.S, David, it is found that eighteen percent of the college girls are having pre-marital sex relations and thirty-three percent of the married women are having extra-marital sex relations. After marriage if the husband comes to know about the history of the pre-marital relations of the wife, then usually that husband becomes unable to love and believe his wife blindly as before. He starts to suspect her and there begins the

torture both mental as well as physical. The result is either to live together as enemies under the same roof or divorce of the parties. In some cases it leads to death of the wife either suicide or murder by the husband. So also is the case of extra marital relationship of married women. Usually it leads to divorce of the parties and in some cases result in the murder of the wife by the husband. Now a days in our society so many cases of death are reported either suicide or murder, due to dowry problems. However it is a fact that at least in some cases the pre-marital or extra marital relations of the wife is the actual provocation factor behind the murder.

According to some sociologists the moral laxity of Kerala women is due to the influence of the western culture. But in fact it is not the real reason. In fact there are mainly only two reasons. One is the lack of sex education and knowledge and secondly the lose of belief in the basic principles of moral and ethical philosophy.

The pre-martial relationships of school and college girls lead to flesh trade. The result is the growth of many sex racket gangs in the state. Many young girls are either sold out in flesh trade or even killed by such underworld gangs. Actually it is not monetary aspects that attract young girls to flesh trade, but they are persuaded by either unfair love affairs or by chances in films or T.V. Serials.

Geographical factors:- It is the geographical factors that direct, guide and influence the human behaviour, social conditions, and other things. Advocates of this theory are the view that cultural pattern, civilisation,

economic, political and social conditions are the result of the geographical conditions. Thinkers like Plato, Aristotle, Confucious, Cicero, Augustine, Aquinas, Machiavelli etc. could be included amongst the advocates and protagonists of this school.

All other things including the human desires born of human behaviour are the ways of life that result from geographical factors. Geographical conditions; according to the advocates of this school are the forces and factors that are above and beyond the control of man. They include land, climate, vegetation, temperature, rainfall, weather etc. According to this school of sociology, it is the geographical factors that are responsible for the social organisation and social conditions. Thus geographical and climatic conditions affect the character and social behaviour of individuals. Usually it is found that people residing at hilly areas show low tendency of criminality. But people nearer to the coastal areas show more tendency of criminal behaviour. Accordingly the number of crimes reported from coastal areas are higher than that from hilly areas. The work and livelihood of the people of coastal areas depend on the sea and fishing is the only way for their livelihood. Their work is very hard and risky. This makes their minds hard and tough. So also the socio-economic-cultural and educational condition of the coastal population is comparatively lower than that of the population in hill areas. People of hill areas are related to cultivation. Since cultivation is a productive work, it gives mental satisfaction to the cultivator and therefore the mind of the cultivator is less hard and smoother than that of a fisherman. More over the

population density in hilly areas is low, where as the same in coastal areas is predominantly high. Due to high density of population, coastal areas are congested and therefore the actions and interactions between individuals in such societies are more rapid and intensive. However in hilly areas generally these actions and interactions between individuals in the society are smoother and less intensive and it is found that people who are related to cultivation are generally less prone to criminality.

Religious factors:- In all religions there will be a small percentage of fanatics. These fanatics do criminal activities on behalf of their religion. However this sort of crimes are rather rare in Kerala. Yet riots relating to religious groups have been reported in Kerala at times from the coastal areas of Quilon, Trivandrum and Calicut districts.

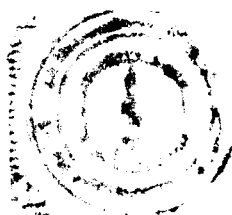
Financial factors:- Finance is one of the most important factors, which leads to the increase in crimes. Unemployment and shortage of finance lead many youngsters to the field of criminal activities like smuggling, narcotics business, production transport and sale of illicit liquor, fake currency note printing and distribution, etc. The actions and interactions between these criminal groups also increase the number of crimes like kidnapping, fights using deadly weapons, murders etc.

So also there are a lot of criminal gangs in Kerala who are ready to do any criminal activity at the demand of any person who are ready to pay them money in lumps. These gangs are under the protection of political parties and the police are unable to take any action against them due to the interference of the political leaders.

It is also found that most of the suicide cases which includes a family altogether is based on financial as well as unemployment problems. According to some sociologists the increase of prostitution is due to poverty and unemployment. Some other sociologists point out that it is due to the development of tourism. But these are not the actual causes of prostitution. In fact it is unfair love affairs which led most of the women in to the field of prostitution.

Political factors:- It is found that almost all political parties play Machiavellian politics. "No political party has been free from encouraging violence for the ends of the party"²⁷. To them it is end that matters not means. To achieve their ends, they use any undesirable means including various types of criminal activities. Each political party is having its own underworld gangs and they use weapons against their political rivals. Politicians support all sorts of criminals to protect their "vote banks" Many political leaders as well as the political parties give security and support to underworld gangs. It is a pitiful fact that the underworld groups bribe many political leaders. So also many political leaders and underworld gangs go hand in hand with mutual understanding and co-operation. Thus the politicians and political parties protect criminals. This attitude of the political parties plays an important role in increasing crimes. It is a cruel fact that a good percent of the politicians are criminals. They are after money and power. For this they do any cruelty against the opposed using deadly weapons. Thus the number of political murders in Kerala is very high. The conflicts between individual ends and those of the ruling party have

NB 4986



engendered political instability, disorder and terrorism approximating to anarchy in the professed order of state. The reduction of crime and the protection of society from the criminals are the most important responsibility of the state, in which it failed.

According to Plato, one of the main political and social problem was the selection of really superior men and the transference of political power to them. To Plato the qualities of mind and character that make a superior man are, concern with this world and its affairs, an interest in nature and in the political process, a thoroughgoing rationalism and curiosity.

Bureaucratical factors:- A corrupted bureaucracy is present in Kerala. Every where there is bribing, corruption and nepotism. It has become a way of life in the case of many Government employees and officials. A very good percentage of the Government employees and officials are corrupted and they have no sense of guilt regarding the same. Many government officials think that bribe is their birth right and they will have it. Thus most of the bureaucrats are led to lose the sense of guilt i.e. self-criticism, self-blame, and self-remorse about bribing and corruption.

Chanakya, the author of *Arthashastra* expressed views in detail about the functions and obligations of different officers of the state. According to Chanakya these officers must discharge their duties properly. He has also prescribed that if the officers do not discharge their duties properly they should be penalised and punished. However a

good percentage of the staff and officers of the bureaucratic system in Kerala are totally corrupted and every where there is bribing, corruption and nepotism, Nobody is ready to do their duty sincerely and do not have a dedication to their work. They are not afraid of their such deeds, since the political or union leaders will protect them from law. Thus the officials who do not do their duty properly and sincerely are not punished in our society. So also only in rare cases the government officials are punished for corruption and bribing. Therefore nobody is afraid to receive bribe in our present society. Now the social crimes like corruption, bribing, nepotism etc. has become a life style of the bureaucrats. In short the absence of severe punishment made corruption and bribing nationalised in Kerala.

Such crimes seem to require some subjective justification on the part of the person. He or she does not perceive of his or her conduct illegal or even unethical. Edwinlf Sutherland coined the tern white-collar crime in 1940. Bribery and corruption are white-collar crimes.

Blue collar crime:- Generally focus on two problems-employee's theft and counter productive behaviour. The first involves direct illegal activity. The second involves conduct that hurts the business less directly, but perhaps as seriously. The reason for employee's theft is that they do not feel any commitment or loyalty to the organisation, probably because they do not expect to spend their lives in that situation. High levels of thefts and counter productive behaviours are also found among employees expressing dissatisfaction with some

aspects of their employment, especially with their immediate supervisor.

Investigation factors:- In many criminal cases the police does not catch the culprits and in some cases they are not even detected. We cannot say that our police force is totally inefficient. A very good percentage of the police officials are sufficiently efficient in crime detection. But political pressure or the influence of money plays the role in making the police inactive. Due to these reasons true and proper crime investigation became impossible. Thus the inactiveness and irresponsibility of the police in investigation helps the criminals to escape from the hands of law. This makes the criminals to do more and more crimes with out fear of law.

Legal factors:- A very good percentage of the crimes cannot be proved in the court of law due to the absence of solid proofs, concrete evidences and enough witnesses. In many cases the eyewitnesses are not ready to give the true statements regarding what they saw. This is because they are afraid of the culprits. So also they may be even threatened by the culprits and their people. In many cases the police fail to point out the correct and accurate circumstantial evidences which points only to the accused. In such cases there arises the question of doubt in prosecution. The accused will be acquitted free due to this. Usually the police do not charge the cases honestly. In many cases we can see the foul play of the police. In many cases it is found that they charge only the mild sections which are less severe in punishment by accepting money or other rewards as bribe from the culprits or their

people. At the same time they even charge cases against the people who are really innocent. It is also found that many police officers do not keep the instructions given by the Supreme Court of India regarding arrest of an individual. Abusing and insulting the complainants or the accused in the police stations are a normal routine. So also torture in lockups has been increased to a great extent. Torture is a dangerous means of arriving at knowledge of truth.²⁸ "There are guilty men who have enough firmness to hide a true crime and innocent victims who are made to confess crimes of which they were not guilty." In proving criminal cases police must not resort to torture without due consideration.

Lack of proportional punishment:-Another important point to note is that punishment for crimes are not severe. For example even if a murderer is sentenced for lifetime imprisonment, he may have to be in jail either eight or ten years or even less than that. This makes a criminal to think about punishment as simple and easy. Therefore penalties and punishment should be proportional to the offences. For that the law should be reformed. "And reform, in the strict sense, as it was formulated in the theories of law or as it was outlined in the various projects, was the political or philosophical resumption of this strategy, with it's primary objectives: to make the punishment and repression of illegalities a regular function, co-extensive with society, not to punish less, but to punish better, to punish with an attenuated severity perhaps, but in order to punish with more universality and necessity to insert the power to punish more deeply in to the social body".²⁹

Lack of social response against crimes: - Generally common people do not respond against social crimes. So also they will not co-operate with the police in crime prevention as well as detection. The unscientific attitude and indecent approach of the police compel the general public for such non-co-operation. Moreover common people do not want to poke their nose into unwanted things, as they think so, because they are not interested to take such risks. This mentality of the general public gives the answer to the social frigidity regarding response against crimes and this sort of social frigidity gives chances of promotion of criminality in the criminal minded.

Social attitude towards ex-criminals: - The negative attitude of the society towards the ex-criminals is also an important factor in increasing crimes. Many ex-convicts who seek an honest and law-abiding life are spurned by their families as well as by the society at large and are labeled “ex-cons”. Also the police hunt them for crimes in which they may not have any part at all. Moreover there are no social institutions, at present, which can rehabilitate the ex-convicts. Frustrated in their effort to lead a new good life, they are compelled to adopt the label of ex-con and engage in further law breaking.

Pressure of social circumstances: - In many cases it is found that some people became criminals due to social circumstances. Basically such people are not born criminals. Circumstances makes them criminal minded. For example if a guiltless and innocent person is tortured for nothing, by police authorities, misunderstanding him as a culprit, then automatically his mind gets filled with vengeance, which

in turn lead him to criminality. Such persons think it is better to get punished by doing some crime than getting punished by without doing it. So also the police for small, tiny and petty crimes torture many people. This makes such people to become professional criminals. Actually most of the police officials do not know the basic principle of criminal sociology and criminal psychology.

Circumstances play a great role in the destiny and fate of a human individual. The book *Saint Genet* written by Jean Paul Sartre explains how circumstances change an innocent individual to a criminal.

According to the famous English writer Thomas Hardy, human actions are not free from external forces. The malevolent and malicious, ironical and fatal chance is as it were an invisible third party in all the relationships of human beings. It is an obscure, adamant and uncompromising cruelty lurking in the universe. It is chances and coincidences, which decide and determine the destiny and fate of each and every human being in the world.

In his eminent novel *Tess of Uvervillis or the Pure Women* Thomas Hardy presents a picture of real life of an innocent girl whose life was spoiled by the cruelty of circumstances. Tess was an innocent virginal teen-ager with an immense essence of innocent perfection. She was humble and simple, poor and ignorant, with noble traits. She was the symbol of discipline, decorum, dignity and decency. But the cruel and ironical circumstances made her to kill a young man, who raped her

at the age of fourteen and she was hanged to death at the age of seventeen. In that novel Thomas Hardy superbly and beautify explains how chances and coincidence changes the normal track of human life and how a young innocent girl becomes a murderess.

Action and interaction between individuals in social life: - In many cases the occurrence of a crime is the result of actions and interactions of individuals in the society. These actions and interactions sometimes lead to conflict between individuals. "Conflict seeks to destroy or incapacitate the opponent or the opponent's advantage. Thus conflict has a threat orientation".³⁰ Many a person is compelled to do an anti-social activity or crime due to the mental compulsion produced by the deeds and action of other individual or individuals. For example if an innocent person is cheated or tortured by other individual or individuals purposefully then that person is compelled to react which may result in crimes like physical assault, murder etc. Many crimes are reported which occurred only during self-protection.

Often, a specific aggressive act is either provoked or facilitated by the behaviour of the person who eventually becomes the victim. Specifically what begins as a heated argument develops into a physical violent brawl-a process called escalation. Thus verbal attacks often lead to physical retaliation and violence. The implication is that in some crimes, the behaviour of the victim plays a role in escalating the offender's actions. Many violent incidents occur between family members or between persons who know one another well. According to

Baron R.A.(1977) escalating anger and arousal between the participants, often ending in serious injury or even death.

Notes and references

- 21.C.G. shah.: *Marxism, Gandhism, Stalinism*, 1963. P- 13
- 22.Mc.David.John W. and Harari Herbert.: *Psychology and Social Behaviour* 1968. p-121
- 23.Bartol Curt R.: *Criminal Behaviour, A Psychosocial Approach*, 1986. p-8
- 24.Marsh Ian: *Sociology in Focus Series*, (General Editor-Murray Morison), 1986. p-64
- 25Bartol Curt R.: *Criminal Behaviour A, Psychosocial Approach*. 1986, p-9
- 26Klineberg Otto.: *Social Psychology* . 1940, P-537
- 27.Usha Rani Sigh and Rekha Sinha: *Organized and Disorganized Personality*. 1990. p-4&12
- 28.Ashok Kumar (Editor-in-chief).:*Terrorism and New world order*., 2002, p- 26
- 29.Foucault Michel :*Discipline and Punish*,1995.p-40
- 30.Foucault Michel: *Discipline and Punish*, 1995. p-82
- 31.Acuff F. Gene, Allen Donald E., Taylor Lloyd A.: *From Man to Society*, 1973. p-230

PROSTITUTION AND SEX CRIMES

Poulose V.T. "An enquiry into the problem of rising criminality in the state of Kerala and legal and sociological remedies in the present Indian context - A philosophical analysis" Thesis. Department of Philosophy , University of Calicut, 2006

CHAPTER 5

PROSTITUTION AND SEX CRIMES

According to the famous sexologist, Havelock Ellis, the lure of sex is largely the lure of the unknown, the lure of variety. Married women rarely attempt to sustain their husbands erotic interest by mastering the arts of love and by satisfying such desires for variety of sexual expression as the husband may possess. However an ordinary wife can not be expected to satisfy the more unusual desires of some deviates- extreme fetishists sadists, masochists and so on. For this reason alone prostitution is destined to survive.

According to Aldous Huxley, the rhythm of life is necessarily routine punctuated by orgies and the latter must be provided whether sexual or sporting. Periodical intense excitement is needed by all and the life of extreme restraint is always dangerous. It is for this reason that gladiatorial games, bull fights, boxing matches, gambling and prostitution have existed. They have all been psychological necessities. The task is to render these orgies relatively harmless in all aspects while making them as effective outlets as possible.

Sex-A biological necessity:- It is a scientifically accepted fact that, hunger, thirst and sexual needs are basic biological necessities of all animals, including human beings. Being a biological necessity, mans sexual drive has to be satisfied and in individual cases, for a variety of reasons this can not always be satisfied in marriage, then the conditions are created in which the male demand for venal sex appears. Its corollary is the appearance of the prostitute to gratify that demand. The prostitute supplies the means of gratifying a natural appetite: an appetite quite as natural and compelling as that for food. Thus basically, biological considerations determine the existence of prostitution.

Frustration of instinctual desires:- According to Freud, one of the main sources of human aggressiveness is the frustration of man's instinctual desires, especially sexual instincts. This frustration is imposed upon man by civilisation. While man may channel part of his aggression against himself, through the Super-Ego, and while a minority can sublimate their sexual desire into brotherly love, aggressiveness remains ineradicable.

suppression of sex and mental illness:- Freud has postulated in the earlier period of his work that repression of sexuality can lead to mental illness. According to Freud the restriction on sexuality beyond a certain point does not succeed in liberating energy for the other aims of civilised life such as work and cultural activity. On the contrary, the energy that is consumed in the struggle with the powerful instinct of sex has a generally enervating effect, and the strength of the inhibitions is calculated to produce a docile rather than an independent and vigourous

character. Most important of all, the excessive suppression of the sexual instincts leads to nervous illness. When it is carried further, the mental conflict between the instincts and the repressing forces continues at an unconscious level, and the repressed instincts find other outlets, especially in the form of the symptoms of nervous illness which serve as substitute satisfaction. "A young man who could actually live for any long period of time without any kind of sex expression, not even masturbation, would be a grave neurotic"³¹ Neither physically nor psychologically is masturbation as satisfying as normal heterosexual intercourse. In any case masturbation does not polarise the sex urge. So also it may lead to psychosexual conflicts.

Freud's hydraulic model:- Freud's underlying picture of the relation between the sexual instincts, repression and mental illness has often and with good reason, been described as a "hydraulic" model. He tends to depict the repressing of the instincts as though it were like the damming up of water within a closed system. If the damming up is excessive and not enough water is released the pressure will build up and since the normal outlet is closed, other weak points in the system will come under pressure, until they eventually give way and the water floods out, creating havoc.

Sexual satisfaction and mental health:- According to Freud sexual satisfaction is a vital need and that it includes both mental and physical satisfaction. Thus sexual satisfaction and fulfillment is a necessary condition for mental health

Repression of sex and aggressiveness:- According to Freud aggressive and antisocial tendencies arise only as a result of the repression of the sexual instinct, that they would cease to exist with the achievement of genital gratification.

Problem of sex starvation:- Sex starvation is an acute problem of the Kerala male population. There is no outlet for the sexual tension of the male population, especially the unmarried. Since the age of marriage is generally high nearly thirty or above for males in our modern society, a good percentage of the unmarried adult males suffer from chronic sexual tension, which cannot be fully suppressed, sublimated or controlled. Usually a sex-starved bachelor finds relief in a variety of substitutes, in masturbation, occasionally in pornography or blue films, or in some kind of “sublimation.” However this type of substitutes does not satisfy him. His mind will be thriving for physical sexual relationship with a female. This leads him to unfair and adulterous affairs with women or girls in the circle of his acquaintances. So also the case of sexually dissatisfied husbands who turn to other women or girls to satisfy his sexual appetite. Thus the sexual tension prevailing in the male population leads to sex crimes against women and girls in the private as well as public places

In places like Goa, and in cities like Delhi, Bombay, Poona etc. there are brothels at particular areas, which are licensed. With out much botheration people can have sexual relief at such places. These brothels play a very crucial role in controlling the social misbehavior of the male population regarding sex. That is why in places like, Goa,

Bombay, Poona etc. the number of sex crimes against women are found very less. Here we may remember the words of Sir. Bernard shaw, the famous English writer who said that prostitutes are the protectors of virgins.

Prohibition and sex crimes:- The prohibition of prostitution leads to the commission of brutal sex crimes. In the present society a bachelor is expected to repress his libido and live with out normal sexual expression. Thus leads to striking individual manifestation of psychoneuroses. A bachelor with healthy instincts, is always likely to seduce a virgin girl, if there is no call girl or prostitute around or if one is too difficult to find. A virgin girl is handicapped by emotional attachment, is motivated by persuasion. Usually she knows little or nothing of preventive health measures. She is exposed not only to infection, but also to pregnancy as well, with all of the subsequent complications and tragedies. But the prostitute is wise. Her past experiences protect her, as well as the man.

When the suppression is sufficiently successful to substantially reduce the number of prostitutional contacts, males do not therefore remain continent, but rather find other outlets some of which are personally and socially far less desirable. These include homosexuality, seduction and rape. According to Dr. Edwin W.Hirsch the ultimate effects of the suppression of prostitution is the diversion of the sexually repressed into channels that endanger the well being of the society. The greater the pressure exerted on prostitution, the greater the incidence of sexual offences. Prostitution has been and can be a safety

valve for the sexual pressure of the male population. When it is closed explosions are bound to occur.

Suppression of prostitution not only increase the number of sex crimes, but also it is likely to produce an increase of homosexual practices and of homosexuality. By prohibition the prostitution is driven underground and prostitutes are forced into association with criminals of the underworld.

Where prostitution is illegal exploitation on the prostitute and the customer by the pimps, police and the underworld are increased. So also the prostitutes operate clandestinely, and they are more likely to become the victim of a sadistic, brutal or deranged customer, while the customer is more likely to be cheated blackmailed, robbed or even assaulted by the pimps.

Prohibition and venereal diseases:- “Where prostitution is suppressed, the venereal disease rate increases.”³² When brothels were abolished in Italy in 1958, the number of reported cases of venereal disease jumped from, 1679 in 1958 to 16, 395 in 1962. The eminent American urologist Dr.Abraham Walbarst emphasised repeatedly in his medical writings how venereal diseases increased through the suppression of prostitution.

It is found that it is not through prostitutes but by private sexual contacts venereal disease is largely transmitted. This is because prostitutes are professionals and they are wise enough to use condoms,

whereas in most of the extra-marital or premarital cases of the women or girls, the use of condoms are usually avoided.

History of prohibition and it's after effects:- When prostitution was prohibited in Italy in 1958, the result was the increase in the number of street prostitutes. Also murders of prostitutes had become numerous. Clandestine brothels were sprang up and the police were totally unable to cope with the prostitution problem. The same was the result of prohibition of prostitution in Japan in 1958 and in France in 1946.

When prostitution was prohibited in San Francisco in U.S.A. during the 1940's the result was increase in sex crimes, as statistics clearly showed. Regarding the situation August Vollmer, Berkeley's former police chief and for twenty five years professor of criminology at the University of California, Commented that prostitution should be no police matter at all and when prostitution is suppressed, a safety valve is closed, explosions are bound to occur.

Prostitution was outlawed in India in May of 1958, by an act of parliament called the suppression of immoral traffic in women and girls act. The unfortunate results of this act was scrutinised in 1963 by Om Prakasha Kahol, head of the physics department of Mahatma Gandhi National College at Punjab. According to him the result was increase in homosexuality, child-molesting and carnal assault. Professor Kahol emphasises that the attempts of suppression lead to disguised forms of prostitution. Thus prohibition leads to secretive and more expensive, form of prostitution.

It is found that in many communities, suppression of prostitution has made an increase in rape and attempted rape, an offence that can lead to unintended murder or serious injury to the victim. When prostitution was prohibited in Las Vegas (U.S.A.) in 1942, new types of sex crimes were committed that had never been on the local police records while tolerated prostitution was operating.

Prostitution-Vice or Crime:- A vice is not a crime, if not prohibited by law. It is only a contravention of moral law and is a matter of personal conduct and is not necessarily be either anti-social or bother some to others.

Punishment of the prostitute or the customer is one of the most senseless and harmful legislative measures of all; since prostitution is only a vice, not a crime, if not legally prohibited. A vice is a personal affair and it does not affect the society directly as crimes like murder, rape and robbery. When a customer is punished for a vice like prostitution, it will directly affect his family too and the customer is much more to lose than has the prostitute. It is a known fact that suppression of prostitution never succeeded in the past and will not succeed in the present too.

Prostitution and forbidden fruit:- According to Harry Benjamin and R.E.L. Masters, the enactment and enforcement of laws against a vice like prostitution will only creates graft and enhance the forbidden fruit

psychology. The permissible is no longer attractive to the vast majority, but when it is forbidden, they want it.

Prohibition-irrational and illogical:- The Government is spending lakhs and lakhs of rupees, which is contributed by tax payers of the country, for the arrest, prosecution and imprisonment of the prostitutes. However these treatments never favorably affected the moral delinquencies of the prostitutes. Instead thousands of ordinary call girls are transformed into hardened harlots, sex deviates, alcoholics, drug addicts and criminals. The imprisonment of prostitutes never rehabilitates any of them and always result in their further alienation from the society.

Imposing arbitrary and needless restrictions and penalties on normal human behaviour not only tamper with the freedom of people, but also risk the social calamity. When a society passes laws that too many of its healthy and reasonably moral members will necessarily violate, that society invites disrespect for and violation of its other laws. Legislation and law enforcement in the area of sexual practices are in many cases the most unscientific and unreasonable of all and therefore are productive of the most violation of the same. To avoid such results it is not necessary to approve of prostitution, but to ignore them, recognising the fact that it is stupid to attempt to remedy one unfortunate situation by creating a worse one.

When prostitution is prohibited all prostitutes and customers are branded as criminals. Actually prohibition is an

unwarranted interference in the private lives of citizens by the state. The whole history of human civilisations clarifies to the fact that the eradication of prostitution is impossible and would probably be disastrous if somehow achieved. Prohibition will worsen the plight of the prostitute. Under prohibition, prostitutes are become high-priced and hard to find for an ordinary customer.

Prostitution:- a rational approach:- According to Harry Benjamin and R.E.L. Masters that when prostitution is regarded rationally and with out doctrinaire preconceptions, the great mass of evidence does indeed indicate that it is a social necessity. The official position of the United Nations is also that prostitutes should not be punished simply for engaging in prostitution. The approach to the individual prostitute must be by way of a medical, psychological and socio-economic diagnosis, with any treatment to follow as needed. The Government should have a rational and positive approach to prostitution. The aim must always be a society in which there is only irreducible minimum of prostitution which is under control and medicinal supervision. Thus instead of sexual repression, a full satisfying sexual expression should be encouraged for the young as well as for the adult and for the unmarried as well as for the married. Instead of prohibition, it is better to limit prostitution to certain areas and exercise controls to keep down the venereal disease rate and make sure that the prostitutes and customers are not exploited.

Sex starvation in prisons:- Sex starvation is a serious problem in our prisons. A person must be punished for his criminal activity by

imprisonment, but not by sex starvation. In fact the convict is punished not only for imprisonment but also for sex starvation. According to Joseph F. Fishman, the former Inspector of Federal prisons in U.S.A. sexual starvation is almost as bad as food starvation. Food starvation, if it exists long enough must result in death, but even this relief does not exist in the case of sex starvation. He adds that we should cast aside our prejudices and face up to the realities of sex.

Sex starvation and homosexuality:- The sex starvation in prisons leads to homosexual practices. Many young new convicts are victimised by the hardened, older convicts until finally, they become willing partners.

Sex starvation and unrest in prisons: - Many eminent penologists has pointed out that sexual frustration and resulting homosexual practices are the principal cause of prison riots and other prison problems. Even the escape attempts are motivated primarily by the sex drive. A number of Latin American and European prisons permit prisoners to receive periodic so-called "Conjugal Visits" from their wives, and the couples are provided with privacy and permitted to have sexual inter course. Some prisons also permit bachelor convicts to have sexual intercourse with prostitutes. Actually it is not providing pleasure for the prisoner, but the purpose is to ease the explosive sexual tensions found in all prisons. According to penologists this is the only solution to the sex problems in prisons and it reduces the incidence of homosexuality. So also it reduces the attempts to escape. More over it reduces the incidence of divorce and infidelity by wives of the convicts.

Sex starvation as a rehabilitation problem:-According to many sexual psychologists, men who have been deprived of women in all her complex qualities, of tenderness, sympathy and love are not able to return to the normal ways of life. The rehabilitation of the offender and his eventual restoration to society as a social being will be affected adversely by the homosexual practices in prisons, due to sex starvation. According to penologists sex relief in prisons will improve the chances of convict rehabilitation.

Sex as a therapy:-The Swedish psychiatrist Dr.Lars Ullerstam, advocates the use of sex as a therapy in mental sickness and personal trouble. “Ullerstam suggests that brothels perform a useful social function.”³³A substantial number of psychiatrists in England and France make use of services of prostitutes in behalf of their patients- especially in cases of impotence and homosexuality.

Sex as a service:- According to Dr. George B.Lake prostitutes are giving a valuable service to the society and he considers sex as a service. According to Harry Benjamin, prostitution should not be an illegal, but rather an accepted profession, because, in an intelligent society, the service of sex can find a useful and beneficial place. That being the case, it should survive in the form of sex as a service.

Sex and non-sexual passions : - It is a psychoanalytically well-established observation that often the intensity of what is subjectively felt as sexual desire (including its corresponding physiological

manifestations) is due to non-sexual passions such as narcissism, sadism, masochism, the wish for power and even anxiety, loneliness and boredom.

Sex and sadism:- The person who is sexually aroused by sadistic practices has a sadistic character ie: he is a sadist, a person with an intense desire to control, hurt, humiliate another person. The intensity of his sadistic desires affects his sexual impulses. In fact, in no sphere of behaviour does the character of a person show more clearly than in the sexual act-precisely because it is the least 'learned' and patterned behaviour. According to Fromm, a persons love, his tenderness, his sadism, or masochism, his greed, his narcissism, his anxieties- indeed, his every character trait-is expressed in his sexual behavior.

Rape:- Hall and Hirschman propose different combinations of four factors to describe most rapists . They are:-

(a)high levels of sexual arousal that are not inhibited by aggression.

(b)Attitudes and beliefs about women that justify aggressiveness towards females.

(c)Loss of control over negative emotions such as anger and hostility, which are 'acted out' in sexual aggression.

(d)Long-standing antisocial personality disorder arising out of parental abuse or neglect or familial criminal history.

The characteristics of rapists:- In most of the cases, often they are not strangers. It is estimated that 70%-80% rapes are carried out against victims who know their assailants. Most rapists are not sex crazed deviants who exist on the margins of society. In fact, it is hard to consistently distinguish all rapists from other men on many physiological, sociological or psychological variables.

According to Hall and Proctor, rapists are more likely to have been sexually aggressive on prior occasions. Past sexual aggression is a good predictor of future sexual aggression. According to Friedrich, Beilike and Urquiza, sexually aggressive boys are more likely to have been sexually abused in the past than are normal boys.

Rapists are also more likely to hold callous attitude about women and sexual violations and to endorse rape myths. They believe that women want to be raped and after a sexual assault they are likely to think that the victim really enjoyed it. Burt argues that acceptance of rape myths plays an important role in causing rape. She hypothesises that rapists use such beliefs as justifications of their behaviour.

When these beliefs are the primary motivation for rape, the rapists may be less likely to use brutal aggression and therefore to be reported by victims and apprehended by police. Paradoxically, the low rate of reporting of these offenders may actually strengthen the rapists belief that their victims enjoyed the aggression.

Some rapists show a tendency to experience relatively high levels of sexual arousal in response to depictions of rape. Several

studies have shown sex offenders to have equal or greater arousal to rape stimuli than to scenes of consenting sexual activity. In contrast, men who are not rapists usually show less sexual excitation when watching or listening to scenes of rape.

In short rapists may be differentiated from non-rapists on three factors. They are :-

(a) They have a history of prior sexual aggression as victims or perpetrators or both.

(b) They show a hostile disrespect for women and a propensity for aggressive ways of resolving conflicts

(c) Their sexual arousal may not be inhibited by aggression in the way that other men's is.

Sexual offences against children:- Adults who commit sexual offences against children are known as paedophiles. Most of the paedophiles are males. They may be homosexual or heterosexual. They are rarely mentally ill. Victims are most commonly female. "The victims are known to the offender in four-fifths of cases"³⁴

High levels of testosterone:- According to Ellis that high levels of testosterone increase the proclivity to rape by increasing a man's sexual urges and by decreasing the man's sensitivity to aversive outcomes such as a victims suffering. The most controversial treatment for sex offenders involves castration, either surgical removal of testes or the hormonal treatment sometimes called chemical castration. Both

surgical and chemical castration lower the testosterone level which in turn lowers the sex drive.

Necrophilia:- The term necrophilia means love of the dead. According to criminal law necrophilia constitutes a crime. The cases of this type of crimes has been recently reported in Kerala. H.Von Hentig, one of foremost German Criminologists, has cited the following symptoms of necrophilia. They are:-

(a) The act of sexual contact with female corpse ie: intercourse, manipulation of sexual organs etc.

(b) Sexual excitement produced by the sight of a women's corpse.

(c)Attractions to corpses and graves and to objects connected with the grave, such as flowers pictures.

(d)Acts of dismemberment of a corpse.

(e) The craving to touch or to smell the odour of corpses or anything putrid.

However the only people who have easy access to corpses and the opportunity to act out such a perversion are grave-diggers, morgue attendants and policemen. Murderers also have the opportunity to practice necrophilia Necrophilia is of two types. They are:-

(a)Sexual necrophilia

(b)Non-sexual necrophilia

(a)**Sexual necrophilia:-** It is a man's desire to have sexual intercourse or any other kind of sexual contact with the dead body of a female. A great attenuated form of necrophilia is to be found in individuals who become sexually excited by the sight of corpses and sometimes masturbate in front of them.

(b)**Non-sexual necrophilia:-** This form of necrophilia appears unalloyed with sex. It is the desire to handle to be near to, and to gaze at corpses and particularly the desire to dismember them. According to Von Hentig the aim of necrophilous destructiveness is the passion to tear apart living structures. Necrophilous murderers, after killing the victim, dismember or mutilate the dead body.

Necrophilia v/s Biophilia:- Biophilia is the passionate love of life and of all that is alive, it is the wish to further growth, whether in a person or a social group. The biophilous person prefers to construct rather than to retain. He loves the adventure of living. He wants to mould and to influence by love, reason and example, not by force. Thus biophilia is a biologically normal impulse where as necrophilia is a psychopathological phenomenon. Necrophilia grows as the development of biophilia is stunted. Man is biologically endowed with the capacity for biophilia, but psychologically he has the potential for necrophilia as an alternative solution. Social conditions is also a reason which strengthen one of these two respective orientations. So also particular events in life of the person can make him incline in the one or the other direction.

Causes of necrophilia:- A very unalive, necrophilous family environment will often be a contributing factor in the formation of necrophilia. Lack of enlivening stimulation, the absence of hope, and a destructive spirit of the society as a whole are certainly of real significance for fostering necrophilia. According to Fromm, the genetic factors also play a role in the formation of necrophilia.

Conclusion:- The malignant forms of aggression, sadism and necrophilia, are not innate. “Kohut stresses that drives are disintegration products that appear only as the result of the frustration of healthy narcissistic needs. Sexual and aggressive impulses are not fundamental human motivations but distorted, disintegrated fragments”³⁵

Hence they can be substantially reduced when the socio-economic conditions are replaced by conditions that are favourable to the full development of man’s genuine needs and capacities, to the development of human self-activity and man’s creative power as it’s own end. Exploitation and manipulation produce boredom and triviality, they cripple man, and all factors that make man into a psychic cripple turn him also into a sadist or destroyer.

NOTES AND REFERENCE

32. Benjamin Harry, M.D. and R.E.L. Masters .:*The Prostitute in Society*.. 1966. p- 356

33. Benjamin Harry M.D. and R.E.L. Masters .:*The Prostitute in Society*.. 1966, p-325

34. Henriques Fernando.: *Modern Sexuality*.. 1968, p-327

35. Gelder Michael, Gath Dennis, Mayou Richard and Cowen Philip.:
Oxford Text book of Psychiatry. 1999, p. 765

36. Greenberg Jay R. and Mitchell Stephen A.: *Object Relations in
Psychoanalytic Theory*.. 1983, p-363

PROSTITUTION AND SEX CRIMES

Poulose V.T. "An enquiry into the problem of rising criminality in the state of Kerala and legal and sociological remedies in the present Indian context - A philosophical analysis" Thesis. Department of Philosophy , University of Calicut, 2006

CHAPTER 6

ALIENATION AND SELF-CONFLICT

"Davids measured a personality trait he called alienation and which he defined as the disposition to egocentricity, distrust, pessimism, anxiety and resentment" ³⁶ Alienation means a mode of experience in which the person experience himself as an alien. He has become estranged from himself. He does not experience himself as the centre of his world; as the creator of his own acts- but his acts and their consequences have become his masters, whom he obeys, or whom he may even worship. The alienated person is out of touch with himself as he is out of touch with any other person. He is without being related to himself and to the world outside productively. Thus self-alienation is a separation or disparity between actual condition and essential nature resulting from the loss, rather than the mere absence, of some element of the latter in the life of an individual. Alienation constitutes one of the most severe socially patterned defects.

Present society and problem of alienation:-The social psychologists in Kerala failed either to find out the true reason for the experiences like conflict, divisiveness, pain, anguish, anxiety, and suffocation etc. or to

prescribe effective remedy for the same. It is these conflicts and pains that tell a person the quality of his life. The aim of this philosophical analysis is to describe these conflicts and trace the causes and find out how it is connected with the rising of criminality in the state of Kerala. Usually these conflicts are moral in nature and are indicative of social decay. Many social psychologists tried to describe in minute details the experiences like spiritual crisis, sexual crisis, marital crisis, political crisis, financial crisis, etc. However a complete and total biographical account will help in appreciating and understanding the truth of ones own situation. For example a marital discord may be due to lack of respect for the other spouse and too much expectation of him or her. An honest account of such an experience may help relieve tensions in many studies of this account by providing them insight into their own problems. Everyone by probing into the depths of ones subjectivity can discover the truth of ones being and discover his authentic role in life. This is a creative process which gives rise to fresh insights. Thus it is personal in sight as well as social situation, which determine a person's behaviour in the society.

Thus the philosophical issue linked with the present problem of rising criminality in the state of Kerala is the lack of love and peace, loss of inner self and thus the feeling of alienation. Under such a circumstance a man feels so intensely that he is led to commit criminal or unlawful activities for small acts of omission and commission. This is the present situation in the Kerala society.

Feeling of meaninglessness of life:- “Meaninglessness is the most serious form of alienation. It involves uncertainty both with regard to values, norms, role-expectations, and definition of the situation” ³⁷

Dissatisfaction, apathy, boredom, lack of joy and happiness, a sense of futility and a vague feeling that life is meaningless are the unavoidable results of alienation. This socially patterned syndrome of pathology may not be in the awareness of people, it may be covered by a frantic flight in to escape activities, or by craving for more money, power, prestige. But the weight of the latter motivation is so great only because the alienated person can not help seeking for such compensations for his inner vacuity.

Man as a commodity or thing:- The modern man has lost the sense of significance and uniqueness of his individuality. “Our moral problem is mans indifference to himself” ³⁸ He has made himself into an instrument for purpose outside himself. He experience and treat himself as a commodity. He does not experience himself as the centre from which living acts of love and reason radiate. He becomes a thing, his neighbour becomes a thing, just as his gods are things. Conscience exists only when man experiences himself as man, not as a thing, as a commodity. Man, with his desires and woes, lose more and more his central place in the system, and this place is occupied by business and production. He ceases to be “the measure of all things” in the economic sphere. Science, business, politics have lost all foundations and proportions which make sense humanly. We live in figures and abstractions, since nothing is concrete, nothing is real. Man has been

thrown out from any definite place whence he can overlook and manage his life and the life of society. He is driven faster and faster by the forces which originally were created by him. In this wild whirl he thinks, figures, busy with abstractions, more and more remote from concrete life.

Lack of sense of reality and responsibility:- The lacking sense of reality is a characteristic of the alienated personality. This lack of sense of reality accounts ,not only for a reduced sense of responsibility but also for the absence of effective volition. The reduced sense of responsibility and absence of effective volition in turn explain the ordinary citizens ignorance and lack of judgement in matters of domestic and social.

Lack of self- knowledge:- In order to know the truth man must turn his eyes in ward. Only by delving deep into ones own inner world can a man experience the reality. According to Soren Kierkegaard the highest philosophic merit a man could attain was self-knowledge. When a person attains self-knowledge he will experience the reality and becomes free from his inner conflicts.

Moral and ethical degradation:- Lack of self-knowledge and self-realisation leads to moral and ethical degradation which is one of the basic cause of self-alienation. Self-knowledge and self-realisation are the basic ways to upgrade the mind ethically and morally. To achieve self-knowledge and self-realisation man should turn his eyes inwards and should be able to experience deep inner meditation. Self-realisation

or the discovery of the authentic self is possible through inter communication between the like minded. However this will be impossible for a person who concentrates only in his inner loneliness. Thus mutuality and communication are basic points in self-realisation.

Lack of moral goodness:- The modern man has become dishonest and disregardful of others. He is mendacious in his dealings with his fellow beings. He is advantageous, cruel, vain, cowardly and insatiable in his cravings of pleasures and possessions. His inner life is entirely base and corrupt. He has lost moral courage, equanimity and self command. He is undisciplined and pleasure seeking. He has lost the genuine moral goodness and the true beauty of a harmonious and well governed inner life.

Loss of social bonds and personal ties:- Man needs a social system in which he has his place and in which his relations to others are relatively stable and supported by generally accepted values and ideas. What has happened in modern industrial society is that traditions and common values and genuine social, personal ties with others have largely disappeared. The modern man is isolated and lonely even though he is a part of a crowd, he has no convictions which he could share with others. He has become an atom held together only by common, though often simultaneously antagonistic interests and by the cash nexus.

According to sociologists like F. Tonnies and others that all genuine social bonds have disappeared in the modern society. It is not population density, but lack of social structure, genuine common bonds

and interest in life are the causes of human aggression. Countries like Belgium and Holland, two of the most densely populated parts of the world, whose population is never the less not characterised by special aggressiveness. It is not crowding as such, but social, cultural, psychological and economic conditions under which it occurs that are responsible for aggression. It is obvious that over population, ie: population density under conditions of poverty, causes stress and aggression. This is the case in the crowded cities as well as in the slums of Kerala.

Non attainment of Freedom and Spontaneity:- If a person fails to attain freedom, spontaneity, a genuine expression of self, he may be considered to have a severe defect, provided we assume that freedom and spontaneity are the objective goals to be attained by every human being. If such a goal is not attained by the majority of members of any given society then it is a phenomenon of socially patterned defect. The individual shares it with many others, he is not aware of it as a defect.

The fully developed mature personality can make fruitful use of freedom. However if the individual has not developed his reason and his capacity for love, he is incapable of bearing the burden of freedom and individuality and tries to escape into artificial ties which give him a sense of belonging and rootedness. Any regression today from freedom into artificial rootedness in a society is a sign of mental illness, and results in unquestionably pathological phenomena. "Pathology can be defined only in terms of the individual's lack of adjustment to the ways of life in his society" ³⁹

The Psychic needs:- The animal is content if its physiological needs i.e. hunger thirst and sexual needs are satisfied. In as much as man is also animal, these needs are likewise imperative and must be satisfied. But in as much as man is human, the satisfaction of these instinctual needs is not sufficient to make him happy, they are not even sufficient to make him sane and mentally healthy. Man's sanity and mental health depends on the satisfaction of those needs and passions which are specifically human and which stem from the conditions of the human situation: the need for relatedness, transcendence, rootedness, the need for a sense of identity and the need for a frame of orientation and devotion. The great passions of man, his lust for power, his vanity, his search for truth, his passion for love and brotherliness, his destructiveness as well as his creativeness, every powerful desire which motivates man's actions, is rooted in this specific human source.

Man's solution to his human needs is exceedingly complex and it depends on many factors including on the way his society is organised and how this organisation determines the human relation with in it. The basic psychic needs stemming from the peculiarities of human existence must be satisfied in one form or other unless man is to become insane. If one of the basic necessities has found no fulfillment insanity is the result; if it is satisfied but in an unsatisfactory way, neurosis is the consequence. Man has to relate himself to others, but if he does it in symbolic or alienated way he loses his independence and integrity, he is weak, suffers, becomes hostile or apathetic. But if he relates himself to others in a loving way, then he will feel one with

them and at the same time preserve his integrity. Only if he develops his reason and his love, if he can experience the natural and the social world in a human way, then he can feel at home, secure in himself, and the master of his life. Of the two possible forms of transcendence, destructiveness is conducive to suffering and creativeness to happiness.

Neurosis and alienation:- The person who is mainly motivated by his lust for power, becomes a slave to one partial striving in him, which is projected into external aims, by which he is 'possessed'. The person who is given to the exclusive pursuit of his passion for money is possessed by his striving for it, money is the idol which he worships as the projection of one isolated power in himself, his greed for it. In this sense, the neurotic person is an alienated person. His actions are not his own, while he is under the illusion of doing what he wants. He is driven by forces which are separated from his self, which work behind his back. He is a stranger to himself, just as his fellow man is a stranger to him. He experiences the other and himself not as what they really are, but distorted by the unconscious force which operate in him.

Schizophrenia and alienation:- The person who dreams while awake, that is the person who is in touch only with his inner world and who is incapable of perceiving the outer world in its objective action context, is insane. The person who can only experience the outer world photographically, but is out of touch with his inner world, with himself, is the alienated person. Schizophrenia and alienation are complementary. In both forms of sickness one pole of human experience is lacking. If both poles are present, he is a productive

person, whose productiveness results from the polarity between an inner and an outer form of perception..

Insanity and alienation:- The insane person is the absolutely alienated person. He has completely lost himself as the centre of his own experience. He has lost the sense of self. Thus he does not experience himself as the active bearer of his own powers and richness, but as an impoverished "thing" dependent on powers outside of himself, unto whom he has projected his living substance.

Marketing orientation:- Erich Fromm has termed the relationship of man toward himself as 'marketing orientation'. In this orientation, man experiences himself as a thing to be employed successfully on the market. He does not experience himself as an active agent as the bearer of human powers. His aim is to sell himself successfully on the market. His sense of self does not stem from his activity as a loving and thinking individual; but from his socio-economic role. He experiences himself, not as a man with love, fear, convictions, doubts, but as that abstraction, alienated from his real nature, which fulfills a certain function in the social system. His sense of value depends on his success on whether he can sell himself favorably whether he can make more of himself than he started with. His body, his mind and his soul are his capital, and his tack in life is to invest it favorably, to make a profit of himself. Human qualities like friendliness, courtesy, kindness are transformed into commodities, into assets of the "personality package" conducive to a higher price on the personality market. If the individual fails in a profitable investment of himself he feels that he is a

failure, if he succeeds he is a success. His sense of his own value always depends on factors extraneous to himself on the fickle judgement of the market, which decides about his value as it decides about the value of commodities. He like all commodities that can not be sold profitably on the market, is worthless as far as his exchange value is concerned.

Man as a living machine:- The relationship of the modern man to his fellow man is, one, between two abstractions, two living machines, who use each other. The employer use the ones whom he employs. The sales man uses his customers. Everybody is to every body else a commodity, always to be treated with certain friendliness, because even if he is not of use now, he may be later. There is not much love or hate to be found in human relations of our day. There is, rather, a superficial friendliness but behind that surface is distance and indifference. Even love and the relationship between man and women have assumed this character. Modern society consists of individuals estranged from each other, but held together by selfish interests and by the necessity to make use each other. The individual is motivated by egoistical interest and not by solidarity with and love for his fellow man. Instead of love and generosity, selfishness and self-centeredness as become the basic structure of our social relations. Thus in the contemporary industrial society men are cerebrally oriented, feel little and consider emotions a useless ballast.

Mechanisation of life:- The high density of population made Kerala as a city-state. More over the inflow of gulf money turned Kerala in to a

consumer state. This led to a new situation. Life has become so fast that people are not having time to think about their fellow beings. The feelings of care and concern to fellow beings have been lost. Regards to others and co-operation between individuals are in a standstill in our social life.. The result is that the personal problems and inner conflicts of people have multiplied especially in such cities. People lose faith in fellow human beings. In fact nobody is ready to believe others. To an average Keralite all are suspectable personalities. Thus the loss of faith in fellow beings increases agony and pain in individuals. At the same time the greedy mind makes them to run after money which in turn makes their lives mechanised. The mechanisation of life is the basic reason for the growth of despair and agony among the Keralites.

Cynical outlook and inner- conflict:- Philanthropy and generosity to fellow beings have become obsolete in the present life. Care, concern and sympathy to fellow beings become unreal in our society. Instead apathy and cynicism gave new face to the society. In fact a vast majority of the modern society become cynical. They are not ready to respect other individuals. They cannot accept and appreciate the true values and worth of others. They are not ready to see and experience the good in others. They are not even able to tolerate their fellow beings. If each can accept and respect other individuals, then each will be free from the desire to subject others to his will and thus each will be free from his inner conflicts and the result will be peace and harmony. It is important to see that peace in the society is possible if and only if

there is peace in each heart. Thus we find that the problem of inner conflict is one of the main reasons for the rise criminality in Kerala.

Consumerism and alienation:- Advanced capitalism, with its colonisation of social relationships under the sign of the commodity form itself, plays a key role in furthering narcissistic rage. According to Kovel, monopoly capitalism replaces earlier enlightenment processes of subjective differentiation with a 'non-human other' - the commodity. Late capitalism creates a thorough going commodification of the personal sphere, thus engendering an age of consumerism which tears wider social relationships apart. Thus the loss of social structure generated by capitalism becomes deeply inscribed within self organisation. This can be seen in the increasing tendency to treat human beings just like commodities in the modern cultures and this is more evident in family life today. Suffering under the emotional impoverishment of modern culture, the developing child is said to encounter parents who themselves are on the brink of unthinkable rage and despair. "In late capitalism, parents relate to their children primarily as 'investments' an investment which might bring a future yield of narcissistic satisfaction. This distorted parent-child link thus reproduces narcissistic pathology, generating in authenticity and rage with in the wider social environment"⁴⁰

Lack of protection and security:- Usually it is assumed that only children need protection and security. But it is a fact that the longing for protection and security is existing even in the mature adult. By considering the increased perplexities of life, the fragmentary nature of

our knowledge, the accidentalness of adult existence, the unavoidable errors we make, the situation of the adult is by no means as different from that of the child. Every adult is in need of help, of warmth, of protection, in many ways differing and yet in many ways similar to the needs of the child. In our present society there is a lack of protection and security for the individual and it make him feel lonely in the world. This feeling of loneliness affects his personal life and makes him alienated from the society.

Self Alienation - A Marxian concept :- According to Marx alienation is that condition of man where his own act becomes to him an alien power standing over and against him, instead of being ruled by him. Man's alienation, for Marx, is expressed in the fact that man's forces, products and creations- all those things that are extensions of man's personality and should serve directly to enrich it- are split off from man, they acquire independent status and power and turn back on man to dominate him as his master. It is he who becomes their servant. As the division of labour, the use of money and the growth of property increase, man's alienation becomes more acute, reaching its highest point in modern capitalist society.

Marx also uses the expression "self-alienation" to refer to ones separation from his truly "human" self, or essential nature. In this sense, it conveys the idea of "a total loss of humanity." A man is self alienated if his true human nature is something alien to him ie: if his life fails to manifest the characteristics of a truly human life. There are three such characteristics for Marx: individuality, sociality and

cultivated sensibility. Self-alienation thus takes the form of dehumanisation in the spheres of life which corresponds to them: production, social life and sensuous life. It may best be understood in terms of dehumanisation in each of these areas. He is dehumanised in the sense of being reduced to the level of an animal. Hegel uses the term "alienation" in two distinct senses: in the sense of "separation" and in the sense of "surrender." However Marx fuses Hegel's two senses with the result that the term for him has a single sense of "separation-through surrender"

According to Marx alienation occurs when man falls into servitude to and dependence upon his own powers or the institution and the goods he has himself created. In the bourgeois society alienation takes place at four levels or in four ways. They are:-

(a) Man is alienated from the things he produces and his own labour in producing them. Instead of serving his needs, these come to dominate him and his life.

(b) Man is alienated from other men through the competitive character of the economic system based on private property. It divides men into classes with irrecancilable interests. Man's fellow beings therefore confront him as hostile beings.

(c) Man is alienated from nature, which does not confront him as a field for the creative exercise of his powers, but as a source of difficulty and drudgery, as a limitation on his creative powers.

(d) Man is alienated from society as the expression of social, collective power. Moralities are sectional, class-bound, conflicting, dependent on economic interests, not truly ethical or truly human, because man is still sectional, class-bound, in mutual conflict, dependent on economic interests and not truly human or free.

Marxian concept of money alienation:- The alienating function of money in the process of acquisition and consumption has been explained by Marx. According to Marx money transforms the real human and natural powers into merely abstract ideas. It transforms loyalty into vice, vices into virtue, the slaves into master, the master into slave, ignorance into reason and reason into ignorance.

Concept of Fromm on alienation:- Fromm points out that the destructive effects of late capitalism involve the anchoring of domination within the inner life and psychodynamic struggles of each individual. Fromm characterises the self as "individuality" and "spontaneity." He urges the development of this self, and the elimination of anything which might hinder this development. According to Fromm alienation from oneself consists of something like the loss or lack of a "sense of self" and of spontaneity and individuality.

Hegelian concept on alienation:- For Hegel the social substance is not merely the creation of spirit, but more over its objectification. This means that the substance is spirit, in the objectified form. From this it follows that when the substance is alienated from the individual it is objectified spirit that is alienated from him. Hegel envisages a

fundamental identity between the spirit, which animates the individual, and the spirit, which has objectified itself in the social substance. The latter for him is the individuals "true self." Thus when the social substance is alienated from individual, it is the individuals own true self-objectified, that is alienated from him.

Bildung:- This is a process through which an individual assimilates the content of his society and culture, simultaneously making it his own and making himself a part of it. In this way the individual eliminates the gulf that had separated him from the social substance. It's alienation is overcome and he attains the requisite universality. Through 'bildung' he achieves significance and actuality. Then only his unity with the social substances is properly grounded. He can achieve unity with the social substance only by sacrificing his particular interests and desires to the extent necessary.

Concept of Karl Jaspers on alienation:- According to the French Philosopher Karl Jaspers "me" is dependent upon something other than "me." It postulates the existence of other beings and in a way, they sustain the "me." Analysing the process of self-realisation, Jaspers says that when I realise "me," I also become conscious of the others who are separated from me. This separation or cleavage is responsible for conflict and tension. This conflict and tension can be overcome by undoing the cleavage between individuals. Friendship, love, co-operation and mutual intercourse are the means of undoing this cleavage. Each and every member of the society must be liberal in his outlook and appreciate the points of others. Jaspers has emphasised

that the freedom of a person actually consists in seeking the freedom of others. According to Jaspers "I cannot become myself if the other does not wish to become himself. I can not be free if the other is not free." This conception of Jaspers is very close to Buddhist conception of collective salvation and Mahayana principle of '*Karuna*' and '*Maitri*' (Compassion and good will).

Marxian concept of egoism and alienation:-"Civil society according to Marx is the 'sphere of egoism.' It is 'a world of atomistic, antagonistic individuals.' Man in the civil society is 'egoistic man,' man regarded as an isolated monad, withdrawn into himself" ⁴¹ Marx describes 'egoistic man' as an individual separated from community, with drawn into himself, wholly preoccupied with his private interest and acting in accordance with his private caprice. The only bond between egoistic man is natural necessity, need and private interest, the preservation of their property, and their egoistic persons. Egoistic man is motivated by self-interest. This self interest leads him to see in other man not the realisation, but rather the limitation of his own liberty. Instead of regarding other men as his fellows, he regards them as his rivals and adversaries. Accordingly he is hostile to them. His antagonism toward them is mitigated only to the extent that enlightened self-interest suggest cooperation with them to be desirable and shows him that they may be of use to him.

Thus the alienation from other men of which Marx speaks is to be understood as involving a complete absence of fellow feeling, an estimation of others as of no more positive significance than that of

means to personal ends, and an antagonism based on a feeling of rivalry and the anticipation of attempted counter exploitation. It is grounded in self-centeredness which attends only to private advantage and in self-conception, which excludes any idea of sociality. According to Marx civil society is structured in such a way that in it egoism is both encouraged and virtually required for survival.

Self conflict:- Man has lost his primary union with nature, which is the essential part of human existence. At the same time with his reason and imagination, he is aware of his aloneness and separateness, of his powerlessness and ignorance of the accidentalness of his birth and of his death. He could not face this state of being for a second, if he could not find new ties with his fellow man which replace the old ones, regulated by instincts. Even if all his physiological needs were satisfied, he would experience his state of aloneness and individuation as a prison from which he had to break out in order to retain his sanity. In fact, the insane person is the one who has completely failed to establish any kind of union, and is imprisoned, even if he is not behind bars. The necessity to unite with other living beings, to be related to them, is an imperative need, on the fulfillment of which man's sanity depends. This need constitute the whole gamut of intimate human relations of all passions which are called love in the broadest sense of the word. There are several ways in which this union can be sought and achieved. Man can attempt to become one with the world by 'submission' to a person, to a group to an institution to God. In this way he transcends the separateness of his individual existence by becoming

part of some body or something bigger than himself, and experiences his identity in connection with the power to which he has submitted.

Another possibility of overcoming separateness lies in the opposite direction: man can try to unite himself with the world by having "power" over it, by making others a part of himself, and thus transcending his individual existence by domination. The common element in both submission and domination is the symbolic nature of relatedness. Both persons involved, have lost their integrity and freedom, they live on each other and from each other, satisfying their craving for closeness, yet suffering from the lack of inner strength and self reliance which would require freedom and independence. This realisation of submissive or domineering passion never leads to satisfaction while these passions aim at the establishment of a sense of union, they destroy the sense of integrity. The person driven by anyone of these passions actually becomes dependent on others, instead of developing his own individual being he is dependent on those to whom he submits, or whom he dominates.

Self- acceptance:- "Self- acceptance is the other side of self-alienation"⁴² Alienation results when we fail to acknowledge or accept aspects of the self, which are then seen as foreign or alien. Self-acceptance appears to be associated with accepting other people. This indicates that self-accepting people are inclined to view the world as a generally more congenial place than the self-rejecters and are less defensive toward others and about themselves because of it.

Actual self and real self:- The 'actual self' is characterised in terms of ones feelings, wishes, beliefs and energies and also his past. The "real self" on the other hand, is to be conceived as "that most alive centre of ourselves," which "engenders the spontaneity of feelings" and "is the source of spontaneous interest and energies." According to Horney alienation from the actual self is characterised as "the subjective feeling of the neurotic of being removed from himself" such a person is becoming ashamed of what he actually is of his feelings, resources, activities and coming to feel "self-hate."

Loss of faith in truth:- In the present modern society man has lost faith in truth. To be truthful means truthfulness in thought, speech and in action. A truthful mind is a pure mind. Where there is truth, there will be God and according to Gandhi search for truth means search for God.

Alienation- a system of belief:- "Behaviour is explained in terms of beliefs and desires, people act on the basis of what they want and what they believe"⁴³

According to Richard S.Lazarus, alienation involves certain general beliefs about the environment and ones resources for mastering it. It also involves the belief that the environment is hostile and dangerous and that one is powerless to manipulate it successfully in the pursuit of his goals. Thus alienation, at least in large part, constitute a belief system that is highly relevant to threat appraisal.

Bad faith:- Bad faith consists in pretending that we are not free, that we are somehow determined, that we can not help doing what we do or

having the role that we have. The detachment from ourselves and treating of ourselves as an object of observation, is also a form of Bad faith. In this kind, we may pretend that we are thing-like in the sense of being just a body, just another object in the world which we can observe having things happen to it which are in a way nothing to do with us. “ The man who plays a role out of ‘bad faith’ does so, not because he has chosen to pursue a particular ideal but because he thinks that there is no other way in which he can behave”⁴⁴

Escapism and loss of self:- While it is true that modern life is infested with multifarious problems and that the intricacies of life overwhelming the spirit of man, giving up struggle in despair and cry in stiflement, it is no sensible solution of the current mental predicament. This mental predicament of Keralites as well as any modern man reflects in the present social life. However the intensification of feelings of despair and hopelessness makes it more complex. If man allows himself to be overwhelmed by misery, pain and apparent hopelessness of the situation; he would sink into apathy and cynicism. Thus he would not be able to improve his situation. On the contrary, every hope of any possible way out will recede. Psychologically, such an attitude is symptomatic of hypersensitiveness and hypochondria. In such a situation the sense of responsibility towards himself, to his family and to the society becomes abnormal and pathological. Thus the worth of human values decreases and life becomes like a raft on the open sea which is carried hither and thither without any definite direction. Under these circumstances a sensitive mind finds lost and forlorn. Actually

what is needed is an intelligent and sensible compromise with the hard and harsh realities of life. But the adamant, obstinate and uncompromising mind is not ready to face the facts. Instead he/she tries to escape from it. This attitude of escapism makes the situation more crucial. In such a peculiar situation an average man loses his/her individuality and he/she becomes mechanical and his/her life gets filled with continual ennui. He has lost his freedom and initiative. He is afraid to look 'with in' because his inner life is completely desiccated and vacuous. At this stage a man will be unable to understand his own self. He becomes a stranger to himself and loses all fine feelings of man as a human being. This makes him to do any cruelty like a wild animal. The result is the birth of a criminal.

Human experience and alienation:- The hard and cruel experiences, which a man has to suffer especially in the early periods of his life results in losing his inner self. The man who lost his inner self becomes a stranger to himself. This results in what we call alienation of human mind. The novel "stranger" written by Albert Camus depicts a character that is a fine example of human alienation. The central character of this novel is a young man who has lost all the fine feelings of a human being. He does not have the feelings of passions and emotions. Even at the death of his own mother, he was without any feelings. Even in his sex relations he was with a frozen mind. He finds no reason to kill a person; he just does it and that is all. He does not feel guilty and his consciousness, if something like that is left in him, never blames him for killing one. He was sentenced to death by the

court of law and even at the last moment of his life he was without any kind of human feelings.

Alienation and loss of self:-Jean Paul Sartre explains in his book *Saint Genet*, that how a person loses his self in the engulfing morass of alienating, serialising, massifying forces. Genet was a false child. He was illegitimate and never knew his parents. With no real mother of his own, with no heritage, he belonged to no one, and no one and nothing belonged to him. He came into the world from an unknown womb, almost as an article produced by a modern factory, bears no trace of human producer. He was always alone, he had no experience of the omniscient, omnipotent mother who knows her child inside out, even to the extent of hearing his secret interior voice. He was absolutely an orphan and nobody cared for him. No family ceremony occurred to consecrate the union of his identity for himself with his identity for others. Thus the loss of self due to the alienating forces converted him to a criminal.

Loss of self and problem of nothingness:- The alienated personality who is for sale loses a good deal of the sense of dignity which is so characteristic of man even in most primitive cultures. He loses almost all sense of self, of himself as a unique and induplicable entity. The sense of self stems from the experience of oneself as the subject of one's own experiences, one's own thought, one's own feeling, one's own decision, one's own judgement and one's own action. It presupposes that one's experience is one's own and not an alienated one. Things have no self and men who have become things can have no self.

According to the renowned psychiatrist, H.S.Sullivan, self is nothing but the many roles we play in relation to others, roles which have the function of eliciting approval and avoiding the anxiety which is produced by disapproval.

The famous writer Ibsen made the loss of self the main theme of his criticism of modern man in his novel 'Peer Gynt'. Peer Gynt is described as a man who, chasing after material gain, discovers eventually that he has lost his self, that he is like an onion, with layer after layer, and with out a kernel. Ibsen describes the dread of nothingness by which Peer Gent is seized when he makes this discovery, a panic which makes him desire to land in hell, rather than to be thrown back into the 'casting ladle' of nothingness.

The routinisation and the repression of the awareness of the basic problems of human existence are intimately related to the process of alienation. Man has to earn his daily bread and he has to take care of the many, time and energy consuming tasks of daily life and he is enmeshed in a certain routine necessary for the fulfillment of these tasks. He builds a social order, conventions, habits and ideas, which help him to perform what is necessary, and to live with his fellow man with a minimum of friction. Actually it is characteristic of all culture that it builds a man-made artificial world, super imposed on the natural world in which man lives. But man can fulfill himself only if he reminds in touch with the fundamental facts of his existence, if he can experience the exaltation of love and solidarity, as well as the tragic fact of his aloneness and of the fragmentary character of his existence. If he

is completely enmeshed in the routine and in the artificiality of life, if he can not see anything but the man-made, common sense appearance of the world, he loses his touch with and the grasp of himself and the world. Thus there is a conflict between routine and the attempt to get back to the fundamental realities of existence.

Since the modern man experiences himself as a thing, an investment, to be manipulated by himself and by others, he is lacking in a sense of self. This lack of self creates deep anxiety. This anxiety engendered by confronting him with the abyss of nothingness is more terrifying and it endangers his physical health. Therefore an alienated person can not be healthy. The alienated person feels inferior whenever he suspects himself of not being in line. He senses that his life is the one chance he is given and that if he loses this chance he has lost everything. He lives in a world with more comfort and ease than his ancestors ever knew, yet he senses that, chasing after more comfort, his life runs through his fingers like sand. He feels guilty for the waste, for the lost chances and it makes him unhappy.

Being-for-others:- For part of the self-awareness which each of us has, along with our awareness of the world, is derived from our awareness of others. Without being aware of others we can not be aware of the world as well as aware of ourselves. Other people bring us into real existence, or rather, they complete the existence we have. Being-for-others is another and essential aspect of the existence of every Being-for-itself. For example it is other people who make us see how, what we are doing is to be described. They make us to think of possible

categories for our actions, and so we ascribe these actions to ourselves and feel pride or shame in them. Other people, as it were, attach labels to us, they say we are stupid, clever, honest, dishonest and soon, and in the light of these labels we live our lives. This makes us to be fully aware of ourselves in the world.

Sartre gives an example of a man who, out of jealousy or malice, listens at a keyhole. He thinks that he is unobserved and he is completely absorbed in what he hears. In a sense he is only just aware of himself at all. He is nothing except what he does. But then he hears foot steps behind him and he realises that someone is watching him. At this moment, Sartre says he comes into existence again as a person distinct from his actions. He is someone who is doing deliberately something of which he is ashamed. It is essential that he should relate his action to himself as a person in order to feel shame, and this possibility was brought about for him just at the moment when he heard the footsteps. In short even the awareness of the look of the other is constitutive of our knowledge of ourselves.

We find that we are nothing but what we do and think. A man is nothing but his life, and he can fill his life as he chooses. There are two principal relations in which a man manifest his freedom to choose. The first is his relation with himself, in which he may choose to cast himself in a certain role in life, the second is his relation with other people.

Deterioration of social drives:- According to Einstein, the modern man has become more conscious than ever of his dependence upon society. But he does not experience this dependence as a positive asset, as an organic tie, as a protective force, but rather as a threat to his natural rights, or even to his economic existence. More over, his position in society is such that the egoistical drives of his make-up are constantly being accentuated, while his social drives, which are by nature weaker, progressively deteriorate. All human beings whatever their position in society, are suffering from this process of deterioration. Unknowingly prisoners of their own egoism, they feel insecure, lonely, and deprived of the naive, simple and unsophisticated enjoyment of life. Man can find meaning in life, short and perilous as it is, only through devoting himself to society.

Artificial environment and alienation:- Today, almost every one living in the urbanised centres feels intuitively a lack of something in life. This is due to the creation of an artificial environment from which nature has been excluded to the greatest possible extent. Even the religious man in such circumstances has lost the sense of the spiritual significance of nature. "Peace in human society and preservation of human values are impossible without peace with the natural and spiritual orders and respect for the immutable supra-human realities, which are the source of all that is called "human values" ⁴⁵ Modern man has destructed the sacred and spiritual value of nature; and created an artificial environment, in which he is unsatisfied and alienated.

Overcoming of alienation:- It is essential to the development of the individuals personality that he have the opportunity to engage in self-directed productive activity and to give himself an objective embodiment in the world in the form of products which reflects his personality. To be deprived of this opportunity, in one way or another is purportedly to be deprived of the possibility of developing a distinctive personality. "Greed no less than need may induce one to surrender the direction of ones productive activity to someone else, and time and energy can be and often are squandered in activity that is in no sense productive" ⁴⁶One's work must be such that self-expression is possible in it, if one is to find personal satisfaction and fulfillment in it.

Conformity to socio-cultural institutions and the expectations of others involves a substantial limitation of ones individuality. This notion of conformity involves the idea of the suppression of the tendency to think and act independently and of the acceptance of patterns of thinking and acting which do not simply reflect one's idiosyncratic desires and inclinations. At the same time he should keep his individuality by having life style of his own which does not conflict with the social norms.

Freedom of will as freedom of self:- In an alienated society the mode in which people express their will is not very different from that of their choice in buying commodities. They are listening to the drums of propaganda. "When the self is free, the will is free, freedom of the will is the freedom of the self" ⁴⁷However the freedom of the self can only be obtained by the abolition of all conflict and hostility in the individual

and the formation of a complete harmony of all impulses. Thus the completely harmonised self is the completely free self. In short where there is conflict in the self there is no true freedom.

Society and mental health:- Man as he appears in any given culture is always a manifestation of human nature, a manifestation, however, which in its specific out come is determined by the social arrangements under which he lives. Mental health is achieved if man develops into full maturity according to the characteristics and laws of human nature. Mental illness consists in the failure of such development. The criterion of mental health is not one of individual adjustment to a given social order, but a universal one, valid for all men, of giving a satisfactory answer to the problem of human existence.

The mentally healthy person is the productive and unalienated person, the person who relates himself to the world lovingly. He uses his reason to grasp reality objectively. He experiences himself as a unique individual entity. At the same time he feels one with his fellow man. He is not subject to irrational authority. He accepts willingly the rational authority of conscience and reason. He will consider the gift of life the most precious chance he has. Mental health is characterised by the ability to love and to create, by the emergence from incestuous ties to clan and soil, by a sense of identity based on ones experience of self as the subject and agent of one's powers, by the grasp of reality inside and outside of ourselves that is, by the development of objectivity and reason.

According to Fromm, mental health can not be defined in terms of the adjustment of the individual to the society, but, on the contrary, that it must be defined in terms of the adjustment of society to the needs of man, of its role in furthering or hindering the development of mental health. Thus the mental health of the individual depends on the structure of his society. A healthy society furthers mans capacity to love his fellow men, to work creatively, to develop his reason and objectivity, to have a sense of self which is based on the experience of his own productive powers. A unhealthy society is one which creates mutual hostility, distrust, which transforms man into an instrument of use and exploitation for others which deprives him a sense of self. Thus society can further mans healthy development, so also, it can hinder it. In fact most societies do both, only the question is to what degree and in what directions their positive and negative influence is exercised,

Essence of true love:- There is only one passion which satisfies man's need to unite himself with the world and to acquire at the same time a sense of integrity and individuality, and this is love. According to Fromm love is union with somebody, or something outside oneself, under the condition of retaining the separateness and integrity of ones own self. It is an experience of sharing of communion, which permits the full unfolding of ones own inner activity. In true love, there is no need to inflate the image of the other person, or of oneself, since the reality of active sharing and loving permits one to transcend ones

individualised existence, and at the same time experience oneself as a bearer of the active powers which constitute the act of loving.

In the act of loving a person is one with all, and yet he is himself, a unique, separate, limited, moral human being. Thus love is the active and creative relatedness of man to his fellow man, to himself, and to nature, under the condition of retaining ones sense of integrity and independence. In the experience of love, the paradox happens that two people become one, and remain two at the same time. True love includes care, responsibility, respect and knowledge. To care means, the person who loves should be actively concerned with the other persons growth and happiness. To be responsible means he responds to the other persons needs. To respect means to look at the other person as he is, objectively and not distorted by ones wishes and fears. An alienated person is incapable to love and to use his reason, to make decisions, in fact incapable to appreciate life and thus ready and even willing to destroy every thing.

Mental maturity:- According to Dr: Strecker maturity means as the ability to stick to a job, the capacity to give more on any job than is asked for, reliability, persistence to carry out a plan regardless of the difficulties, the ability to work with other people under organisation and authority, the ability to make decisions, a will to life, flexibility, independence and tolerance. To him maturity is the same as adjustment to our society, with out ever raising the question whether this adjustment is to a healthy or pathological way of conducting one's life.

Importance of solidarity:- If, a person pursues his private self interest without consideration for the legitimate needs and interests of others, one renders community with them impossible. But if he shares a set of values, beliefs and practices with others, then only a certain kind of solidarity is possible with them. Man can blossom only in society. Selfishness is a dangerous and non-lasting way of helping oneself. Man cannot separate his true interests from those of society. He can help only by helping society. Solidarity is not only a task, it is a satisfaction and the best guarantee of security. The sentiment of solidarity must be derived first in the family. Fraternity leads to mutual tolerance and to the determination never to separate.

Creation of a sane society:- The urgent need of the present times is the creation of a sane society, a society whose members have developed their reason to that point of objectivity which permits them to see themselves, others, nature, in their true reality and not distorted by infantile omniscience or paranoid hate. It means that a society, whose members have developed to a point of independence where they know the difference between good and evil; where they make their own choices, where they have convictions rather than opinions, faith rather than superstitions or nebulous hopes. Thus a sane society is a society whose members have developed the capacity to love their children, their neighbours, all men, themselves, all of nature, who can feel one with all, yet retain their sense of individuality and integrity, who transcend nature by creating, not by destroying. According to Erich Fromm, man can protect himself from the consequences of his own

madness only by creating a sane society which conforms with the needs of man, needs which are rooted in the very conditions of his existence.

What is needed in this present situation is practical philosophy, a philosophy that will not have a gap between theory and practice. Ethically and morally the mind of people should be upgraded. Self-knowledge and self-realisation are the basic ways for this. To achieve this man should turn his eyes inwards and should be able to experience deep inner meditation. Self-realisation or the discovery of the authentic self is possible through intercommunication between the like minded. However this will be impossible for a person who concentrates only in his inner loneliness. Thus mutuality and *communication* are basic points in self-realisation.

Thus let us renew our society in which man relates to man lovingly, in which he is rooted in bonds of brotherliness and solidarity, rather than in the ties of blood and soil. Let us make a society which gives us the possibility of transcending nature by creating rather than by destroying, in which everyone gains a sense of self by experiencing oneself as the subject of ones own powers rather than by conformity, in which a system of orientation and devotion exists without mans needing to distort reality and to worship idols.

Notes and reference

37.Lazarus Richard S.: *Psychological stress and the coping process...*1966, p-137

38.Israel Joachim .:*Alienation, From Marx to Modern Sociology.* 1971, p-230

39. Fromm Erich : *Man For Himself, An Enquiry In to The Psychology of Ethics* .. 1949. p- 248
40. Fromm Erich : *The Sane Society*.. 1955, p-21
41. Elliott Anthony.: *Psychoanalytic Theory, An Introduction*.. 1972, p-56 and 57
42. Sahacht Richard: *Alienation*. [With an introductory essay by Walter Kaufmann)] 1971. p-43
43. Hamachek Don E.: *Encounters with the self*. 1971, p-253
44. A.C. Grayling.: *Philosophy, A Guide Through the Subject*, 1995, p-259
45. R.S. Downie, Loudfoot Eileen M., Telfer Elizabeth.: *Education And Personal Relationships* 1974, p- 157
46. Nasr Seyyed Hossein .: *Man And Nature, The Spiritual Crisis Of Modern Man*. 1968. p-14
47. Schacht Richard.: *Alienation*.. 1971, p-260
48. J.A. Hadfield.: *Psychology And Morals, An Analysis Of Character*.. 1923. p- 81

MORALISATION OF SOCIETY

Poulose V.T. "An enquiry into the problem of rising criminality in the state of Kerala and legal and sociological remedies in the present Indian context - A philosophical analysis" Thesis. Department of Philosophy , University of Calicut, 2006

CHAPTER 7

MORALISATION OF SOCIETY

“Morality is largely concerned with controlling human nature”⁴⁸The main thing in the moral life is the establishment of good habits. Moral philosophy is an attempt to arrive at an understanding of the nature of human values of how we ought to live, and of what constitutes right conduct. We want to know, for example; which actions are right and which are wrong, which activities and goals are worth while and which are not and which actions and institutions are just and which are unjust. So also we want to find out how one can justify judgements about what is right, good ,worthwhile or just, and precisely what such judgements mean. We also want to know how all these various questions are interrelated. These are some of the main issues of moral philosophy. They force us to examine critically things we had taken for granted. In matters of morality, we are primarily concerned with deciding how we ought to act.

Metaphysics of morals:- According to Kant the basic principle of metaphysics of morals is the critical examination of pure practical reason. For in order that an action should be morally good, it is not

enough that it conform to the moral law, but it must also be done for the sake of the law. According to Kant there are three stages for the transition from the common rational knowledge of morality to the critique of pure practical reason. They are:-

(a) Transition from the common rational knowledge of morality to the philosophical.

(b) Transition from popular moral philosophy to the metaphysic of morals.

(c) Transition from the metaphysic of morals to the critique of the pure practical reason.

There is one sort of kinship that must be appropriate for a rational being ie: his kinship with other rational beings as persons. This minimal type of kinship is the precondition of the situation of practical reason. The feeling of fraternity must therefore at least be attached to the kinship of being a person.

Man as a moral being:- What makes someone a moral being is not the practical relevance he attributes to the approvals and disapprovals of others, but the practical relevance he attributes to his own approvals and disapprovals of his own actions. This is still true when he takes account of the approvals and disapprovals expressed by others who have more moral insight than he has. It become practically relevant for him when he makes them his own' by reflecting on them and accepting them for himself. If a person lives in the society by approving and disapproving of the actions and characters of others, but if it never occurs to him to

approve or disapprove of his own then he would not be a perfect moral being.

“To be moral is to respect personality, in ourselves and others”⁴⁹ A moral person is a subject with ends he has chosen, and his fundamental preference is for conditions that enable him to frame a mode of life that expresses his nature as a free and equal rational being as fully as circumstances permit. The mind of a real moral being will be always open to correction regarding his faults and he will have a tendency to improve his morality. A reasonable man shows a willingness, to use the criteria of inductive logic in order to determine what is proper for him to believe. So also whenever he is confronted with a moral question, he shows a disposition to find reasons for and against the possible lines of conduct which are open to him. He exhibits a desire to consider questions with an open mind. Consequently, while he may already have an opinion on some issue, he is always willing to reconsider it in the light of further evidence and reasons. “Normal persons are distinguished by two features: first they are capable of having a conception of their good, and second they are capable of having a sense of justice, a normally effective desire to apply and to act upon the principles of justice, at least to a certain minimum degree”⁵⁰

According to Nietzsche, true morality must build from the immediate sense of power, which everyone can feel within himself. He approves as good whatever conforms to nature, and condemns as bad whatever is contrary to it. Moral necessity is the necessity according to

which persons must act in a given way in order not to render themselves defective”⁵¹ According to schopenhaver sympathy or pity is the basis and standard of morality and selfishness is the basis of wickedness. To be good an act must be prompted by pure sympathy. If the motive is ones own welfare, the act has no moral worth at all, an if the motive is the harm of others, it is wicked. John Rawls, the author of the book “A theory of Justice,” says that a moral person must have a sense of justice ie: to be a moral person is to be the kind of person to whom one can make moral appeals, with some prospect that the appeal will be heeded. “The truly positive person is a sane optimist and thinks and lives an affirmative, constructive life”⁵²

Moral goodness:- According to Plato, moral goodness is a harmonious functioning of the passions and appetites under the guidance of reason. The moral good is that which is Right, that which accords with law and the commands of duty. Men ought to find satisfaction in heeding the dictates of the right.

Moral perfection:- Aristotle has pointed out that all our powers and skills are capacities for moral opposites, they can be used for either morally good, or bad purposes. The development of all the capacities which can be achieved by mankind are necessary to moral judgment and moral virtue. As such they fulfill our positive moral obligations to be worthy of the humanity in us. The perfection of our abilities is therefore a duty in itself, an integral part of the process of striving for the highest purpose of Nature, our moral perfection.

Kinds of moral character:- There are only two possible fundamental kinds of moral character. They are:-

(a) Morally Virtuous character

(b) Morally Vicious character.

People trying to be Virtuous can suffer temporary moral lapses. For this reason, Kant writes, we might think that people can be morally good in some respects and morally bad in others and we may believe that most people are in fact, partly good and partly bad. But Kant insists that a rational analysis of the necessary nature of noumenal moral character must lead us to reject this view. Each person can and must adopt one and only one such universal disposition. Thus each person is and must be fundamentally either morally good or evil.

According to Kant virtuous people will always have a difficult time remaining faithful to their good ultimate maxim. Even the best of us will occasionally fail to live up to his or her intention to obey the moral law. According to Kant, such failings are still more a matter of lack of virtue than of being morally evil. The real opponent and opposite of virtue is vice, against which the moral reason has to fight. Vice consists in the intention to transgress the moral law whenever it conflicts with the possibility of pleasure one wants. Like moral weakness and moral impurity, vice involves acting on inclinations but the desires here have been allowed to unite into settled immoral passions. The evil person has calmly and deliberately adopted

immoral policies to serve his inclinations. That is why his inclinations and passions are morally reprehensible.

Morality and culture:- The kind of actions the child learns to perform, and the activities he is gradually able to participate, depends on the culture of the society to which he belongs. The moral training which the child receives, the core of which contains such things as praise and blame, encouragement and admonition, reward and rebuke, love and anger, disappointment and forgiveness, the reading of stories and the providing him with personal examples, gradually enables him to have a place on which he can stand morally. His acquiring of moral beliefs depends on that. It is this which makes it possible for him to criticise himself and also other people. Thus what one learns morally, what values one acquires, depends on the culture in which one develops, the activities and institutions that surround ones life and the ideas that one meets in connection with these. The moral values that one makes ones own belong with this social life. Thus values are culturally determined.

Importance of moral education:- If one is too immune to all pity, he is relatively unable to identify himself with anything other than himself and unable to attach himself to the group of which he is a part. Moral education should create and prompt the feelings of interpersonal sympathy in a person. “we must not merely learn that our actions affect the happiness of others, but must acquire the habit of feeling for them”

⁵³Charity points to a moral propensity to sacrifice, to go beyond ones self, to go beyond the circle of self-interest it clears the way for a true morality.

Since morality determines, fixes, and regularises mans conduct, it presupposes a certain disposition in the individual for a regular existence-a preference for regularity. Genuine obligations are daily ones and the ordinary course of ones life entails their regular performance. Morality is concerned with such things as principles of action, choice and responsibility.

Moral knowledge:- According to Socrates if a man possesses moral knowledge, then he must act virtuously. A good life is one which is inspired by love and guided by moral knowledge. “When a man turns away from God (from the good) he simply gives himself up to the law of moral gravity”⁵⁴ One who is indifferent to the good can not be said to see or to have moral knowledge. Moral knowledge is love of the good. In the domain of the spiritual to love the good is to possess it. Knowledge is virtue. Socrates Claims that if one possesses the good, if one is virtuous, one can not do wrong. A righteous man performs right action. Thus according to Socrates a man who has moral knowledge can not succumb to temptations without losing touch with the knowledge he has.

Self knowledge:- First of all one must know himself, that is he must deepen his insight into the causal concatenations governing his own behaviour. “A man who truly knows himself will succeed, for he will know precisely what is within his capacities and the area in which to apply them, whereas the person who does not know himself will constantly blunder, even to the point of ruining his life”⁵⁵ According to Freud self-knowledge means that man becomes conscious of what is

unconscious. Self knowledge in Freuds sense is not an intellectual process alone, but simultaneously an affective process. It is not only knowledge by the brain, but also knowledge by the heart. Knowing oneself means gaining increasing insight, intellectually and affectively. The more, man is in touch with his inner reality, the more he is awake and free. “Knowledge is not regarded as an end in itself but as a means to self-realisation and self protection”⁵⁶ The meaning of the socratic extortaion, “know thyself”, is that it is only through self knowledge that a man can participate in the moral community and fulfill his funcion in the grand design of the universe.

Love, knowledge and morality:- Love, according to Gandhi, is Devine, it makes performance of duty not only a convenience, but also a duty. But love at times tends to be blind. This may lead to dogmatism, and even to barbarism and fanaticism. Therefore Gandhi says that morality does not consist in loving blindly, it is loving with the full consciousness and knowledge of love. Love in ignorance tends to become sensuous and narrow, knowledge will break its bonds and barriers. A good action requires and is based on a knowledge of its factors, conditions, motives etc. Knowledge, therefore, is an essential aspect of morality.

If the good consists in doing good to others, it would involve sacrificing ones personal motives for the good of others. That means that self-transcendence or love constitutes the essence of morality.

Moral obligations:- Moral obligation is simply the kind of necessity which requires action in one way rather than another, if the loss of personal dignity, that is, of the good, proper to person, is to be avoided. Obligation is an essential element of every moral percept. Our whole nature has a need to be constrained, bounded, restricted- our intellectual as well as our emotional nature. We are not purely rational beings, we are also emotional creatures. Temperament is the quality by which persons are distinguished from one another. Our sensibilities, then, incline us toward individual, egoistic, irrational, and immoral ends. Between the law of reason and our temperaments, there is a genuine antagonism, and consequently the former can impose itself upon the latter only through exercising a very real constraint. It is the sense of this constraint that gives rise to the feelings of obligation.

Moral Development:- “Moral development refers to the manner in which a child internalises the cultural norms of behaviour as these norms relate to social conduct” ⁵⁷Such development includes the learning of what is regarded as right and wrong, the use of punishment or other techniques to develop concepts of social conduct and the development of the ability to be concerned about others. It involves the ability to understand another person's view point. During the acquisition of moral values the child gradually learns to understand the roles of other people. That is, he restructures his concept of self and his concepts of other people so that he can see himself and his own needs and desires in relationship to other people and their needs and desires.

“Moral development entails changes in our understanding of the rules that govern social life and our interpretation of what we ought to do”⁵⁸

Moral development is a process of acquisition of new and better knowledge of the means towards certain goals. Such moral development is often the adaptation to changed conditions because our pursuit of our purpose exists within an ever changing social environment.

Moral maturity:- Moral maturity is the ability to make autonomous moral decisions. The morally mature individual will have notions of reciprocity, fairness, equality and sense of justice. These thoughts provide a basis for moral action. According to psychoanalysts moral maturity means control of impulses. “The morally mature individual is held in check by strong emotions of guilt”⁵⁹ According to social-learning theorists mature moral behaviour means self-control honesty and resistance to temptation.

Moral experience:- According to Kant, the core of moral experience is not harmony, but conflict. It is the conflict between the two sides of man the natural and rational. “The moral man is very conscious of the possibility that he may not do what he ought to do, because he is always in danger of ignoring the voice of morality and of merely doing what comes naturally”⁶⁰

Objectivity and reality:- The attainment of objectivity, that is to acquire the faculty to see the world, nature, other persons, and oneself as they are and not distorted by desires and fears, is an important factor

in the development of human personality. The more man develops this objectivity, the more he is in touch with reality, the more he matures, the better can he create a human world in which he is at home.

Moral interest:- According to Kant that the morality of an action can not be based on goals or ends of any kind, for doing so destroys the very possibility of morality. If our acts are free from sensuous motive, then only we have a distinctively moral interest.

Moral motivation:- According to Kant that moral motivation is absolutely based on the sense of moral duty. "All moral motivation is the product of social influences, teaching, culture etc."⁶¹

The importance of moral law:- According to Kant we need to feel respect for the demands of morality. But this sentiment of respect itself rests finally and only on our prior recognition of the law of our reason, the moral law. Since people inevitably deviate from the moral law, we may presuppose that evil to be subjectively necessary to every man, even to the best. According to Kant we all find ourselves in an 'ethical state of nature' with an innate propensity to resist the moral law and to adopt as our ultimate maxim the 'evil principle' of systematically giving our desires precedence over the moral law. The internal moral conflict everyone experiences is a war within our will, on one hand exhibiting a radical tendency toward evil and on the other a fundamental predisposition to good based on the inexorable commands of the moral law in each person's reason. A person's physical or psychological or empirical self or character consists of inherited

dispositional or temperamental traits modified by complexes of acquired habits as well as by the influence of a wide variety of factors such as one's family, education etc. A theory of human morality must take human nature into account, but that theory, like morality itself, must be grounded only in reason and its ultimate law. According to Kant the dignity of each person rests on the capacity to adopt and act on universal laws and each person's virtue depends on obeying those same laws.

Moral actions:- According to Gandhi no action which is not voluntary and good can be called moral. So long as we act like machines, there can not arise any question of morality. If we call an action moral, it means that it has been done consciously and as a matter of duty. "Any action that is dictated by fear or by coercion of any kind ceases to be moral."⁶² In short right thinking is essential for right action.

Morality and discipline:- Practical morality involves consistency, regularity of conduct: what is moral today must be moral tomorrow. It also invariably involves some sense of authority: we are constrained to act in certain ways, we feel a resistance to strictly idiosyncratic impulses. Now these two features of morality- regularity of conduct and authority- are in fact, aspects of a single thing: discipline. Thus the first element of morality is discipline, compounded by regularity of conduct and authority.

Philosophy of Discipline: - Nature is the cause and the flesh is the source of sin and evil. Man must triumph over it, he must vanquish it.

For this he has to struggle against himself. Discipline is precisely the means of victory against evil. By means of discipline we learn to control our desires, without which we cannot achieve happiness. Hence, it even contributes in large measure to the development of our personality. "All true discipline is the discipline of personality and therefore the integration and co-ordination of the elements of personality" ⁶³Discipline promotes a preference for the customary, and it imposes restrictions. It regularises and it constrains. It answers to whatever is recurrent and enduring in mans relationships with one another. At the root of moral life there is, besides the preference for regularity, the notion of moral authority. These two aspects of morality are closely linked. This is the concept of discipline. Thus the fundamental element of morality is the spirit of discipline. Discipline is only a means of specifying and imposing the required behaviour. Thus the first basic element of all moral temperament is the spirit of discipline.

Self Discipline and Happiness:- A person requires to develop the abilities to gain control over the despotism of desires by rejecting merely impulsive behaviour and developing self-discipline. Epictetus reaffirms one of the distinctive doctrines of stoicism that it is our attitudes towards events, not events themselves, which we can control. Nothing is by its own nature calamitous-even death is terrible only if we fear it. Again, although one may feel to carry out the actions prescribed by divine providence i.e.: in the execution of ones own duties, circumstances may prevent a successful outcome, one should

remain unconcerned. For example, if because of poverty a man is unable to feed his children, he should not be disturbed as long as he sincerely makes the effort to provide for them. If he wills to do his duty, he is fulfilling his obligation. Epictetus advises that we should cultivate an attitude of indifference to good and bad fortunes alike, since external events are beyond our control. Therefore the prudent man does not allow himself to be enslaved by the demands of his body or to become emotionally attached to persons or objects. For Epictetus, happiness requires unremitting self-discipline.

Self-respect: - Since the moral law is the law of our own reasons, the virtuous person is one who acts out of self-respect. Any violation of the categorical imperative is a violation of our own dignity, for it involves treating ourselves merely as a thing, as a plaything of our inclinations. Consequently self-respect is the subjectively necessary ground for fulfilling all our duties. The ultimate subjective moral appeal in human moral life, then, is to our self-respect and to an equal respect for all other persons.

As far as committing suicide is concerned, Kant argues that the person is doing wrong by regarding himself merely as a thing, and therefore would not respect himself as an intrinsic end.

Morality and social conduct: - Morality consists of a system of rules of action that predetermine conduct. They state how one must act in given situations and to behave properly. "Morality is totality of definite rule, it is like so many moulds with limiting boundaries, into which we

must pour our behaviour. We do not have to construct these rules at the moment of action by deducing them from some general principles, they already exist, they are already made, they live and operate round us.”⁶⁴. Morality thus presuppose a certain capacity for behaving similarly under like circumstances and consequently it implies a certain need for regularity. If we violate rules of morality we risk unhappy consequences, we may be blamed, black listed or materially hurt- either in person or our property. Morality is not simply a system of customary conduct. It is a system of Commandments. Irregular behaviour is morally incomplete. We ought as far as possible to take account of the needs and interests of every one.

Influence of social character:- The structure of the society and the function of the individual in the social structure may be considered to determine the content of the social character. Social character means it is the nucleus of the character structure, which is shared by most members of the same culture in contradiction to the individual character in which people belonging to the same culture differ from each other. In short it is the sum total of character traits to be found in the majority of people in a given culture. Religious, political and philosophical ideas are rooted in the social character and they in turn determine, systematise and stabilise the social character. Socio economic structure of the society moulds man's character. At the same time man's nature in turn moulds the social conditions; in which he lives.

The family may be considered to be the psychic agency of society, the institution that has the function of transmitting the

requirements, of society to the growing child. The character of the parents influences the character formation of the growing child. Since the character of most parents is an expression of the social character, they automatically transmit the essential features of the socially desirable character structure to the child. The parent's love and happiness are communicated to the child as well as their anxiety or hostility. In addition to the character of the parents, the methods of childhood training, which are customary in a culture, also have the function of moulding the character of the child in a socially desirable direction.

Morality as a system of prohibitions: - Morality is a comprehensive system of prohibitions. That is to say, its objective is to limit the range within which individual behaviour should and must morally occur. Kant describes morality as a negation, a limitation on our desires and inclinations.

Moral duties: - Morality presents itself as obedience to the Law of Duty. All moral duties may be divided into two kinds. The first are those to which men are impelled by a natural instinct or immediate propensity, which operates on them, independent of all ideas of obligation, and of all views either to public or private utility of this nature are, love of children, gratitude to benefactors, pity to the unfortunate.

The second kind of moral duties are not supported by any original instinct of nature, but are performed entirely from a sense of

obligation. Justice or a regard to the property of others, fidelity or the observance of promises are moral duties of this kind.

Philosophy of moral duties: - Moral duty is a practical, unconditional necessity of action, without regard to any object of desire. We need to have theoretical knowledge of the ordinary causal laws of the world in which we live, we need some fundamental insight into the nature of human beings, and we need to be acquainted with every day social practices. So also we should be aware that we are dependant physical beings with needs to be met with the help of our reason. We must know that what sort of things can be considered desirable and by what means they can be attained. We need to be aware that we can and do experience internal conflict between our prudential and our moral interests , so that morality always appears to us our duty. We need to recognise that we are only contingently rational and do not always act intelligently even in prudential matters.

Learning to act in a well-mannered way may constitute only the semblance of moral behaviour, but it also may lead to the eventual formation of the moral dispositions appropriate to it. The power to carry out our moral intentions in the world enables us to act more effectively in fulfilling the obligation we have to promote the ultimate total human end of happiness proportionate to virtue. When we judge how to act morally, we may not base our decisions on what we do or do not want we must act morally only by judging in what Kant describes as a 'Sensually disinterested' fashion, that is according to norms given by our own reasoning, norms that set aside our individual

desires and aversions and any consideration of possibly adverse consequences of obeying these norms. When we act, we must be able to exercise our causal power without being influenced to do so by any causes lying outside our own reason including our own desires and inclinations.

Reason and Desire: - The difference between man and beast is that man possesses reason and this is connected with thinking before he acts rather than following instinct or mere impulse. Moreover, he is constantly encouraged to do what he ought rather than what he would like to do and to refrain from doing what he ought not to do even when he would like to do it. Thus he is trying to work out what he should or ought to do, that is, what is supported by best reasons. The most striking fact of our moral experience is and undoubtedly the conflict between the demands of morality and our desires. There are two forces within us - reason and desire, capable of pushing us in opposite directions. Reason is on the side of morality. A person becomes a moral being only when his reason has developed ideas of duty and law. We are capable of reasoning and reason is not subordinate to self-interest. Desire is so personal and so bent on its own satisfaction as to be the source of temptation, to be the cause, which leads men to deviate from the lawful cause of action. Man is simply the object of his desire and will.

A criminal's unwillingness to make his maxim a universal law is based on desires, not on reason. He wishes to use others as means without any respect for them, as human beings. Reason

inclines us toward satisfying the demands of morality, desire inclines us the other way. If reason is stronger we are moral, if desire is stronger, we are immoral. Thus a person of high morality will usually be able to refrain from wrong deeds even in the face of strong contrary impulse: "Reason enables us to perceive immediately what is right and good" ⁶⁵

Ordinary pleasures are deceptive they mislead judgement and action. Their deceptive quality is what stands between us and the wisdom that lays hold of the true good. The pleasures of ordinary desire are so strong that the latter have to be subdued if we are to be loyal to real satisfaction. The way to subdue them is to engage systematically in exercises, which are naturally uncongenial, and then we harden ourselves to pain and steel ourselves against the seductions of desire. Repeated exercise more over weakens the intensity of desire.

Hume's Concept of Reason and Desire: - Hume rejects the popular view on reason and desire. According to him, reason alone can never be a motive to any action of the will and it can never oppose passion in the direction of the will. To Hume reason does not have the power and force to set the will in motion. Only the passions or desires or the faculty of taste have this power. Reason conveys the knowledge of truth and falsehood whereas taste gives the sentiment of beauty and deformity, vice and virtue. Reason discovers objects as they really stand in nature without addition or diminution, whereas taste has a productive faculty and gilding or staining all natural objects with the colours, borrowed from internal sentiment, raises in a manner a new creation. Reason is no motive to action and directs only the impulse

received from appetite or inclination by showing us the means of attaining happiness or avoiding misery.

Taste as it gives pleasure or pain and there by constitutes happiness or misery becomes a motive to action and is the first impulse to desire and volition. According to Hume, reason alone could do no more than apprise them of all the facts, of what exists, of what things are like, of what has been, is and will be going on in this world. It is only because we desire some or abhor other things, because some give us pleasure and happiness, others pain and unhappiness, that we are inclined to behave in one way rather than another. Reason, by telling us, what is and will be happening and what are the causes and effects of what, apprises us of what we must do in order to achieve or avoid what, there by satisfying our desires, achieving happiness, and avoiding misery. Reason can only determine the means, not the ends. The real causes of our behaviour are our desires. However according to Jack Glickman this concept of reason is false. "The ordinary view of reason expressed in phrases such as, 'Desire bade me woo her, reason made me go', could not possibly be erroneous. We mean by the word reason something that can make us do things."⁶⁶

Reason and Ethics- Hume's concept: - According to Hume that the prima facie case for the man who thinks that reason plays an essential part in ethical matters is that we certainly do dispute about questions of right and wrong, and do try to persuade each other on moral questions. Now we do not dispute about mere feelings and emotions. The prima facie case for the man who thinks that sentiment and emotion play an

essential part in ethical matters is that virtue and vice certainly do move our feelings, and that moral approval and disapproval are undoubtedly motives to action.

Reason and human mind: - To Hume, reason and sentiment both play an essential part, but that the part is quite different. Reason is needed to tell us that certain types of character or conduct tend to produce happiness or misery in the agent or in other men. When the situation is complex and the consequences are mixed, reason is needed to analyse the situation and to estimate the balance of happiness or misery which is likely to result. But this knowledge which reason gives us would lead neither to approval nor disapproval, action or abstention, unless the thought of human happiness attracted us and the thought of human misery repelled us. Now this attraction and repulsion cannot be due to Reason, but must depend on special emotional make-up of the human mind. Thus according to Hume Reason is wholly confined to matters of fact. It will help us to analyse a situation, to choose means for a given end and to infer probable consequences of various alternative courses of action.

Reason and Desire- Kantian concept: - Kant regarded reason as so transcending the rest of creation that it is uniquely worthy of awe and respect. Reason alone can discern what is true and good. Reason is the ground of intelligibility, necessity and universality, and thus also of harmony and peace. "Contrary to Rousseau's contention that we are by nature only good, Kant maintains that the human race has a natural inclination to vice. There is a radical innate evil in human nature, a

propensity that is inextirpable, at least by any human power”⁶⁷ Kant shares Hume’s conviction that our ends are determined by our desires and our desires by our empirical nature. He agrees that it is the function of reason to work out the best means to our ends. Hence, in that respect, reason can and ought only to be the slave of the passions. However reason must be, at least at times, the master and not merely the slave of passions.

Instead of regarding man as a machine driven by the desires alone Kant thinks of him as being moved by two different and frequently opposed forces i.e.: desire and reason. Both these forces can influence the will of man. Thus in strong-willed person, reason is the stronger engine hence such a person will be able to act in accordance with reason, that is, in the direction in which reason pushes and contrary to desire. In weak-willed persons, desire is stronger; hence such a person will tend to act contrary to reason. Thus Kant explains what Hume simply denied could occur, the conflict between reason and desire and the possibility of acting in accordance with or contrary to reason. “If one’s emotions and desires are not guided by reason, one lives in a fantasy world. If one’s rational capacities are not motivated by emotions and desires, one lapses into a state of meaninglessness. These are requirements for any meaningful and effective human life”.⁶⁸

Hypothetical and categorical imperatives: - According to Kant a person subject to both reason and desire can be moral only if and when his reason is stronger than his desire. Thus according to Kant a human mind can issue two entirely different sorts of commands or imperatives,

hypothetical and categorical. When the human mind recommends a course of action as a means to an end determined by desire, it is a hypothetical imperative. In issuing hypothetical imperatives, reason is indeed the slave of the passions. But when the human mind commands a course of action as an end in itself, an end determined not by desire at all, but by pure reason alone, it is a categorical imperative. The categorical imperative can tell us not only what is morally unacceptable, but also what is morally permissible and what is morally obligatory. When reason issues categorical imperatives, they are unconditional commands and it leaves the will no liberty to choose the opposite. In this employment, reason is not the slave of the passions, but an independent force, which can come into conflict with the passions and can over rule them. Thus according to Kant moral imperatives cannot be hypothetical but must be categorical.

Impersonality of reason: - Reasons cannot be specific to particular individuals. It is impersonal. It is the valid reason for a person to do action 'A' then it must also be a valid reason for anyone to do 'A' in the same circumstances. Reasons are by their very nature, reasons for anyone. For example, whenever a person believe that he is in need of money, he will borrow money and promise to repay it although he knows that he can never do so. If he thinks that he is rationally justified, then he must also accept that every one else would be equally justified in making such a promise whenever they needed money and could not repay it. And if he cannot accept this, then he cannot rationally regard himself as justified in the present case. Thus one's

reason for performing a certain action in certain circumstances must be a reason for anyone to perform the same action in relevantly similar circumstances.

Universality of reason: - An action cannot be rational unless it falls under a universal principle, which commits a person to acting in the same way in all relevantly similar circumstances. According to Kant if a person believes his actions to be rationally justified, then he is committed to the universal principle. Thus one's reason for performing a certain action in certain circumstances must be a reason for one to perform the same action again in relevantly similar circumstances.

Law of Autonomy: - The law of Autonomy or the universal law is the first formula of categorical imperative. According to the law of Autonomy we must act only on maxims that are consistent with themselves when considered also as laws for everyone. Since moral rules have the characteristic of universality, what is morally forbidden to one is forbidden to all, what is morally permissible for one is equally permissible for all, and what is morally obligatory for one is equally obligatory for all.

Universal law of Justice: - According to the universal law of Justice; we do not have the moral right to expect or demand that others use one principle in dealing with us while we are free to use another incompatible principle with them. It is immoral for us to make exceptions of ourselves on the basis of our own special interests.

The supreme principle of morality: - “Moral words contain a descriptive element and they have an action- guiding role” ⁶⁹ Acting according to the moral law is behaving in the way in which a fully rational creature will necessarily behave. This implies that this law is universal. So Kant gives a formulation of his law: Act only on that law which is universal. This is the supreme principle of morality. It at once eliminates all actions performed from a selfish motive.

If morality consists of acting in the law of reason and if man is a rational creature the moral law becomes self-given in mans case. Kant thus says that the moral law is autonomous. Thus autonomy of will becomes another formulation of the supreme principle of morality. “To determine the morality of action it must be tested whether the action can be universalised. It can be universalised, i.e. if everybody can act in a like manner without such action, leading to contradiction, it is moral.” ⁷⁰

Inhibition of reason: - A person should have the knowledge of man, nature, society and himself. But if he lives in illusions about one sector of life, then his capacity for reason is restricted or damaged and thus the use of reason is inhibited with regard to all sectors.

Rationalisation of the irrational:- However unreasonable or immoral an action may be, man has an insuperable urge to rationalise it, that is, to prove to himself and to others that his action is determined by reason, common sense or at least conventional morality.

Ethical behaviour: - Ethical behavior is based on the faculty of making value judgements on the basis of reason; it means deciding between good and evil and act upon the decision. Use of reason presupposes the presence of self, so does ethical judgement and action.

Awareness of self: - “The self can only be perceived through meticulous refinement of our discriminating capacities”⁷¹ Awareness of the self leads us to have less anxiety about our lives. We begin to have a greater sense of assurance. According to Vivekananda, what makes one man weak and another great is ‘Shradha’ faith in ones own self.

Conscience factor: - The human being has a conscience and this conscience not only causes people to act in a certain way, but is in fact a norm of action. According to Bishop Butler, human beings are so constituted that they will, generally speaking, act morally. When they don’t act morally they will clearly recognise that they were mistaken in not doing so. Conscience guides as well as goads, the deliverances of conscience are both action-evoking and a source of moral knowledge. A conscience tells the moral agent what to do even in specific situations. It clearly and unequivocally tells him to always act morally and he is so constituted that if he ignores the dictates of his conscience, he will not be happy.

Ethical and psychological egoism:- The sceptical views suggested by Glaucon have come to be known as Ethical egoism and Psychological egoism respectively.

Ethical egoism is a normative view about how men ought to act. It is the view that, regardless of how men do in fact behave, they have no obligation to do anything except what is in their own interests. According to the ethical egoist, a person is always justified in doing whatever is in his own interests regardless of the effect on others.

Psychological egoism is the view that all men are selfish in everything that they do ie: that the only motive from which anyone ever acts is self-interest. On their view even when men are acting in ways apparently calculated to benefit others, they are actually motivated by the belief that acting in this way is to their own advantage, and if they did not believe this, they would not be doing that action.

Ethical values v/s mental conflict:- Conflicts come when a person is unable to live up to a particular value, which consciously or unconsciously he accept. Mental conflict leads to self-condemnation, regret, guilt etc. Value indicates the regard for a thing, situation or attitude which for some reason is esteemed or prized by the value-holder. “For the person with assimilated ethical value, life becomes very simple. No conflicts cloud in his mind.”⁷² There should be an alignment between thought, word and acts of a person. When there is a conflict between the thoughts, words and acts of a person, he will suffer a destructive split in himself. The result will be a restless mind troubled by guilts and conflicts. This kind of mind is not a quiet, receptive instrument ready for accepting the universal moral and ethical values. Thus the alignment of thought, word and deed are very important in moral and ethical learning.

Human values and inner life:- The form of a man's inner life is determined largely by the values in which he believes. A man who doesn't believe in speaking the truth will tell the truth or lie as it suits him. When he lies he will not see what he is doing as something reprehensible. So he is an immoral man. A person who doesn't have moral beliefs, a person who has no regard for the truth and no respect for other people, will behave immorally. He will lie and cheat when it suits him. A man who becomes dead to the claims of morality, who stops caring about moral considerations, 'loses his soul'. On the other hand, a man who strengthens himself against such temptations and devotes his life to activities which quicken his compassion and deepen his concern for others is said to have 'gained inwardness', so have deepened his spirituality. The free exercise of intelligence in the pursuit of truth is the highest value.

Ethical judgements:- Ethics though not consciously created, is a product of social life. It has the function of promoting values common to the members of the society. Ethical judgements do this by praising and encouraging actions in accordance with these values. People who accept the values of their society, always tend to promote what the society values.

Endeavors:- According to Thomas Hobbes desires and aversions are the most important kinds of endeavors. Endeavors are predispositions to act in a certain direction and are mechanically initiated by sensory stimuli, augmented by the action of imagination and memory and guided by a calculated appraisal of the situation. Desires move one to

pursue objects and aversions move one to avoid objects. Endeavors are not only the chief determinants of behaviour, but they are also the basis of evaluations. Evaluating objects and actions as good or evil depends upon desires and aversions. Hobbes depicts men as being by nature entirely selfish and devoid of any genuine feelings of sympathy, benevolence or sociability. Each individual is preoccupied exclusively with the gratification of his own desires and his success in maintaining a continuous flow of gratifications is the measure of his happiness

According to Hobbes in the nature of man there are three principal causes of quarrel. They are competition, diffidence and glory. Competition makes men invade for gain, diffidence for safety and glory for reputation.

Virtue- moral and Intellectual: - Aristotle subdivides human virtue into two types, the moral and intellectual. Moral virtue is based on imperative of law. The imperative is categorical because it is not based on presumption or hypothesis, but on fundamentals of reason. Thus the moral virtues concern the habitual choice of actions in accordance with rational principles. The contemplation of theoretical truths and the discovery of the rational principles, which ought to control everyday actions, give rise to the intellectual virtues.

Reason and virtue and Happiness: - To be virtuous is to have the different elements of ones personality ordered in a harmonious manner, and this is necessary for happiness. Virtue is the highest moral accomplishment of which men are capable. Virtue and true happiness

are identical. No one can be happy who is not temperate, brave, wise and just. A virtuous soul is a well-ordered soul, one in which the right relation exists between reason, feeling and desire. "Virtues build up moral rectitude by regulating the excess of passions" ⁷³

According to Socrates human perfection lies in the knowledge of good and evil. For Socrates, doing what one pleases without wisdom, is no blessing but a curse and therefore, whatever a man gains in this way cannot amount to happiness. Without virtue there can be no happiness whatever else one has. With virtue there can be no unhappiness whatever else one lacks. There should be an uncompromising dedication to truth in whatever one does or practices. A person who is not virtuous feels no remorse or repentance for his wrong doings to others. According to Socrates, a man who has learnt about right, will be righteous, and a righteous man performs right actions and he will never do wrong. He says that insofar as a man loves the good he is in a state of spiritual health, and insofar as he is indifferent to it he is in a state of spiritual sickness. Love of good is an orientation of spirit and for Socrates this is the essence of virtue. Love of good, which finds different expressions in a man's actions, reactions and feelings in particular situations, is a state of soul which Socrates characterises simultaneously as both knowledge and virtue. According to Socrates man's virtue and happiness depend not on material success but on the formation of a character, which is true to his essential nature, his rationality.

According to Plato the life of reason is the happiest and best. When reason governs the desires and passions, an orderly and will-balanced personality results. For him only knowledge can lead to virtue. When a man truly knows what is good i.e.: When he knows what promotes harmony, he will do what is good. Then he will be a virtuous man, i.e. the rational man who is truly happy. "The morally virtuous man is one who is in rational, biological, and emotional balance, or in platonic terms one who is wise, temperate, courageous and just" ⁷⁴In the virtuous man, desires and passions function harmoniously under the governance of reason. He is the truly happy man who sets in order his own inner life and his own master. Thus Plato claims that people should be moral because they will not be happy otherwise. Being moral is at least a necessary condition for being happy.

Aristotle argues that a virtuous man lives according to reasons, thus realising his distinctive potentiality. To him happiness consists in acting in accordance with reason and it is the distinguishing feature of all the traditional virtues. Thus to Aristotle observing the mean is having feelings on the right occasion, for the right reason, to the right degree, and towards the right person.

According to Epictetus, the man who values virtue for its own sake is the happy man. For him, virtue is a condition of the 'will', which is governed by reason. Thus the virtuous person seeks only those things, which are within his power He avoids those things, which are beyond it. Unhappiness is the inevitable lot, of anyone who desires that

which he cannot obtain. The wise man, then, resigns himself to limiting his desires to matters within his control. With respect to desires, which cannot be satisfied he is literally a pathetic i.e. he has no feelings about them. The virtuous man finds within himself all that is necessary to achieve happiness-morally he is entirely self-sufficient. "Practical wisdom, then, must be a reasoned and true state of capacity to act with regard to human goods" ⁷⁵To Epicurus it is not possible to live pleasantly without living prudently and honourably and justly, nor again to live a life of prudence, honour and justice without living pleasantly. And the man who does not possess the pleasant life, is not living prudently and honourably and justly and the man who does not possess the virtuous life, can not possibly live pleasantly.

According to St. Augustine pride is the beginning of all sin. True and perfect obedience is a virtue above all virtues. No great work can be accomplished without it, nor can there be any task, however small or insignificant which will not be done to better purpose in obedience.

According to Hume the virtues are qualities useful or agreeable either to their possessors or to others. Benevolence is a quality, the exercise of which promotes the happiness or well being of people in general. A life shared with others, not self-enclosed but developing and extending outwards, to find new interests in the activities of others, and thereby creating relations of mutual recognition and support with other people, is to that extent a richer and more satisfying life. The purpose of cultivating the moral virtues is to ameliorate the human condition, by

counteracting peoples limited sympathies and there by making things go better.

Knowledge and virtue: - According to Socrates knowledge is virtue. Unless a man knows what virtue is, unless he knows the meaning of self-control, courage, justice and piety and their opposites, he can not be virtuous. Knowledge is both the necessary and the sufficient condition of virtue i.e. with out knowledge virtue is impossible. The possession of knowledge insures virtuous action. A truly virtuous act is one that is consciously directed toward the highest purpose or end and is performed with conscious knowledge of moral principles. Socrates identified knowledge with love of good. A man's spiritual welfare depends entirely on how active this love of the good is in the life he lives. If a man knows the good, then he cannot choose evil. Thus the knowledge of goodness is the basis of a noble and virtuous life. Such knowledge is gained through philosophy. The path of philosophy is not merely the path to the knowledge of goodness but a path to the possession of true goodness it-self. "The mind's highest good is the knowledge of God and the mind's highest virtue is to know God" ⁷⁶

Thus virtuous conduct means complete and pure knowledge of the good and a conscious purpose, on the part of the doer, to realise the supreme good. Conscience is nothing but our opinion of the rightness and wrongness of our own action in the light of such acquired moral knowledge. According to Lord Shaftesbury man possess self-affections and social affections. Virtue consists in the proper balance between the two, and the moral sense tells us whether

they are in harmony or not. The search for knowledge is accordingly, a search for the real, and the knowledge gained is absolute, universal and objective, what hold for knowledge in general holds for ethical knowledge in particular.

Lack of virtues and its effects: - A mind which doesn't have the personal and social virtues will be dejected with melancholy, tormented with anxiety, irritated with rage or sank into the most abject baseness and degeneracy and he will be unhappy in his own temper as well as in his situation. He will not be able to perceive the charms of a decent genteelness of address and manner. Indolence, negligence, want of order and method, obstinacy, fickleness, rashness, credulity etc. gives us the sentiment of pain and disapprobation. If a person does not feel reluctance to the thoughts of villainy or baseness; he has indeed lost a considerable motive to virtue.

Thoughts and Happiness: - Self destructive behaviour is harmful to one's own happiness. Feelings are not just emotions that happen to a person; instead they are reactions one chooses to have. If a person is in charge of his own emotions, he doesn't have to choose self-defeating reactions. Once a person learns that he can feel what he choose to feel, he will be free from nervous breakdowns. In short if thoughts are controlled, feelings can be controlled since, feeling is a physical reaction to a thought i.e. a person feels what he thinks. It is the thought that makes a man happy or unhappy. A thought becomes a belief when one works on it repeatedly.

Happiness and Basic necessities: - When peoples fundamental needs are unsatisfied, their lives will become empty and frustrated and their actions are more likely to be irrational dominated by unconscious motives and compensations, by fantasies and by compulsive drives. To that extent, they will be less able to function effectively. The basic needs and requirements of life should be satisfied, and then only a person will be able to function effectively as a human being.

Morality and conflicting desires: - We are social beings sharing certain desires with others and therefore vulnerable to interference in the pursuit of our favoured goals, in the sense both that others may pursue what I want in conditions of scarcity, which means that all desires will not be satisfied, and that the routes to different goals may cross and lead to conflict between individuals. Morality becomes, therefore, a technique of mediation between conflicting desires, operating at either of these two levels. If we play morally, we can maximise our satisfactions. On the other hand if no one in fact plays morally the result is that each individual will be unhappy and dissatisfied .

Self-interest V/S Common goal: - According to Hobbes that generally each man exclusively seeks his own interest and totally neglects to consider the interests of others. When people's interests conflict, each man would (without the institution of morality) resort to violence to gain his own ends. If every one acts morally, or generally acts morally, people will be able to attain more of what they want. It is obvious that in a moral community more good will be realised than in a non-moral collection of people. Yet in the interest of realising a commodious life

for all, voluntary self-sacrifice is sometimes necessary, but the best possible life for everyone is attainable only if people act morally. The greatest possible good is realisable only when every one puts aside his self-interest when it conflicts with the common good. "All actions of all members of a civilised society are dependent each other. They are connected by an interlacing of actions with each other. His moral or immoral, mode of life could in no case be considered to be his private affair." ⁷⁷According to Socrates morality is an indispensable social practice. The Hobbesian arguments establish that the greatest total good will be realised if people act morally.

Morality and collective interest: - Morality means an impersonal orientation of activity. Self-serving action is not regarded as moral. The object of moral behaviour must be something beyond the person or beyond any number of individuals. Thus the objects of moral behaviour are the group or society. To act morally is to act in terms of collective interest. Thus the domain of moral begins where the domain of the social begins. Thus one of the elements of morality is the attachment or identification with the society. "Morality in social life means that the selfish and reciprocal ends for which men often do good are replaced by unselfish and enlightened motives where by good is done for its own sake."⁷⁸

Self-realisation: - The highest good for man is self-realisation. A man realises his true self when he loves and gratifies the supreme part of his being, that is the rational part, when he is moved by a motive of nobleness, when he promote the interest of others and serves his

country. According to Spinoza, a rational mind is one, which has knowledge and understanding. A rational mind better understands the universe in all its relations and will be free from passions and less dependent on them.

Free will and moral responsibility: - The will is conceived as a faculty of determining oneself to action in accordance with the conception of certain laws. Such a faculty can be found only in rational beings. According to Schopenhaver a person's will is ultimately responsible for his own character. Thus will is the expression of a person's character. Since the selfish will is the root of all evil and the source of all sorrow, man must negate the selfish will and suppress his selfish desires, in order to enjoy happiness or at least to be at peace. If he think that all individuals are one in essence that they are all manifestations of the same primal will, he will feel sympathy or pity for all creation, he will see himself in others and feel sorrows of others as his own. When a person has done an act, which is morally wrong, and if he has chosen that wrong act with his free will, then he is morally responsible for that act. He must understand that he is morally wrong and is responsible for that wrong act.

General will and Particular will: - General will aims at common good where as particular will intends only personal good. According to Rousseau when a man sets aside his particular will to follow the general will actually he does not sacrifice his good to the good of others instead the common good becomes his own good too. An individual should be sufficiently moral to follow the general will instead of his particular

will. “The general will gives rise to the notion of justice by teaching men to consider the whole body of men rather than simply to think of themselves as individuals⁷⁹

Good will: - According to Rousseau that nothing is absolutely good in this world or out of it, except a good will. To this Kant added that a will is good when it is determined by respect for the moral law, or the consciousness of duty. “A good will issues in a good action, and conversely there can no good action without a good will”⁸⁰

If a person is having good will, he will lack for nothing, neither love, humility nor any other virtue. Moderation in affections and passions, self control and calm deliberation, are not only good in many respects, but even seem to constitute part of the intrinsic worth of the person, but they are far from deserving to be called good without qualification. For without the principles of good will, they may become entirely bad. A good will is good not because of what it performs or effects, not by its aptness for the attachment of some proposed end, but simply by virtue of the volition.

Moral judgements: - The Moral judgements, which a man makes privately in his own heart, are an important part of his moral life. They are especially important when they are moral judgements about his own actions, past or present actual or proposed, or about his own character, that is his own conative and emotional dispositions. A moral being is one who judges him, approving or disapproving of himself.

Our conduct in social life is guided by moral judgements. Moral judgements are influenced by feelings as well as reason. We depend our reasoning to find out that something is good or bad, to decide, it is right to act in one way rather than another. "Moral judgements, unlike matters of pure taste, are supported by reason"⁸¹ According to Plato a faculty of reason enables us to see what is right and to regulate our desires and emotions accordingly. Correct moral judgement is essential for the discovery of truths through reason. Like Plato and Aristotle, Hume assumes that moral judgements are primarily judgements about virtues and vices. According to Hume good sense, strength of mind, frugality, industry and discretion are qualities useful to their possessor, where as benevolence; justice and fidelity are qualities useful to others. Cheerfulness magnanimity, courage, and tranquility are qualities agreeable to their possessor where as politeness; modesty and decency are qualities agreeable to others.

According to Hume that, since moral judgements at times determines how we act, they cannot be judgements of reason. Reason according to Hume, has only two functions- to discover relations among abstract ideas (as in mathematics) and to discover truths about matters of fact (as in Science and every day affairs). Though moral judgements can motivate action, the knowledge of abstract relations cannot motivate action. Suppose, for example, that a person knows a great deal about Tahiti and about the techniques of navigation, that knowledge by itself could never move him to board a ship and get sail. Imagining the

pleasures of Tahiti could motivate him to go there, but his anticipation of pleasure is a matter how he feels and not a matter of reason.

Reason serves our desires. Thus reason gives us knowledge about the things that we want and how best to obtain them. But reason by itself cannot cause us to want anything, and therefore it can not move us to act. According to Hume, then since moral judgements can govern action, they depend primarily on our having certain feelings. We judge an action right or wrong because we have a feeling of approval or disapproval towards it.

According to H.H. Prince moral judgements are the expression of approval or disapproval. He argues that feelings of approval and disapproval are essential to morality. According to him a rational individual without feelings is impossible to be a moral being. If any man from a cold insensibility, or narrow selfishness of temper, is unaffected with the images of human happiness or misery, he must be equally indifferent to the images of vice and virtue. On the other hand a warm concern for the interests of humanity is attended with a delicate feeling of all moral distinctions, a strong resentment of injury done to men, a lively approbation of their welfare.

According to Kant moral judgements must always be based on reason. He disapproves Hume's theory that moral distinctions are grounded in human sentiment. Kant argues that if moral distinctions are grounded in human sentiment, then what is morally right would vary depending on individual sentiments. But to Kant that can not be the

case. To him the fundamental principles of morality must be the same for all rational beings regardless of their particular feelings and desires. To Kant morality based on sentiment does not allow for freedom of action. Morality presupposes human freedom, to judge that a person ought to act in one way rather than another is to suppose that he can choose the way he is to act. But if morality is founded on sentiment rather than reason, Kant contends, we are not really autonomous i.e.: self-directing moral agents. Instead we are slaves to our inclinations and desires and our actions are entirely conditioned by our psychological and physiological make up and our environment. Acting morally, according to Kant, is not just a matter of doing what is right. For example if a merchant does not take advantage of an opportunity to cheat one of his customers, only because he realises that if he were caught it would be bad for his business. In this case the action, though right, had no moral worth. Similarly, a case in which someone may happen to do what is right, but his action is not at all morally praiseworthy because he is merely acting on impulse.

According to Kant a person is acting morally, only when he is doing what he ought to do because it is what he ought to do, i.e.: his act will be in obedience to an objective moral law that applies to every one alike. Thus acting morally means that the person is motivated by respect for a moral imperative, the validity of which is rationally demonstrable. In such a case the person recognises the demands of morality in so far as he is rational, and his action is freely willed in

accordance with reason, not simply conditioned by desires and feelings and the contingencies of the particular situation.

Philosophy of justice: - Happiness surely consists in the possession of a true good, namely the goodness that is inherent in justice. However a wicked man never possesses true good. A morally good person is one who possesses the virtues of prudence, courage, temperance and justice and he will be able to act with foresight to resist the temptations of immediate pleasures. According to Philippa Foot justice is a virtue, which covers all our obligations to other people. Thus justice is something, which all human beings need to possess in their dealings with their fellows.

No virtue is more esteemed than justice and no vice more detested than injustice. Given the choice, then between committing injustice and suffering injustice at the hands of another, Socrates has no difficulty in inferring that a wise man would choose the latter. He did not imagine that it is good to suffer injustice, but it is at least less bad than committing it. A man who knows what is good and what is bad must thereby know that injustice is bad and that justice is by nature good. Further more he will know that just punishment, being an expression of justice and must therefore be a good. And because it is good, he cannot fail to seek it, supposing that he recognises its goodness. A wise man who has lapsed into injustice can therefore be compared with a sensible man who is beset with some curable malady of the body. Such a man, knowing that disease is bad and health good, will voluntarily seek a physician, even though the therapy may be

painful. He presents himself to the physician not because he sees the therapy as good in itself, of course, but because he sees health as a good and the painful therapy as the means to it.

We have an obligation to consider the welfare of other people when we decide what actions to perform. We must respect every human person as having objective and intrinsic worth or dignity. We must refrain from acting in ways harmful to others, and that we must respect their rights and interests as well as our own. We also assume that people are in fact capable of being motivated by such considerations i.e.: that people are not wholly selfish and that they do sometimes act in the interest of others. Selfish behaviour is behaviour that ignores the interests of others in circumstances in which their interests ought not to be ignored. A selfish person gives preference to himself only and his interests were maximised, regardless of the effects on other people.

By justice we are to understand a set of social rules, which govern the distribution of the goods which society makes available. Hume assumes that the most effective way of distributing such benefits is to protect all members of society in the enjoyment of whatever property they happen to possess. To act justly in short, is to respect the properly rights of others. A well ordered society is one, which is designed to advance the good of its members, and effectively regulated by public conception of justice. Thus it is a society in which everyone accepts and knows that the others accept the same principles of justice, and the basic social institutions satisfy and are known to satisfy these

principles. This fact implies that its members have a strong and normally effective desire to act, as the principles of justice require. The sense of justice that it cultivates and the aims that it encourages must morally win out against propensities toward injustice.

Natural duties: - Duty of mutual respect is one of the most important of natural duties. This is the duty to show a person the respect, which is due to him as a moral being. Mutual respect is show in several ways in our willingness to see the situation of others from their point of view, and in our being prepared to give reasons for our actions whenever the interest of others are materially affected. There are two types of moral duties. They are: -

1, Positive duty

2, Negative duty

A positive duty is a duty to do something good for another i.e. the duty to help another when he is in need or jeopardy, provided that one can do so without excessive risk or loss to oneself.

A Negative duty is a duty not to harm or injure another and inflict unnecessary suffering.

Human equality: - Many philosophers have advocated equal consideration of interests, in some form or other, as a basic moral principle. “The fundamental principle of equality, on which the equality of all human beings rests, is the principle of equal consideration of interests”⁸²

Moral Contentment: - Despite the pain caused by dutiful actions, we also feel relief when we have acted dutifully what Kant calls self-satisfaction or self-contentment. Kant also calls this feeling intellectual contentment and moral happiness.

Guilt and Remorse: - Guilt is defined, as expectation of social disapproval or punishments, appears to be a powerful inhibition of aggression. Guilt conditioning process is one of the main aspects of socialisation. When we disobey the moral law, we necessarily experience feelings of guilt, and we regard ourselves with contempt for our action. Such a feeling also help to prevent a virtuous person from enjoying whatever pleasure might otherwise be gained from acting immorally. It is found that the criminals of our present society have lost the sense of guilt i.e. self-criticism, self-blame, and self-remorse about their aggressive behaviour. The same is the case of the beurocrates and police. They have lost the sense of guilt as for as bribing and corruption is concerned.

Empathy: - We identify with the joys and sorrows of others, not on the basis of natural sympathy for or friendship with them but because we recognise their moral worth as well as our duties of benevolence toward them as fellow moral beings. However it is typical of our fallen nature to react to the demands of morality with reluctance. Kant emphasises that if a person does his duty unwillingly, morosely or cheerlessly he does it poorly. According to Kant a virtuous person should aim at a frame of mind that is brave and cheerful in the observance of duty. The person who has developed apathy in the sense of moral self- constraint

is one who has resolved to dominate the passions by the law of reason and has developed an inner, disciplined tranquility. Kant believes that such a serene and joyous frame of mind is the best phenomenal evidence that a person really has attained a love for the good i.e. of having incorporated the moral law into his maxim. Since we have an obligation to promote the happiness of others in so far as we can, virtue should be accompanied by those social graces and manners that give pleasure to one's friends and companions. Those actions that arise out of a morally virtuous will are morally good. The morally virtuous person chooses what to do only within the range of moral law. Likewise, those actions that arise out of a morally evil will i.e. which gives priority to self-love and self-interest, are morally evil. Kant thus concluded that the ultimate moral goal for human beings must therefore consist in a relative but continual increase in strength of character, in virtue and in progress toward holiness.

Moral reformation: -From the intelligible stand point, a person's rejection of the original and morally evil principle requires a radical change of heart so fundamental that it can not be done gradually but must be a single decision, which Kant calls a self-redemptive revolution in ones disposition. But from the empirical standpoint, it takes both time and effort to develop our character. Moral reformation is 'won little by little' and characteristically requires long practice, aided by education and examples. Moral strength of mind may be only gradually won.

Influence of human Experience: - One's experience may play a large part in changing his attitudes and viewpoints in life. Experience is not a mere passive reception of impressions, but an active grasping and comprehension of perceptions. It evokes feelings and feelings force one to modify principles. Something like this happened to the English poet Wilfred Owen, whose experiences in the first world war transformed him from an enthusiastic soldier into a virtual pacifist. Thus it is a fact that experience can put pressure on morality.

Immorality and ignorance: - When a man is ignorant, his personality is disorganised, for the unruly desires and passions then control him. "The real cause of evil in man is ignorant Craving (Thrishna)"⁸³ According to Socrates man who brings about bad ends are acting from ignorance not really knowing what he is doing. Thus injustice whether in high places or low, whether on the part of men who are generally deemed knowledgeable and powerful or those who are simple and weak, is

Always the product of ignorance. If a man fully knew what he was doing- that is knew what the consequences of his actions would be and that they would be bad-could not possibly choose those actions. If he did, he would be deliberately choosing what he saw to be bad, which is an absurdity. He must see them as some how leading to some good for him in order to choose them. But if they in fact lead to evil, then he obviously misunderstood, has acted from ignorance, and did not really know what he is doing. Thus a criminal chooses what in fact

turns out to be evil-namely injustice-then he must be acting from ignorance, though those evil acts, appears to him as good

Religion and fundamentalism: - A human being does have an interest in not being tormented to avoid sufferings. If he suffers, there can be no moral justification for refusing to take that suffering into consideration. The principle of equality requires that his suffering be counted equally with the like suffering of any other human being. Religious fundamentalists violate the principle of equality by giving greater weight to the interests of members of their own religion when there is a clash between their interests and the interests of those of another religion.

Philosophy of suicide: - Mental distraction is a cause of insanity in which individuals leads to social evils like suicide. “The distraction of our mind is the result of our blind surrender to our desires, our incapacity to control or to moderate our passions”⁸⁴ Whenever our behaviour is not influenced and regulated by moral rules, the society is gripped by a dejection and pessimism, reflected in the number of suicides. Similarly, whenever society lose what it should normally have the power of promoting identification of individual wills with itself, whenever the individual disassociates himself from collective goals in order to seek only his own interests, we see the same result and phenomenon, and suicide rates go up.

Man is more vulnerable to self-destruction, the more he is detached from any collectivity, that is to say the more self-centered in

his life. If the bond between individual and family as well as individual and society is strengthened, then the linkage to life is also re-enforced. Then the number of suicides declines.

Similarly the greater the cohesiveness of a religious group, and as a result the stronger the bonds between members, the more they are shielded against the thought of suicide. Members of the minorities are always more tightly knit groups because of the opposition to them, which they must combat. According to Emile Durkheim a given denomination will have fewer suicides in a country where it is in a minority than where it embraces a majority of the people.

Beurocracy and morality: - A Government official is legally as well as morally responsible to do his official duties. While collar crimes like corruption, bribing, nepotism etc. are the result of irresponsible and immoral acts of the Government officials.

Conclusion: - A sane society is one in which greed, exploitativeness, possessiveness, narcissism, have no chance to be used for personal gain. It is a society in which people act according to their conscience. There will be concrete relations of co-operation, solidarity and love among the members of the society. The evils like flattery, fidelity, meanness, self-indulgence, obstinancy, bad-temper, lust, greed, jealousy, revenge, vindictiveness, anger, fear, depression, cowardice etc. must be replaced by the feelings of pure love, cordial affection, generosity, gratitude, forgiveness, atonement, compassion, sympathy natural trust,

magnanimity, fidelity, justice, veracity integrity etc. In such a society opportunism and lack of principles is deemed to be asocial and the individual is concerned with social matters so that they become personal matters, where his relation to fellow man is not separated from his relationship in the private sphere. Further more, a sane society is one, which permits man to be an active and responsible participant in the life of society.

Notes and reference

49. Dewey John.: *Human Nature And Conduct* 1922. P-1
50. Titus Harold H.: *Living Issues In Philosophy*. 1968, p-362, 363
51. Rawls John.: *A Theory Of Justice*. 1971. p-505
52. Rosmini Antonia.: *The Philosophy Of Right, Volume-1 The Essence Of Right ..* 1993, p- 81
53. Lurton Douglas .: *The Power Of Positive Living* .1955,p- 19
54. Stephen Leslie .: *The Science Of Ethics* . 1907. p- 425
55. Dilman Ilham.: *Morality And Inner Life, A Study In Platos Georgia* 1979. p- 165.
56. Sahakian William S. and Sahakian Mabel Lewis .: *Ideas Of The Great Philosophers*. 1966. p- 32
57. Naravane Vishwanath S .: *Modern Indian Thought ..* .1978. p- 288
58. Voss James F .: *Psychology As A Behavioral Science ..* 1974. p-220
59. Fischer Kurt W., Shaver Phillip, Brown Catherine etc.: *Psychology Today, An Introduction..* 1975, p- 216

60. Stewart - Alison Clarke, Friedman Susan, Koch Joanne.: *Child Development, A Topical Approach* . 1985, p- 562
61. Kolenda Konstantin. :*Philosophy's Journey: A Historical Introduction*. 1974, p- 186
62. Williams Bernard .:*Morality, An Introduction To Ethics* .. 1972, p- 8.
63. Basant Kumar Lal.: *Contemporary Indian Philosophy* . 1973. p- 133
64. Macmurray John.: *Reason and Emotion*. 1935. p- 51
65. Durkheim Emile : *Moral Education*. 1973, p- 26
66. K.M.P. Verma .: *Kant and The Gita* . 1980, p- 172
67. Glickman Jack.: *Moral Philosophy, An Introduction*. 1976. p- 476
68. Sullivan Roger J.: *Immanuel Kants Moral Theory*. 1989. p- 124
69. Norman Richard.:*The Moral Philosophers, An Introduction To Ethics*.. 1983, p- 25
70. Weston Michael.: *Morality And The Self*. 1975. p- 7
71. S.S. Barlingay and Padma B.Kulkarni.: *A Critical Survey Of Western Philosophy*. 1980, p- 238
72. Swami Rama and Swami Ajaya .: *Emotion To Enlightenment*. 1976, p- 83.
73. Swami Dayananda.:*The Value of Value*. 1985, p- 17
74. Bogliolo Louis.: *philosophical Anthropology (Vol -I)*. 1984, p- 272
75. Albert Ethel M., Denise Theodore C., Peterfreund Sheldon P.: *Great Traditions in Ethics*.. 1968. p-12.

- 76.. Mortan O., Fogelin Robert J.: *Approaches To Ethics - Representative Selections from Classical Times to the Present*, 1977 , p- 67.
- 77.Thilly Frank.: *A History of Philosophy*. 1976, p-330
- 78.A Pfeiffer.: *Dialogues On Fundamental Questions Of Science And Philosophy..* 1967, p- 108
- 79.Gisbert Pascual.: *Fundamentals Of Sociology* . 1957,p- 217
- 80Faurot Jean H.: *Problems Of Political Philosophy*. 1970, p- 95
- 81.Mackenzie John S.: *A Manual Of Ethics*. 1920, p-131
- 82.Halberstans Joshua.: *Everyday Ethics*. 1993, p- 147
- 83.Singer Peter .: *Practical Ethics*. 1979, p- 48
- 84.S.P. Kanal .: *The Philosophy Of Religion* . 1984, p- 427
- 85.Foucault Michel.: *Madness And Civilisation, A History Of Insanity In The Age Of Reason*, 1988. p- 85

REVIVAL OF EDUCATION

Poulose V.T. "An enquiry into the problem of rising criminality in the state of Kerala and legal and sociological remedies in the present Indian context - A philosophical analysis" Thesis. Department of Philosophy , University of Calicut, 2006

CHAPTER 8

REVIVAL OF EDUCATION

Education has the immediate aim of guiding conduct. The revival of the present system of education is one of the important ways to make Kerala a crime free state. All great men of the world have realised that life has a supreme purpose and it is the function of education to help man to fulfill that purpose. There is no doubt that an efficient and effective system of education is a must for solving most of the spiritual, social and economic problems, which confront us to day. Education should be aimed at the development of a total and integrated personality, psychic and spiritual.

Education is a three-fold process of imparting knowledge, developing skills and inculcating proper interest, attitudes and values. But our schools and colleges are mostly concerned with the first part of the process only. Education should develop the hidden powers of an individual and provides him with the necessary competencies for leading a happy life.

Aristotle has defined education as 'Creation of a sound mind in a sound body.' According to him, education should pay attention to our physical as well as mental needs. Education gives a natural harmonious, and progressive development of the various

faculties of human beings including his innate powers. Actually education means it is the nurture of personal growth. Education is considered as the conservation, transmission and renewal of entire culture.

Philosophy and Education: - The chief task of philosophy is to determine what constitutes a life worth living; the chief task of education on the other hand is to make life worth living. Therefore philosophy tells the essentials and goals of good life and education gives the means to achieve those goals and learn those essentials of good life. Philosophy is contemplative and education is the active side of life. Education is nothing but applied philosophy. Philosophy will continue influencing and determining both the matter and method of education.

Education-moral and Intellectual: - Plato's concept of educational programme can be divided into two parts-the moral and intellectual. He stressed also on physical education and he treated it as a part of moral education or character training. Moral education by conditioning was advocated by Plato in his books, "The Republic", and 'The laws'. The aim was to make children feel pleasure and pain on the appropriate occasions so that they would naturally try to do what was right and avoid what was wrong. This could be achieved by the careful use of rewards and punishments. Plato devoted considerable attention to two methods, indoctrination for those whose intellect was inferior and for younger children, and a hard intellectual training covering moral as well as other matters, for the very intelligent.

Morality and childhood: - According to Emile Durkheim there are two stages in childhood; the first taking place almost entirely with in the family, the second, in elementary school, when the child, beginning to leave the family circle, is initiated into a larger environment. This we call the second period of childhood. This is indeed the critical moment in the formation of moral character. Before that the child is still very young, his intellectual development is quite rudimentary and his emotional life is too simple and underdeveloped. He lacks the intellectual foundation necessary for the relatively complex ideas and sentiments that undergrid our morality. The limited boundaries of his intellectual horizon at the same time limit his moral conceptions. The only possible training at this stage is very general one, an elementary introduction to a few simple ideas and sentiments.

If beyond the second period of child-hood i.e.; beyond school age-the foundations of morality have not been laid, they never be. There fore maximum attention should be given to the child at this stage of development and the groundwork of morality must have been laid. Contrary to the popular motion that moral education falls chiefly within the jurisdiction of the family, the task of the school in moral development of the child can and should be of the greatest importance. Thus a completely rational moral education is a must in the elementary school. At the same time the family should distinctively and effectively evoke and organise those homely sentiments basic to morality. Childhood is only a preparation for adult life. Always the future, not the present, has been the significant thing in education. Man is born

ignorant, unversed, unskilled, immature and consequently in a state of social dependence. Instruction, training moral discipline are processes of education, by which a person becomes matured, and civilised. The business of childhood is to grow into the independence of adulthood by means of the guidance of those who have already attained it.

Importance of moral education: - As Plato and Aristotle said over two thousand years ago, the aim of moral education is to develop a character, which finds pleasure in right objects and pain in wrong ends. Moral struggle is the conflict, which takes place when an individual is tempted to do something, which he is convinced, is wrong. Moral education makes a man to succeed in moral struggle and frees him from greed and saves him from lust and hatred. Education should foster a sense of duty and responsibility in a person.

The modern youths in our society misuses the values of love and friendship, mutual trust and respect, law and order etc. and cunningly twist to suit it for their own purposes and convenience. This is only because of their lack of moral education. People only think about amassing wealth for themselves and they forget about the creation of wealth and happiness, for the community. Thus morality of our society has been totally deteriorated. The youths receive insufficient positive guidance as to what is right or wrong. Thus the present system of education failed to moralise the society and there by to eliminate crimes.

According to John Dewey moral, aesthetic and religious education should be an integral part of the regular curriculum. But this education should be given through practical experiences and purposeful activity and not through chalk and talk lessons in the classroom. Thus the moral and religious education should be an integrated part of the basic experience of the child. This will give the children moral interest and insight through the functioning of intelligence and will in the achievement of self-control and appreciation of social values. He also suggested that teachers should be the ideals whom the students would follow with respect to morals and religion.

According to Vivekananda children should be taught lives of great saints of all lands. For the spiritual development of the students he stressed religious education in schools. However, to him, teaching of doctrines and creeds of particular religions should not form a part of religious education, but instead all religions must be accepted and only their essential spirits should constitute the religious education. Thus religion and morality in education could bring good manners and strength of character in the growing generation. It is moral and religious inclination that cultivates values in men and unifies a society. Religion is not just dogmas, creeds and rites, but has rational ethical and spiritual philosophy.

Moral education - A Kantian concept: - According to Kant the ultimate end of human life is virtue with happiness proportionate to virtue. Therefore the ultimate purpose of education is not theoretical, but practical. Education first must equip student with the technical

skills and self-discipline they need to learn to work to achieve their prudential goals. To fulfill their destiny, to be worthy of the nature of man, they must be taught to use their skills and of morality. According to Kant such questioning can take two different forms. One is what he called the catechetical method, which he thought to be probably the best method for beginning students. The second form, which challenges their reasoning, imitates the method of the Socratic dialogue.

Once the students are clear about the nature of moral virtues, then they must turn their attention to the specific duties they have, and they must develop their power of judgement. They must be able to judge their own actions and those of others according to the moral law. They also need to distinguish the different ways in which they are morally obligated. In some cases the moral law requires a person only to adopt a maxim for positive duties while in other cases it obligates a person to perform or avoid performing a particular action. They also need to understand that whether various actions were probably done from the motive of duty so as to have genuine moral worth. By the mere habit of frequently looking upon actions as praise worthy or blame worthy a good foundation would be laid for righteousness in the future course of life. This will help the students to develop their ability to reason morally. Kant emphasised on the development of understanding, judgement, and reason through instruction in the various fields of knowledge, including logic, mathematics, the physical sciences, geography and history.

Moral catechism: - The first task of moral education is to help students become sensitive to the presence of the moral law within them. The only objective basis for morally virtuous character is the moral law itself, and the only subjective basis is respect for that law. There can be only one correct general way to help students develop sensitivity to and intensify their respect for the moral law, appealing only to that law in all its purity, to the idea of duty alone, and to the student's own sense of worth.

According to Kant two kinds of students may need a special introduction to moral education

(a) the young, whose ability to reason is still weak and needs to be developed

b) those with a morally depraved character who habitually ignore the moral law.

Kant explains two different methods for teaching the foundation of morality. The first of these is the dogmatic way, that is lectures by the instructor. The second method consists in questioning students and appealing to their understanding to develop the right analysis and quicken their interest in morality. For adults as well as children, Kant writes, the most effective way to clarify and vivify the motive of duty, may be to take advantage of their natural liking for both stories and argumentation. Once they have developed the foundation of morality into a moral catechism, the educator then can tell stories in

which moral and prudential consideration conflict and the fulfillment of duty costs the person much in the way of pleasure and happiness.

Education and moral development: - Moral development one secures for one self through education and by training given by his teacher makes him aware that his acts are connected with one another, there by an ideal of conduct is substituted for the blind and thoughtless performance of isolated acts.

Education and moral values: - Education has an important function in the cultivation and harmonious development of physical, moral, spiritual, social and aesthetic values. Cultivation of values and virtues is only possible through a sound system of education. Education should aim at reforming the human mind. Education must be able to produce men of integrity and socially conscious citizens. Children should be taught from childhood that it is a fundamental breach of moral conduct to hurt another person against his will. Education should make a person sociable, beneficent, good-natured, humane, merciful, grateful and friendly. A number of educational commissions including the Mudaliar commission (1952), Kothari commission (1964-66) and also the National policy on education (1986) have pin-pointed the need for developing democratic spirit as well as social, moral and spiritual values in the student as one of the aims of education in India.

Education is initiation to a higher life, a life of norms and values. According to Vivekananda, the primary aim of education should be to help the individual to realise his best self. It should

cultivate values of life, like honesty, love, sympathy, non-violence, restraint, co-operativeness, sacrifice and finally faith in man and God. Education should foster universal and eternal values; oriented towards the unity and integration of our people. Such value education will help to eliminate obscurantism, religious fanaticism, violence, superstition and fatalism. Dewey stressed on the importance of the values of adjustment, co-operation, team spirit, work-mindedness, usefulness etc. It should be developed in the pupils through education and educational activities.

Education should be a powerful instrument for the social, economic and cultural transformation. It should develop values like patriotism, freedom and courage. Education should strengthen values of democracy, secularism and socialism. It is through education that society seeks to preserve and promote values, which are very essential for a useful and meaningful life. According to Dewey, education is the scientific method by means of which man studies the world, acquires cumulatively knowledge of meanings and values. Education should provide physical, intellectual moral and aesthetic activities as the media for the creation of values. It should help in the full evolution of human mind, the emancipation of spirit, the self-realisation and the realisation of higher values of life.

The National Policy on education, 1986, emphasised the need for the promotion of values in the aims of education. Values are to be cultivated in students by paying much attention to our traditions and culture. A perfect society in modern times requires that the

individuals must be participants in its social, cultural, economic and political activities. This requirement can be satisfied only by making the individuals prepared for an effective commitment to a sense of unity in line with its cultural heritage.

Education as a process of character formation:-The quality of civilisation depends on the character of men and the values they revere and practice. Education is a process of bringing about desirable changes of behaviour in a student, in the way he thinks, feels, and act. It should foster good manners and strength of character in the growing generation. An ideal system of education should enable individuals to know and develop to the fullest their physical and intellectual potentialities and promote their awareness of social and human values so that they can develop a strong character and live better lives and function as responsible members of the society. It is by transforming individuals, that social transformation can be brought about.

However the importance of character building in the field of education has been totally discarded, the result is that, an individual may be educated but he may neither be cultured nor civilised and there will be lack of discipline in his personal as well as social life. Gandhi believed that by changing and reforming the individual through education, it would ultimately result in the improvement of the society as such. According to him education means an education, which makes a person to grow into good citizen of the country.

For Vivekananda, knowledge alone is not the only factor for individual good, but physical strength, moral strength and character are equally important to any system of education. He gives importance for character formation and development of social traits in education. To him the education that does not help the common life, which does not help the common mass of people to equip themselves for life, which does not bring out strength of character, a spirit of philanthropy, and the courage of a lion is of no worth. Thus education is not only a process of knowing things, but also it is an act of moulding the character and behaviour of an individual.

The foundation of the chief part of morals is the regard paid to the personal virtues like fidelity, honour, allegiance, feeling of sentiment, and chastity and social virtues like humanity charity, generosity, affiability, lenity, gratitude, mercy, tenderness, friendship, moderation, benevolence and justice. The good mental qualities like discretion, caution, enterprise, industry, assiduity, frugality, economy, good-sense, prudence, discernment, temperance, sobriety, patience, constancy, perseverance; forethought, judgement considerateness, order, insinuation. presence of mind, quickness of conception, facility of expression etc. should be cultivated in the young minds in the school. This will give their character and behavior excellencies and perfections. All these qualities will promote the interest and happiness of their possessor. A mind which supports a perpetual serenity and cheerfulness, a noble dignity and undaunted spirit, a tender affection and good-will to all around will have more enjoyment within itself.

Good sense and genius beget esteem and regard, wit and humour excite love and affection. Inward peace of mind, consciousness of integrity, a satisfactory review of our own conduct, are the requisites to happiness and will be cherished and cultivated by every honest person, who feels the importance of them. Many of those qualities, usually called intellectual virtues, such as prudence, penetration, discernment, and discretion had also a considerable influence on conduct.

The education commission have all the while stressed on the importance of the training of character to enable students to become good democratic citizens.

Education as a man making process: - According to Vivekananda, education is the manifestation of the perfection already in man. He said that, we want that education by which character is formed, strength of mind is increased, the intellect is expanded and by which one can stand on ones own feet. The end of all education, all training should be man making. Vivekananda said that education must generate the spirit of renunciation in man. This renunciation means the inculcation of feeling that we should work for others and it is a great privilege to be able to do something for the world. The young have to be properly trained and moulded, because the children of today are the citizens of tommorrow. If we train a child in the way he should go, he would never depart from it. True education is that which develops the will and enables one to realise the divinity latent in him. The main function of education is to make a person conscious of his latent powers. This will lead him to a life, which is sublime and divine in all respects. Education should

create self-confidence and self-reliance in a person. According to Vivekananda, education must aim at the development of infinite energy, infinite zeal, infinite courage and infinite patience in man. Education is a virtue that humanise man. Thus education makes a man a perfect individual and it fashions and models him for the society.

The function of education is to help the growing of a child into a happy, moral and efficient human being and there by equipping him in the art of successful living. Purity of thought speech and action should be cultivated in him.

The student must have great power of endurance. The learner must be able to control his internal and external senses. They should be taught to live a less alienated life, should be taught to engage in meaningful and creative work and should be taught to develop their talents and capacities more than they do at present. According to Vivekananda, education must be a continuous struggle, a constant battle, an unremitting grappling with our lower nature, till the higher want is actually felt and victory is achieved.

Education for Dewey is the development of all those capacities in the individual, which will enable him to control his environment and fulfill his responsibilities. Thus education should make an individual to contribute his abilities for the growth of the society. On one side, education has to wage a ceaseless campaign against, superstitions fatalism irrationality, casteism, regionalism, linguism and other such forces that hamper progress. On the other side

education will have to promote such values as scientific temper, objectivity freedom, equality, justice, commitment to social good and willingness to work hard which will help in the modernisation, development and creation of a socialist society.

Creation of Constructive approach:-It is very important to note that there is a need for recasting our society and the way of our thinking. There should be a total change in the educational system, social structure and set-up and a new society based on love, peace and social justice to be established. For that thoughts should be pure and spiritualistic and should be based on Indian cultural values. Thus a proper social climate should be created for peaceful transformation of the present society by moral, philosophical and ethical teachings. For that an insight into the social as well personal life should be developed in each and every individual in our society. To be positive means to be actively creative and to have a constructive approach to life. Thus the inert energy of each and every individual should be converted into useful energy, an energy that is useful for the growth and well being of the society as well as individual.

Need for Social Obligation: -According to the philosophy of Mahatma Gandhi, what is true of individual is true of society as well. In his philosophy individual and society are interdependent. From Gandhian point of view no individual can enjoy freedom unless he is prepared to discharge his obligations towards his fellow beings, which in other words means social obligation. He values individual freedom but that individual freedom is circumscribed by the obligations of the individual

towards the society. According to him, if each and every one does his duty, nobody has to run after their rights; instead they will get their rights automatically. If individual in the society is taught about his duty and obligations in the society, then there will be no room for a criminal thought in his mind. However it is a painful fact that our education system is only concentrated on academic studies and the students are not taught about their duties and obligations as an individual in the society.

Cultivation Sense of duty: - Education should cultivate a sense of duty in the growing child. Duty has two aspects, on one hand it appears as strict and demanding, on the other as desirable and attractive. In the family the second element is preponderant, in school the former should assume more importance. But duty is also a hardship that constrains one. One is inconvenienced in doing his duty. Whatever the duty, there is an element of privation, sacrifice, and renunciation which is above all painful when one is not naturally inclined toward it. According to the philosophical teachings about *Nishkamakarma* the crucial question is not what others can or should do, but what can I do? What is my duty? According to Mahatma Gandhi if each and every one does their duties, nobody has to search for their rights instead their rights will automatically reach because the duty of one will be the right of other.

Creation of a new being: - Through education, a person's hidden capacities, abilities and talents should be disclosed and encouraged. For Durkheim, the school had a crucial and clearly specified function: to

create a new being shaped according to the needs of the society. Thus according to Durkheim education creates a new being. Only as the child is systematically exposed to his countries cultural heritage can he achieve a sense of identity and personal fulfillment. Only as he is conscious of his implication in a society to which he is bound by duty and desire can he become a moral being. Education is a process of bringing about desirable changes of behaviour in a student; in the way he thinks, feels and acts in accordance with our concept of good life. The various goals of education include the development of human resources, creativity, commitment to human values and social justice.

Each phase of a growing life has it's own distinctive needs, qualities and powers. The process of education for each phase must be such that the needs of the individual are satisfied, his qualities are enriched and his powers are matured. Every worthwhile education is a direct enrichment of the life of the young. According to Vivekananda education is the reformation of the human mind and integrity is of utmost importance. Progress of any kind is useless without inner change. Individuals should learn to balance their rights and duties. They should perform their duties and exercise their rights. Education should be able to develop sensitivity to beauty, harmony and refinement in children. It should create faith in ones own self. To Vivekananda education is the manifestation of the divine perfection already existing in man. It should develop the hidden powers of an individual and provide him with necessary competencies for leading a happy life. It is the attitude of a person that values the rights of others as well as ones

own. Therefore the attitude of a student should be modified in such a way that he should value the rights of others as well as his own. Education should also promote universal brotherhood.

Education and personality development: - The basic concept of education is the betterment of individual in all respects. Education is a process of initiating the child in the ways of adult life. Education is an essential virtue. Without education man is splendid slave and a reasoning savage. Education for personality development is one aspect that has received maximum support from all the educational philosophers. According to Gandhi education is the development of mind and body, which goes hand in hand with a corresponding awakening of the heart and soul. Thus it is a balanced development of the personality of an individual.

“By education, I mean an all round drawing out of the best in child and man- body mind and spirit” ⁸⁵ According to Gandhi true education of the intellect can only come through a proper exercise and training of the bodily organs e.g. hands, feet, eyes, ears, nose etc. In other words an intelligent use of the bodily organs in a child provides the best and quickest way of developing his intellect. But unless the development of the mind and body goes hand in hand with a corresponding awakening of the soul, the former alone would prove to be a poor lopsided affair. By spiritual training Gandhi meant education of the heart.

Thus according to the Gandhian philosophy on education, the present system of education does not meet the requirements of the development of human personality in its spiritual, intellectual, moral, ethical and physical traits. Mahatma Gandhi's articles regarding education published in 'Harijan' Daily reveals his idea and philosophy about true and real education.

Man is neither more intellect nor the gross animal body, nor heart or soul alone. A proper and harmonious combination of all the three is required for the making of the whole man and constitutes the true economies of education.

Thus according to Gandhi education means education to independence and responsibility. For that, fundamental principles of moral and ethical studies should be taught in primary classes. Self-supporting, educational system makes the students, responsible, industrious and healthy.

According to Dewey, emphasis should be placed on the total development of the person as being equally important as the intellectual and academic. Each student's power and personality to be developed not according to any absolute standard but according to the students own capacities and opportunities. Education should create such a capacity in the child that he is able to face social situations strongly and come out successfully in the struggle, only that education is useful which creates the will to develop continuously. Education gives man such an insight that he is able to gather necessary means.

Education refines sensitiveness and perceptions that contribute to national cohesion, a scientific temper and independence of mind and spirit. It should develop leadership and good citizenship qualities in the student. Real education is a process of developing human personality in all its dimensions physical, mental, vital, intellectual, social, moral and spiritual.

The education system at present does not cultivate all the parts of the child's personality i.e.: physical, intellectual , aesthetic, social and spiritual power of the child. The education system should be totally changed to uplift the people from childhood on wards, physically, intellectually, economically, socially, morally as well as spiritually .Our present educational system does not give a person a complete and practical view of life. Because of this, even after getting enough education he is unable to face the problems of life boldly.

Failures and self worth: - Not to succeed in a particular endeavor is not to fail as a person. It is simply not being successful with that particular trial at that particular present moment. Failure can be instructive; it can be an incentive to work and exploration. According to Kenneth Boulding nothing fails like success because one does not learn anything from it. The only thing one ever learns from is failure i.e.: with out failure one can learn nothing. However in our society, a child is easily taught the ugly message of equating his own self-worth with his failures. Consequently he will begin to shun activities in which he does not excel. Even more dangerous, he may develop habits of low

self-esteem, approval-seeking, guilt and all of the erroneous zone behaviours that go with self-rejection.

Development of strength of will: - True education should develop the strength of will in a student. To become virtuous one must act according to the moral law and must deny the demands of ones own desires when they conflict with the rule of moral reason. Only through effort and practice can individuals learn for themselves to combat their radical tendency to evil and to do so in the only meritorious manner. With the strength of will they can set aside the influence of inclinations both on their moral judgements and on their decisions. Students must learn not to rely on any inducements for moral conduct except the moral law itself.

Morality and social life: - The second element of morality is the individual's attachment to those social groups of which he is a member. If man is to be a moral being, he must be devoted to something other than himself, he must feel at one, with the society. This is why; the first task of moral education is to reunite the child with the society immediately surrounding him, that is to say, with the family. In a general sense, morality begins where and when social life begins.

School as a moral agent: - The school has, above all the function of linking the child to the society. The school is the only moral agent through which the child is able systematically to learn to know and love his society. It is precisely this fact that lends pre-eminent significance to the part played by the school to day in the shaping of social morality.

A school must be a moral environment enveloping and sustaining the student and re-enforcing his sense of solidarity. The principal must put the teachers in contact with each other to prevent them from acting autonomously rather than in concert. The principal is responsible for the spirit and moral unity of the school, as the teacher is responsible for the spirit and moral unity of the class.

Moral environment: - When a student is under the constant influence of good and moral environment, there grows in him an irresistible tendency to think good and act good. A child's mind is very impressionable and his school and out of school experiences will blue print his future on it. If the atmosphere is good and congenial, he becomes good. Thus a person's good character is said to be re-established when he is completely under the influence of the good tendencies.

Importance of collective life: - Moral education cannot be so rigidly confined to the classroom hour, it is not a matter of such and such a moment, it is implicated in every moment. It must be mingled in the whole of school life; as morality itself is involved in the whole web of collective life. For morality to have a sound basis, the citizen must have an inclination toward collective life. It is only on this condition that he can become attached to collective aims that are moral aims par excellence. As a matter of fact that, there is nothing more agreeable than collective life, if one has had a little experience with it at an early age. It has the effect of enhancing the vitality of each individual. The child feels himself stronger, more confident, when he feels that he is not

alone. There is something, in all common activities that warms the heart and fortifies the will. Thus to act morally is to act in terms of collective life.

When the child leaves his family and enters school, it is at this moment that we can instill in him the inclination for collective life. If the child, at this decisive time, is carried along in the current of social life, the chances are strong that he will remain oriented in this way through out his life. The teacher must exert every effort to bring the child into the collective life of the class. He must be able to fill the mind of the child with the spirit of the class. Common ideas, common feeling, common responsibilities are very important to nurture the collective life of the class.

Society is a complex of ideas and sentiments, of way of seeing and of feeling, a certain intellectual and moral framework distinctive of the entire group. Society is above all a consciousness of the whole. It is, therefore this collective consciousness that we must instill in the child. Participation in collective activities creates social environment and gives knowledge of sociability. Collective work enables the child to understand the aim and purpose of work and gives him necessary method and ability to do that work. Thus individual energies of the students must be grouped, concentrated and organised to produce good effects.

Socialisation of the child: - The social responsibilities of education include development of social insight and interest. According to

Dewey that if education is imparted according to right principles; the child will become suitable for social life when he becomes an adult. Education is a bipolar process, one is psychological and the other is sociological, neither of which can be subordinated or neglected. Education must begin with a psychological insight in the child's capacities, interests and habits. The psychological side of the child is the starting point of all education. Without an insight into the psychological structure and activities of the individual, the educative process will be haphazard and arbitrary.

A child should be taught that he is a social being and socialisation of the child should be taken place in the early period of life i.e.: in the elementary school period. According to Dewey, every child is born with certain capacities and powers. Education is the development of all those capacities in the individual, which will enable him to act and react with his environment to gain experience for proper social adjustment. Thus education is a social necessity as well as the necessity of life. Education should promote social consciousness in an individual. Through education, a person is developing reasoning in social relations, cultivating social virtues and thus becoming socially efficient. At the same time he is developing social awareness and social sensitiveness. Social efficiency includes economic and cultural efficiency. The term given by Dewey in this regard is socialisation of an individual.

School is a miniature society. It is a place where children learn to live as members of a school community, which represents the

community as a whole. Education is a social process and school is a social institution. This will enable them to meet their social obligation. According to Dewey, the development of the child should be according to the social environment. The teacher must be familiar with the social situation. It would enable him to interpret properly, the child's activities and transfer them in to social channels. Education should proceed by the participation of the individual in social relationships with his fellow human beings. "In the shared life the teacher is the force and organiser of the environments, the best moral training is received not in the form of dictates or discipline from the teacher but as a child is directed to meet the situations arising out of the social relationships with others in the school".⁸⁶

To have a good social life one must have developed the habit of acting and thinking in common. The students must learn to cherish these social bonds . They must learn through experience how cold and pale the pleasures of solitary life are in comparison. The development of such a temperament, such a mental outlook, can only be formed through repeated practice, through perpetual conditioning. To become attached to the society, the child must feel in it something that is real, alive, and powerful which dominates the person and to which he also owes the best of himself. However to bind the child to the social group of which he is a part, it is not enough to make him feel the reality of it, but he must be attached to it with his whole being. There is only one effective way of doing this, and that is by making his society an

integral part of him, so that he can no more separate himself from it than from himself.

The capacity for getting away from self-centeredness, for opening ones self fully to the outside, for a hospitality to external stimuli and complete absorption in them and very important in social morality. Morality demands that we love the group or society of which we are a part. The student will be more active and creative through the most continuous and intimate communication with the society.

Whenever a person acts for his personal goal, he should have a general consideration to others in the society. Moral considerations should enter into his actions. Therefore students should be taught about practical reasoning about their future actions standing within the moral and ethical standards of the society.

Living together peacefully in a human society is important. There should be no barriers between people because they come in way of peaceful co-existence. The barriers of any kind should be broken to establish harmony between individual groups. Education humanises man and fashions him for the society. Education is the development of those capacities in the individual, which will enable him to control his environment and fulfill his responsibilities. Education should make man social and worthy of the society. Education is the fundamental method of social progress and reform.

According to Dewey, social efficiency is the aim of education. In Dewey's theory, society is an organic union of

individuals. Education should proceed by the participation of the individual in social relationships with his fellow human beings. It should create a social environment in which students successfully participate for social awakening. Education should preserve and conserve culture and also bring about social change. In short the heart of sociality of man is in education.

The essential elements in the educative process are a creative mind, a well-integrated self, socially useful purpose and experiences related to the interests, needs and abilities of the individual as a social being. The purpose of education is to give the young the things they need, in order to develop in an orderly sequential way into members of the society.

Rigidity V/S spontaneity : - “Rigidity is the basis of all prejudice, which means to pre-judge”⁸⁷ The rigid never grow. They tend to do thing the same way they have always done them. Being spontaneous means eliminating ones pre-judgements and allowing one to meet and deal with new people and ideas.

Education and social control: - Dewey emphasised on social control. According to him, control of the individuals without the violation of freedom, is the primary source of social control. To him, the ideal aim of education is creation of power of self-control. Self-discipline and group discipline should develop through the will of the pupils themselves. Through the functioning of will in the achievement of self

control and the appreciation of social values, children will themselves develop morality in a social environment through natural activities.

Discipline and school life: - Discipline of the body and mind is an important part of education. It is as important aspect of a person's character. According to Dewey, the purpose of discipline in school is to produce a socialised individual who is conscious to develop himself fully and is always prepared to contribute his share to the social good. Thus discipline is the most important factor for the smooth running of ones own life in a society. It is through the practice of the school discipline that we can inculcate the spirit of discipline in the child. It is concerned with reason and less with feelings; they require more effort and greater application.

According to Redden, education is the deliberate and systematic influence exerted by the mature person upon the immature person through instruction and discipline. A well-disciplined class has an air of health and good humour. The absence of discipline on the contrary, produces confusion. One no longer knows whether this is good or bad, whether this should or should not be done, whether this is permitted or is illegitimate. Hence a state of nervous agitation, of contagious feverishness unfortunate for the child. Thus discipline plays an important part in the functioning of the morality of the school.

Importance of self-discipline: - Self-discipline is an ideal aim of education advocated by both Dewey and Vivekananda. This will enable the students to become citizens who are self controlled. Dewey

was very much against the enforcement of external discipline. He emphasised on inner self-discipline within a democratic atmosphere, the children can be made to learn to discipline themselves. It is by respecting the school rules that the child learns to respect rules in general, that he develops the habit of self-control and restraint simply because he should control and restrain himself. It is a first initiation in to the austerity of duty.

Dewey believes in free discipline, which is not based on punishments and rewards or outer control: It is self-discipline resulting from free purposeful and creative activities. According to Dewey the natural way of establishing such a discipline is to redirect the natural impulses of children, through co-operative or shared activities, along socially approved lines, for the realisation of certain definite purposes. In such activities, each child realises his responsibility and acquires self-discipline. It is the duty of the teacher to provide right kind of environment so that every child may find ample scope to develop himself in terms of a responsible member of the society, group or community. The chief aim of discipline is to develop social attitudes, social interests, social habits and social will. Thus through proper training the child will develop a character, which will be individually satisfying and socially useful.

Education is the right instrument to develop discipline in the children and teacher is the right person from whom children will learn. The teacher should create perfect conditions for his pupils to discipline themselves. Instead of establishing rigid discipline, the

teacher must encourage, self discipline develops through the will of the pupils themselves.

Causes and solutions for indiscipline: - Unrest is the root cause of all indiscipline. If the teacher creates favorable conditions for learning, keeping in mind the interest and aptitudes of the students then there will be no unrest in the students. Sufficiently thought out plans of activities would always keep the children busy and occupied. When deeply involved in their activities, then, there will be no problems of unrest and indiscipline.

According to Dewey that if the child's activities are purposeful and are carried out in co-operation with others, they will be disciplinary in their effect. If there are common goals to be achieved, the relations among the various pupils in the school will be automatically characterised by discipline. In group activities the children learn to be socialised, they will learn to be not only good leaders but good followers too. Ideals like tolerance, co-operation, respect for others etc. will best be developed when children are thrown together in meaningful activities.

If the children are given opportunities of working according to their aptitudes and interest, there will be no problem of indiscipline. Children will themselves develop morally in a social environment through natural activity. In short if the children are fully engaged in some sort of meaningful activities, then, they will not get time to think or engage in antisocial activities.

Morality and Discipline: - There are certain essential elements of moral character that can be attributed only to discipline. Through it and by means of it alone we are able to teach the child to rein in his desires, to set limits to his appetites of all kinds. This limitation is the condition of happiness and of moral health. However these limitations varies according to place and time. It is not the same at different stages in the life career. To the extent that mans mental life develops, in the degree that it becomes more strenuous and complex, in that same measure it becomes necessary that the realm of moral activity be extended.

However it is not easy for a person to control himself through his own individual efforts, with out the constant leverage of some external pressure upon him. Thus the capacity for self-control is itself one of the chief powers that education should develop. But in order to set limits ourselves; we must feel the reality of these limits. Some one who was, or believed himself, to be, without limits, either in fact or by right could not dream of limiting himself without being inconsistent, it would do violence to his nature. Internal restraint can only be a reflection, an internal expression of external restraint. Concerning moral life, there are only moral forces that can exert on us like influence and provide this same feeling. The student should feel the necessity of moral rules and this feeling should be made to sustain for discipline in them .Self- mastery,the power of inhibition the authority over themselves are developed by the performance of duty. School discipline should be able to serve as intermediary between the

affective morality of the family and the more rigorous morality of civil life.

The morality of the classroom rests upon the resolution of the teacher. It is certain that an undisciplined class lacks morality. When children no longer feel restrained, they are in a state of ferment that makes them impatient of all curbs and their behaviour shows it even outside the classroom. In school this wholesome ferment or excitement, the result of a failure of discipline, constitutes a more serious moral danger because the agitation is collective.

School, is a miniature society and the individuals in the school live as members of a community. It is through activities that the children learn to conduct themselves in a disciplined manner. They automatically learn and practice all the qualities that are required for a democratic citizen.

Discipline should not be imposed by force or to accustom them to it mechanically. It has to be learned and maintained by the child, should come in an indirect manner and it should be self-imposed. The child must come to feel himself what there is in a rule, which determines that he should abide by it willingly. In other words he must sense the moral authority in the rule, which renders it worthy of respect. Thus his obedience is truly moral only when it is the external manifestation of an inner feeling of respect.

Teaching of moral rules: - Since it is through the teacher that the rule is revealed to the child, everything depends upon him. A rule can

scarcely have any authority other than that with which the teacher invests it- that is to say, the idea of which he suggests to the children. The teacher should be decisive and should have some will power. The rule cannot appear obligatory to the child if applied indecisively. The teacher should be an instrument of a great moral reality and he should be the interpreter of the great moral ideas of his time and country.

The teacher must present the moral rules not as his own, but as a moral power superior to him and of which he is the instrument not the author. He must make the students understand that it imposes itself on him as it does on them, that he can not remove or modify it, that he is constrained to apply it, and that it dominates him and obliges him as it obliges them. On this condition alone will he be able to evoke a sentiment that ought to be at the very foundation of the public conscience: this is the respect for legality, the respect for impersonal law. What enables a teacher to speak with authority is the warmth of his convictions, the faith he has not only in the abstract truth of the ideas he expresses but, above all, in their moral value.

Group influence:- In fact class is a small society. Thus, no member of this small group acts as though he were alone .Each is subjected to the influence of the group. Collective action, based on the influence of the group, may enhance the good or increase the evil. If the influence of the group is abnormal, then it excites and intensifies individual energies, and drives them on the road to catastrophe with all the greater

energy. This accounts for immorality developing so readily in mobs and quite often reaching an exceptional degree of violence.

Mob behaviour and immoral disorders: - A mob or crowd is a society, but one that is inchoate, unstable, without regularly organised discipline. Because it is a society, the strong emotional forces generated in the crowd are especially intense. Therefore they move quickly to excesses. A forceful and complex system of regulation is required to enclose them within normal limits, to prevent them from bursting all bounds. A mob lacks constituted rules and regulatory organs of any sort. The force thus set loose are left entirely to themselves, consequently, it is inevitable that they allow themselves to go beyond all limits; that they know no moderation and spill out into tumultuous, destructive and, as a result, almost necessarily immoral disorders.

Indiscipline and demoralisation: - A class without discipline is like a Mob. When a given number of children are brought together in the same class, there is a kind of general stimulation deriving from the common life and imparted to all the individual activities. When every thing goes along normally and is well directed, this stimulation emerges as more enthusiasm, more concern about doing things well than if each student were working individually. But if the teacher has not developed the necessary authority, then this hyperactivity degenerates into an unwholesome ferment and a genuine demoralisation sets in, the more serious as the class is larger. Thus demoralisation becomes obvious in those students of least moral value and during times of agitations they come to the surface of the public life as antisocial elements.

Respect for the rule: - The child must learn respect for the rule, he must learn to do his duty because it is his duty, because he feels obliged to do so even though the task may not seem an easy one. Such an apprenticeship, which can only be quit incomplete in the family, must devolve upon the school. In fact, there is a whole system of rules in the school that pre-determine the child's conduct. He must come to the class regularly, he must arrive at a specific time, he must have learned his lessons, done his homework well etc. It is the teacher from whom the children receive the sense of authority of the rule. The teacher communicates it to them. The child believes in the rule, it is because he believes in his teacher. He respects it because his teacher affirms it as worthy of respect and respects it himself.

Violation of the rule and essence of punishment:-If the teacher allows violations of the rule without intervening, such a tolerance, with seem to offer proof that he no longer believes in it with the same conviction, that he no longer feels it worthy of respect in the same degree and in the same measure the student will cease to believe in it. Even the mere appearance of doubt by the teacher entails doubt by the child, and this latter doubt shakes discipline at its very foundation. So the teacher must, in the face of an interaction, attest in a thoroughly unequivocal way that his feelings have not changed, that his commitment is as strong as ever, that in his view the rule is still a rule, that it has lost none of its worth and that it always has the right to claim over respect despite the violation against it. To do this he must clearly

and forcefully censure the act that has been committed. This vigorous disapproval is the essence of punishment

Lack of moral force and violence: - Self-control of an individual is based on the moral forces, which he respected and on which he dare not to encroach. Lack of moral forces leads a person to act beyond limits and bounds. Consequently, nothing restrains him. He overflows in violence, quite like the tyrant whom nothing can resist. This violence is game with him, a spectacle in which he indulges himself. It is the force of moral opinion that is chiefly responsible for protecting the child, signalling his nascent moral character and making him worthy of respect.

Function and necessity of punishment: -Punishment is a simple way of preventing defections from the rule. According to this theory if we punish the child, he doesn't misbehave again and to prevent others from imitating him. It is purely a matter of close mental association between two ideas, the idea of given misbehaviour and the idea of suffering, fear of which prevents recurrence of the forbidden act. In other words, the function of punishment is essentially preventive, due entirely to the intimidation resulting from the treat of punishment. Certainly punishment must produce in some measure the effect, thus attributed to it.

The suffering caused by punishment is a hard ship, and the prospect of it must enter into the calculation of the actor. Punishment aims only at preventing the forbidden act-restraining, by means of a

threat, the tendency to commit it. Punishment ought to be geared out not to the seriousness of the act but to the strength of the inclination. The inclination to petty misdeeds the venial ones, may be much more intense and resistant to correction than the penchant major school room offenses.

Confronted with a misdeed, then, the teacher must prevent this weakening of the class's moral convictions by demonstrating in an unequivocal way that the rule is always sacred in his view, that it merits the same respect despite the offence committed. He must certainly show that he is in no way sympathetic with the offense, that he rejects it and repudiates it, which is to say, in sum, that he disapproves of it with a disapproval consonant with the importance of the misdeed. Such is the principal function of punishment. To punish is to reproach, to disapprove. All such repudiation generally ends in inflicting some suffering on the delinquent.

However to punish is not to make others suffer in body or soul. It is to affirm, in the face of an offense, the rule, that the offense would deny. This is the great difference between the function of punishment in education of children and the training of an animal. Punishment inflicted on an animal, in order to train it, can not produce their effects unless they involve suffering that is actually felt. For the child, on the contrary, punishment is only the palpable symbol through which an inner state is represented, it is a notation, a language, through which either the general social conscience or that of the school teacher expresses the feeling inspired by the disapproved behaviour.

Effects of unjust punishments: - We should not punish the students for slight infractions. An unsuitable punishment would seem unjust to the guilty party and would risk inciting rebellion against the teacher and the order of things that he represents. Punishment should be proportional to the crime. For it punishment is to counterbalance and expunge the offense; it must be the equivalent of that offense. It is to neutralise the crime, it must increase as the evil increases.

Collective punishments and rewards: - The teacher must gain the support of the class when he punishes or rewards. According to Emile Durkheim that the class itself could become a sort of court, which would judge the conduct of its members with the teacher acting only as the chief justice. On the other hand, a class in which justice is dispensed by the teacher alone with out securing the support of the group, would be like a society in which the judges render sentence against actions that the public does not condemn. Such judgements would lack both influence and authority. One of the important means that could awaken in the child the feeling of solidarity is the very discreet and deliberate use of collective punishments and rewards.

Limitations of the efficiency of punishment: - In reality since punishment acts from the outside and on externals, it cannot touch the moral life at its source. It can, in a degree, mechanically train the child to eschew certain behaviour, but it cannot elicit a contrary inclination toward the good. Although intimidation may be effective, it does not by itself, make for improvement. This is because it would not be in any sense a moralising instrument. So also its efficiency is very limited.

Teacher as a moral agent: - The teacher must be a person of virtue. He should be able to stimulate good thoughts in the minds of students. According to Vivekananda, a teacher must be a 'yogi' both in secular and spiritual sense. The teacher should have permanent values and traits of personality, which need to be transmitted to his pupils. The teacher should develop the inner spiritual growth, inner striving towards selfhood, self-consciousness and self-direction.

Teacher as a guiding force: - The teacher should work as a spiritual force and guide for the pupils. According to Dewey a teacher should be aware of the needs, interests and impulses of the pupils. His function is to guide the young through the complexities of life. The teacher must ensure that the individual and the group move in harmony, both acquiring the best and most positive habits of growth. He must guide the young not only the habit of democratic co-operation, but also towards the highest intellectual pursuits and the fullest aesthetic experience.

The teacher must know the individual differences in children. He has to observe, plan and encourage pupil's activities, environment and experiences. "The child's personality depends to a large extent upon his social environment"⁸⁸ Therefore the development of the child should be according to the social environment. The teacher must be familiar with the social situation because that would enable him to interpret properly, the child's activities, and transfer them into social channels. Dewey said that the teacher should teach his pupils to think

and act for themselves to do rather than to know, to originate rather than to repeat.

Teacher as a good model: - Children first learn how to act by imitating others, and so the teacher should endeavor to be a good model and impulse to imitation for his students especially when they are very young. He should try to teach by being a good example. He should be able to influence his students through his ideal examples. Education takes place through the interaction between the teacher and student. So the teacher is the pivotal point in education. It is the teacher who influences the student in character building. Thus the true text-book of the student is the teacher.

The teacher should be able to strengthen and purify the minds of the students. Teacher is the one who is able to form the character and develop the spirituality of the students. However excessive authoritarianism among some teachers in their attempts to develop character results in apathy, passive conformity and subdued resentment.

Teachers roll in personality development: - The teacher has to make the pupil conscious that he has to reach his perfection. He should provide positive ideas and situations to the students. Positive suggestions encourage learning; negative thoughts only weaken the students. The teacher should cultivate self-discipline in the child through group discipline. The teacher can govern his classroom only if the students believe in him. The teacher should be able to inspire self-

confidence in the minds of students by devoting himself to his work and recognise its significance. It is the teacher who trains the minds; cultivate the manners, and shapes the morals of the student. Thus it is the teacher who teaches the students the art of living well.

Every child as it comes to the world, is not a man in the real sense of the term. He/she is only an individual. It is only through education and training that his/her individuality is transformed into the personality of a man fit for civilised social life of the time. Gradual transition from ego-centricity to sociability brings a person nearer to human goals. According to Vivekananda a teacher must be a 'Tyagi' that is a person who is ready to sacrifice as well as serve. Only such person will have all the dedication and devotion required to mould the personality of the students.

Qualities of a teacher: - According to Vivekananda a teacher must be a friend, philosopher and guide. He should be a helper, supervisor and director. He must suggest the way and never command or impose. He must have no feeling of superiority over students. The teacher must be a permanent student. He must possess knowledge of the content, a mastery over what he is to teach and also the skills of teaching. Teacher should execute in the classroom the psychological methods of teaching as suggested by experts.

Vivekananda gives great importance to the character and personal life of a teacher. A person with an attitude of renunciation can be a good teacher. A teacher should be a person with the purity of

mind, gentleness of heart and nobility of nature. A teacher must be professionally trained, resourceful, efficient person with sympathy for the child. A teacher must be dedicated to his profession and teach with devotion. He should be a person of purity of character. According to Vivekananda the teacher must be an ascetic both in the spiritual and secular sense. He must have some abiding and permanent values and a personality to be transmitted to his pupils by his contact.

Responsibility of the teacher: - According to Dewey a teacher should teach his pupils to think and act for themselves. His teaching has to be in accordance with the needs abilities and interests of the children. The true teacher is one who can immediately come down to the level of the student and transfer his soul to the student's soul and see and understand through his mind. A teacher should be able to find out the underlying qualities and talents in a student. He should be able to help the student to develop such qualities. Teacher should stimulate the natural aptitudes of the child and should channelise them in a useful work. The teacher must know the intelligence and temperament of each pupil. The individual interest of children are not similar they are different. The teacher should understand the individual differences in the children.

A teacher should be able to enlighten the little hearts with love, care and concern for others. The over - sensitive students should be given psychological counselings. The service of a psychologist is essential in every school.

Everything in life is not beer and skittles, the child needs to prepare himself for exertions and hardship, consequently it would be a calamity to allow him to believe that everything can be done as though it were play. If the child is introduced to the sober things of life then he should be handled in accordance with his nature as a child. The teacher's authority should then be tempered with benevolence so that fairness never degenerates into boorishness or harshness.

The teacher should try to understand the child sympathetically one should be taught to live for the betterment of himself and of the society. Cultivating love in each little heart will create peace-loving minds and hatredness will find no room there. It is the teachers responsibility to ensure that the individual and the group move in harmony, both the individual and the group acquiring the best and the most positive habits of growth. Destructive sentiments must be prevented by the teacher. The education given by the teacher should be life-building man -making and character making. Teacher should give that education to the children through which character is formed, strength of mind is increased, the intellect is expanded and by which one can stand on one's own feet. Thus the role of teacher is of great importance in creating civilised, responsible and able citizens.

Importance of Vocational education: - The introduction of a systematic well-planned and vigorously implemented program of vocational education will enable students on development of attitudes, knowledge and skills for entrepreneurship and self-employment. According to Gandhi for the all round development of boys and girls all

training should so far as possible be given through a profit-yielding vocation. In other words vocations should serve double purpose to enable the pupil to pay for his tuition through the products of his labour and at the same time to develop the whole man or woman in him or her through the vocation learnt at school.

Thus according to Gandhi, 'Earn while Learn' programme should be made a part of education. Thus students themselves can meet the expenses of their education. Secondly education should be based on employment i.e. it should have some practical purpose. Gandhi gives more stress on education by means of vocational or manual training. A student should be always engaged in one or other work and should not have time to waste. If a student's time is totally utilised for his studies and for other creative works he will not have time to engage in evil or anti-social activities, which hinder his personality development.

Useful Manual labour, intelligently performed is the means par excellence for developing the intellect. One may develop a sharp intellect otherwise too. But then it will not be a balanced growth but an unbalanced, distorted abortion. It might easily make of one a rogue or a rascal. A balanced intellect presupposes a harmonious growth of body, mind and soul. Therefore manual labour should be given the centre place in the curriculum of training .

Importance of mental and physical health: - Vivekananda stressed on physical and health education. He said 'make your nerves strong.

What we want is muscles of iron and nerves of steel'. A healthy body can create a healthy mind.

Importance of yoga: - Vivekananda advocated 'Yoga' for a sound mind in a sound body. It promotes the integrated development of mind and body. According to him 'Yoga' would bring a balance between the physical and mental faculties of the individuals. It will help the student to develop his innate qualities like fearlessness, love, sympathy etc. and equip him to lead an ideal life. According to the National Policy on Education, 1986, 'Yoga' should be introduced in all schools and colleges as well as in teacher training courses.

Social and National service: - Social and national service should also be an integral part of education. This will bridge the traditional distance between the educated classes and illiterate masses and help to create a more compassionate, cohesive and integrated society. According to Dewey education is the fundamental method of social reform and social progress. "Education has an important ethical function to fulfill. It must teach youths and adults to think and then to apply intelligence to social purpose."⁸⁹ The educational system must produce young men and women of character and ability, committed to social and national service and development. Only then, education will be able to play its vital role in promoting social and national progress creating a sense of common citizenship and culture.

Democracy - a way of life: - Education should make our students more practical and useful, responsible and responsive, scientific and spiritual,

active and creative, disciplined and adaptable, pragmatic and idealistic. Above all education should make them to have a total faith in democracy and its watchwords- liberty, equality, fraternity and justice. According to Dewey democracy, as a way of life can mould individuals and make good society. Democracy as a way of life creates the spirit of sharing experiences. This helps for the development of values like understanding tolerance, co-operation etc. Values of democracy have to be developed through physical, intellectual, moral and aesthetic activities, which have to be organised by sound educational programs.

Philosophy and curriculum: - Philosophy should be included in the curriculum, because philosophy gives man that knowledge and wisdom with the help of which he understands the whole universe and the implications of the same or the relations to himself and all the people around. Philosophy helps us to understand the significance of all human experiences and activity. Cisaró called it the mother of all arts and true medicine of mind.

Education - a social means to a social end: -According to Durkheim education is above all a social means to a social end - the means by which a society guarantees its own survival. The teacher is the society's agent, the critical link in cultural transmission. It is his task to create a social, moral being. Education should recast in a way whereby our young are equipped with a spirit of enquiry to distinguish between right and wrong. It should develop in them, the capacity to avoid false hood and to stay away from doing wrong things. "The

education of a student is an end in itself and the making of him is our noblest work”⁹⁰

According to Swami Vivekananda that the training by which the expression of will is brought under control and become fruitful is called education. It needs hard practice and rigorous training to assert the mind against the command of nature. The mind has to become the master of its thoughts and captain of its deeds. National Policy on education also clearly states that individuals with strong character can contribute to the well being of the society. “A satisfactory system of education aims at a balanced growth of the individual and insists on knowledge and wisdom”⁹¹ Education must highlight the need for inter-human relations. The system of education should be modified and changed in such a way that it should enable a student to cultivate human and cultural qualities for the full development of his mental and physical abilities and talents through which the personality of the student can be enlightened in the creative perspective. It is the teacher who can create a better generation, a generation with the best of all human and cultural qualities because they are the ones, who trains the young mind. “Good education must develop the individuality of each person, and at the same time also train him to fit himself creatively and meaningfully into society”⁹²

Self-determination: - The notion of self-determination involves the notion of thinking in the sense of reflecting, calculating, memorising, predicting, judging and deciding. Thus the concept of self-determination means that the individual should be able to make his own

decisions. The over all objective of education should be to produce self-determining adults. The children should be educated in such a way that on all issues they should be self determining. However self-determination can not be achieved by education alone. It is true that education could contribute to it. "The pursuit of the forms of knowledge is equivalent to the development of the rational mind" ⁹³The achievement of knowledge satisfies and fulfills the mind, which thereby attains its own appropriate end. The pursuit of knowledge is thus the pursuit of the good of the mind and, therefore, an essential element in the good of life. A self-determined person will be able to control himself from addiction to drugs, drink and distorted passions.

Notes and reference

- 86.M.K. Gandhi: *Basic Education*. (Edited by Bharatan Kumarappa .) 1951, p-38.
- 87..Dr.D.Vijaya Bharathy.: *Educational Philosophies Of Swami Vivekananda And John Dewey*. 2000. p-99
- 88.D^l Dr yer Wayne W.: *Your Erroneous Zones*. 1977. p-129
- 89.Dr. Vatsyayan .: *Social Philosophy* . 1972. p. 60
- 90.Titus Harold H., Keeton Morris.: *Ethics For Today*. 1973, p-299
- 91.. R.S. Peters .: *The Philosophy Of Education* 1913. p 71
- 92.T.M.P. Mahadevan and G.V.Saroja .: *Contemporary Indian Philosophy*. 1981, p-261

93.Samuel Mathai .: *Faith And Morals In The Space Age* . 1973, p-122

94.R.G. Woods and R.C. Barrow .: *An Introduction To Philosophy Of Education* . 1975. p- 34

PHILOSOPHY OF LAW AND PUNISHMENT

Poulose V.T. "An enquiry into the problem of rising criminality in the state of Kerala and legal and sociological remedies in the present Indian context - A philosophical analysis" Thesis. Department of Philosophy , University of Calicut, 2006

CHAPTER 9

PHILOSOPHY OF LAW AND PUNISHMENT

“Punishment is procedurally defined as (1) the presentation of an aversive consequence or (2) the withdrawal of a positive consequence”⁹⁴ Both these procedures are intended to reduce the strength of the preceding behaviour. Punishment may be given simply to suppress unwanted behaviour over an extended period of time, or it may be used to control the unwanted behaviour for a brief period during which a competing and more desirable behaviour can be specially strengthened by positive reinforcement. The wide spread use of punishment procedures in almost all societies is due possibly to the immediate, suppressing effects that the procedure usually has on unwanted behaviour.

Punishment should not be one, which is contrary to contemporary standards of human decency, that which is unnecessarily cruel and that which goes beyond legitimate penal aims. Prisoners may not be tortured, disfigured or physically injured.

According to Plato that those whom we would normally regard as having injured others by accident are not likely to do the same thing again, and so need no treatment, whether in the form of

punishment or anything else. On the other hand a man who has acted intentionally might be expected to repeat his behaviour and so steps should be taken to prevent this, by the way of punishment. “With some important but limited exceptions, Plato recognised only two types of justification for punishment, that it should deter potential wrongdoers and reform actual ones”⁹⁵

According to Socrates the man who undergoes reproof and chastisement and is punished for his faults is happier than the man who continues in wickedness and is not cured. That is, he regards punishment as something that cures the wicked man of the evil in his soul. Hence he thinks of it as a blessing for the wrong doer. According to Socrates punishment is and indeed must be painful, because unless it is painful, it would not be punishment. Through punishment, a person should recognise that what he has done is something that people condemn and it is this condemnation, which the punishment he receive conveys to him. According to Socrates the wrong-doer is alienated himself from the good and by punishment, when it is accepted he reintegrated with the good. This, he thinks is a great blessing and the pain it involves is what the man pays for it. The pain in question is the realisation of having done something bad. This realisation is painful and this painful realisation is punishment. The pain leads to reparation, restitution and atonement. It is part of an inner transformation.

According to Socrates punishment must be administered in a spirit of justice, which also is the spirit of charity. Where punishment is administered with concern for the criminal’s soul, there is charity.

For while his crime is condemned and he is made to pay for it, the criminal himself is pitied and cured for, pitied above all for the crime he has committed. Above all the administration of punishment should not be an exercise of power, nor a form of vengeance. Punishment should awaken the criminal's soul to a love of the good. However Socrates thinks that punishment would guarantee that the soul of the punished person will improve. His soul may be so hardened that nothing awakens it to a love of the good. He may remain unrepentant.

Socrates thought of punishment as a form of cure or cure of the soul of its wickedness. He compared it with the cure of body of disease. His thought can be contrasted with some modern ideas of therapy for the criminal, which tries to excuse the criminal and blame his crime on psychological difficulties. They aim to solve these difficulties and spare the criminal any harsh treatment. This is the modern counterpart of compassion.

Polus thinks of punishment as the inflicting of harm on someone who has inflicted harm on others. Such harm can benefit others by satisfying their desire for revenge and by preventing their being harmed again.

Utilitarian theory of punishment: - According to the utilitarian theory of punishment, an act or rule of punishing, like every other act or rule, is justified only if the act or the adoption of the rule produces good. "Punishment should be strictly in order to produce good consequences (which again, includes the prevention of bad ones) in future"⁹⁶

Criminal justice system: - According to Packer, there are two models of criminal justice system. These models differ in their views of punishment. The conflict between the rights of individuals and the rights of society is related to a distinction between these two models of criminal justice system. They are:-

(1). Due process model

(2). Crime control model

(1) **Due process model:** -This model places primary value on the protection of innocent citizens even if they are criminal suspects from possible abuses of the police and the law enforcement system generally. The due process model assumes the innocence of suspects. It subscribes to the maxim that “it is better that a thousand guilty persons shall go free than one innocent should be punished.” So the due-process model emphasises the rights of individuals, especially those suspected of crimes, over the temptation by society to assume suspects are guilty even before a trial.

(2) **Crime control model:** - This model seeks the punishment of law-breakers, so that they will not repeat the offense and so that others will be deterred from similar acts. Punishment of criminals whether by community supervision, fines or imprisonment, can have several purposes. They are: -

(a) **General deterrence:** - The punishment of one offender and the publicity given to it are assumed to discourage other potential law-breakers. Some advocates of the death penalty, for example, believe

that fear of death may be our strongest motivation; hence death penalty should serve the function of general deterrence of severe crimes.

(b) Individual deterrence: - Punishment of the offender is assumed to keep that person from committing other crimes in the future. Some theories assume that criminals lack internal inhibitors, hence punitive sanctions must be used to teach offenders that their behaviour will be controlled - if not by them, then by society.

(c) Incapacitation; - If a convicted offender is sent to prison, society can feel safe and confident while the felon is confined there. One influential position sees incapacitation as functioning to age the criminal- a desirable goal, given that many more crimes are committed by the young than the old and that the rate of offending declines as offenders grow older.

(d) Retribution: - Society believes that offenders should not benefit from their crimes; rather, they should receive their “just deserts”. This is the moral cornerstone of punishment that it should be delivered to people who deserve it as a consequence of their misdeeds.

(e) Moral courage: -Punishment has the effect of giving society a means of catharsis and relief from the feelings of frustration, hurt, loss, and anger that result from being victims of crime, what emerges is a sense of satisfaction that offenders have paid for what they have done to others.

(f) Rehabilitation: - One hope in sentencing has always been that offenders will recognise the error of their ways and develop new

skills, values and life styles so that they can return to moral life and become law-abiding. Karl Menninger, the author of the book “The crime of punishment” proposed that criminals are capable of change if they are placed in humane prisons.

(g) Restitution: - Wrong doers should compensate victims for their damages and losses.

Moral value of punishment: - Punishment has a moral character and moral value only if the penalty is regarded as just by those subjected to it. A successful justification of punishment depends on what about being justified-its harshness, its point, and its authority its usefulness-as well as to whom. “Punishment is only just if the man punished has done wrong, otherwise it is not punishment at all, but ill-treatment or victimisation”⁹⁷ According to Locke the only way to make a man moral is to make him see his own welfare in the public welfare and this can be done by legislation only i.e. by proper rewards and punishments. Punishment will be moral only if it is based on the following principles.

(a) Principle of equality: -The principle of equality means the same treatment for all people who commit the same crime.

(b) Principle of proportionality: - This means that the punishment should be consistently related to the magnitude of the offense. More serious crimes should earn more severe penalties. According to Michel Foucault that the penalty must be made to conform as closely as possible to the nature of the offence, so that fear of punishment diverts the mind from the road along which the prospect

of an advantageous crime was leading it. The ideal punishment would be transparent to the crime that it punishes, thus, for him who contemplates it, it will be infallibly the sign of the crime that it punishes and for him who dreams of the crime, the idea of the offence will be enough to arouse the sign of the punishment. However if a relatively minor crime leads to a harsh punishment, then the fundamental value of proportionality has been violated. In short punishment should be proportional to the crime.

(c) **Principle of discretion:** - This means that the use of judgements about the circumstances of certain offenses that lead to variations in how the system responds to these offenses. In judging guilt and punishment, according to the principle of discretion, a judge weighs the specific circumstances that surround a crime. For example one murder may be very different from another, with respect to its motivations, its brutality; and the relationship of the murdered and murderer. Even two murders of husbands by their wives can reflect very different circumstances. One may be the result of a woman impulsively wanting freedom from an unhappy relationship, the other may be a desperate, defensive reaction to years of physical abuse.

Punishment as a form of reformation: - The ideals of reform and individualisation of punishment includes corrective training, preventive detention etc. Reform further includes strengthening of the offender's disposition and capacity to keep with in the law, which is intentionally brought about by human effort, other wise then through fear of punishment. "Reforming methods include the inducement of states of

repentance, or recognition of moral guilt, or greater awareness of the character and demands of society, the provision of education in a broad sense, vocational training and psychological treatment".⁹⁸ Thus reform could and should be the general aim of the whole practice of punishment or the dominant objective of the criminal law. Reform can only have a place within a system of punishment as an exploitation of the opportunities presented by the conviction or compulsory detention of the offenders.

According to H.L.A. Hart the society can be divisible into two classes: -

- (1) Those who have actually broken a given law
- (2) Those who have not yet broken it but may.

To take reform, as the dominant objective would be to forgo the hope of influencing the second. From Plato to the present day there has been a recurrent insistence that if we were rational we would always look a crime as a disease and address ourselves to it's cure. We should deal with a criminal with the rational aims of the prevention of further crime, the protection of society and cure of the criminal.

Crime and threat of punishment: - It is assumed that recollection of the punishment and the knowledge that criminals are punished may make a person think of abstaining from crime. However usually the threat of punishment is something which causes the criminal to exert his faculties, rather than something which enters as a reason for conforming to the law when he is deliberating whether to break it or not. According

to Lady Wootten that a mans responsibility or capacity to resist temptation is something buried in his consciousness, into which no human being can enter, known, if at all, only to him and to God, it is not something which other men may ever know.

Effects of real punishment - A moral view: - According to Dostoevsky that society was morally justified in punishing people simply because they had done wrong. He believed that psychologically the criminal needed his punishment to heal the laceration of the bonds that joined him to his society. In his famous novel crime and punishment, the central character Raskolnikov, the murderer, thirsts for his punishment. The pain and hardship in punishment are meant to bring home to the culprit the harm he has done to others. The whole setting is designed to remind him of what he has done and to keep him from forgetting it. It provides him with the opportunity to reflect on it and also to pay for his crime. In short it is meant to help him change his relation to the good and accept responsibility for what he has done. This change obviously can only come about with repentance, which involves recognising what he has done as a crime and being pained by it. The recognition is making his own the judgement conveyed in the punishment. To recognise what he has done as a crime, he must come to care for the good. Since this recognition involves pain, it will bring the desire to take on oneself the hurt one has inflicted on others. Punishment will be an experience of ones willingness both to shoulder responsibility for what one has done and to acknowledge it's terrible nature. Thus one who comes to care for the good will necessarily want

to pay for the harm he has done. But he may have to overcome much reluctance in himself-as was the case with Raskolnikov. Besides, atonement takes time and dedication; it may in fact set a seal on the rest of the criminal's life. To repent one's crime is not to white wash it. It is a transformation a turning of the soul in the direction of the good without turning away from the memory of the evil one has done. As with Raskolnikov, the criminal does not want to think of his act as a crime and of himself as a criminal. In thus denying his crime, he remains, as he was when he committed it, he continues to cling to his criminality. If he can be brought to acknowledge it and so shoulder responsibility for it, he becomes different from what he was like when he first committed the crime. Thus accepting his criminality opens the way to his coming free of it. In order to become free he must earn forgiveness, including his own. His pride, his grudges and his crime cut him off from human beings. When he admits that what he has done is a crime, when he feels sorry, when he forgets his pride-these are all different aspects of the change in him. This change is a reintegration with the good. It involves the giving up of pride, grudges and self-protective devices, and makes room for repentance and forgiveness. This reintegration is a slow and painful work, which engages the repentant criminals whole soul. Thus the good that entered his life through repentance begins to grow in him and to change him.

When Socrates speaks of punishment as a blessing for the wrong doer, this kind of inner transformation he envisages, for this kind of transformation is what constitutes reintegration with the good. On

this inner transformation Socrates place an absolute value. His claim is that the reintegration with the good involved in accepting punishment is a blessing no matter what it brings the repentant man in his particular circumstances.

Punishment and public order: - The sentencing of a convicted criminal lies at the very centre of societies efforts to ensure public order. The sentence serves the functions of both punishment and deterrence. The fine paid and /or the time served, may facilitate rehabilitation but even if rehabilitation does not occur, society will have one fewer lawbreaker to worry about for the duration of any prison sentence that is ordered.

Prisons - Punitive or Custodial: - Ironically despite the original propose of prisons as vehicles for rehabilitation and despite the variety of goals they have been expected to accomplish, most prisons are of one type-punitive or custodial. They deny prisoners certain rights and hence are punitive. In fact prisons often present inmates with enriched opportunities to learn new criminal behaviorus and attitudes from one another.

Jail circumstances: - Jails are places where hard-core criminals are born, brought up and trained. According to Italian physician and criminal anthropologist Cesare Lombroso, prisons are 'Criminal Universities' and the degrading influence of these criminal universities (prisons) including daily contact with other hard-core prisoners play a significant role in the development of a criminal. "The prisoner is

much more influenced by the community of convicts. This process of 'Prisonisation' has the effect of making a more dedicated and committed criminal. The main effect of a term in prison is to reinforce the prisoners commitment to criminal mores and values and to give him additional contacts and tutelage in the ways of crime"⁹⁹ In fact, a jail sentence usually make the person very bitter at society often it causes him to want to strike back and get even, and usually it serves as a graduate course in crime. The petty thief is likely to come out of jail as a trained bank robber or safecracker.

"Prisoners and criminals generally tend to have a rather high level of emotionality"¹⁰⁰ It is found that this emotionality would potentiate the antisocial habits, which they have developed. The rude, rough and cruel behaviour of the jail authorities, greatly increases the degree of emotion present in the prisoner, would, therefore, have a negative rather than a positive effect and it would lead to still greater rigidity in the reactions of the prisoner, rather than leading to any kind of change.

Usually jail life does not change the mind of a criminal and does not make him a good citizen. Instead an ordinary criminal becomes more cruel and criminal minded. In short the jail life upgrades the criminality of an ordinary criminal. This shows that jail authorities play an important role in increasing criminality. It is a fact that a vast majority of jail authorities are corrupted. The torture and cruelty by the jail authorities makes the criminals more inhuman. Punishment should not be torture; instead it should be useful in renewing the culprit.

Counseling of prisoners: - Counseling of the prisoners will help in rehabilitation. According to the Platonic view crime is a disease and criminal is a patient. Therefore the service of psychologists and psychiatrists is a must in the prisons.

Notes and reference

95. Schwitzgebel Robert L. and Schwitzgebel. Kirkland R. : *Law And Psychological Practice* 1980. p-81
96. Huby Pamela.: *Plato And Modern Morality*. 1972, p- 75
97. Hospers John .: *Human Conduct, Problems Of Ethics* . 1961, p- 382
98. Wilson John.: *Reason And Morals* . 1961. p- 96
99. H.L.A. Hart. *Punishment and Responsibility, Essays in the philosophy of law*. 1968. p- 26
100. Acuff F. Gene , Allen Donald E., Taylor Lloyd A: *From Man To Society* . 1973. p- 525
101. H.J. Eysenck.: *Crime And Personality* . 1964. p- 157

REFORMATION OF LEGISLATION

Poulose V.T. "An enquiry into the problem of rising criminality in the state of Kerala and legal and sociological remedies in the present Indian context - A philosophical analysis" Thesis. Department of Philosophy , University of Calicut, 2006

CHAPTER 10

REFORMATION OF LEGISLATION

Social life without law as a means of social control would result in anarchy. Laws need to be developed, interpreted, re-interpreted and modified to keep up with the rapid changes in our lives. “The basic raw material for the construction and the revision of laws is human experience”¹⁰¹ The traditional and widely accepted goal of criminal law has been to deter the criminal and others from similar unwanted behaviour in future. “All men are bad and ever ready to display their vicious nature, whenever they may find occasion for it: men act right only under compulsion”¹⁰²

According to psychologist Edwin Thorndike, the goodness of a city was inversely proportional to the number of lawyers. The greater the number of lawyers, presumably the more litigious the community. Robert L. Schwitzgebel believes that the law does not solve legal problems it creates them. It systematically restructures social or interpersonal conflicts into a particular logical matrix. Thus for example, many lawyers find it very exasperating to obtain legally relevant material in a divorce case because the parties involved see the situation from an emotional rather than logical perspective. Such

restructuring may have a socially useful function in one situation but a destructive result in another.

Law and Social justice: - Social justice is essentially based on natural rights of man. The natural rights of men based on the concept of equality of human beings where as the idea of justice natural among men guarantees equality of remedy in matters of personal wrongs and private rights. “The simplest criterion of justice is equality”¹⁰³ Equality is, thus the criterion of effectiveness of law. Natural justice is the norm determining the form of any law. “Social justice must flow from the legal system, as other wise, Rule of law will break down”¹⁰⁴ Social justice for all is the greatest hallmark of a healthy society. When law fails to protect a person he select the path of illegal ways for his own protection. “The most elementary form of justice is the impartial administration of law”¹⁰⁵

Loss of faith in the system of social justice: -Loss of faith in the system of law and order and social justice is reason for increase in crimes. The indecent, cruel, unjustifiable acts of corrupted and criminal minded police officials lead the ordinary people to suspect the system of law and order and social justice. If justice is denied for common people by the authorities, then they will lose faith in the system of social justice and their mind will turn against the system of law and order. Such people will generate a sort of revengeful mind. Thus in short the denial of social justice generate avenge in the mind of common people against the system of bureaucracy, law and order,

which ultimately make them to act against the laws of the society. The result is increase in crimes.

Supremacy of law v/s self-interest: - In fact legal considerations are superior to consideration of self-interest. However in many cases of criminality, the consideration of self-interest becomes superior to legal considerations. This is because of the political and financial influences of the criminals. “Since laws represent a social good which is superior to private good, so that the problem is one of making persons see that the social good is their own true good” ¹⁰⁶ There is a proverb, “Fools obey the laws, but the crooked find out ways and means to overtake the laws.” It is a fact that in our society, those who have money and political influence can do anything. The politicians will protect them from the hands of laws. In fact that all most all the criminal groups and gangs in Kerala are having political connection and political leaders are the Godfathers of such criminal groups. The illicit liquor incidents at Quilon and Trivandrum itself reveal this fact. It is a fact that a vast majority of the excise and police authorities are corrupted and they receive bribe in the form of money and matter from the illicit liquor lobby.

Legal justice: - Legal justice is the fruit of enforcement of law. “Utility of law lies in its enforceability. An unenforceable rule is useless” ¹⁰⁷

Legal effectivism: - Legal effectivism as a part of rule of law implies that no organ, instrumentality or agency of the state can be above law

and it enjoys upon the legislature to create conditions, which will uphold the dignity of man. The rights of the accused in criminal trials must be made effective. The effectiveness of rule of law depends not only on the provisions of adequate safeguards against abuse of power by the executive but also on existence of effective Government capable of maintaining law and order and of ensuring adequate social and economic conditions of life for the society.

Over legislation: - According to prof: Debroy who is the director of the Rajiv Gandhi Foundation, India is over legislated. There are too many laws. Many are silly and are bound to be circumvented. There are 3500 central statutes, 25,000 statutes at state-level and thousands of subordinate or administrative legislation in the form of orders, rules and regulations.

In July 1764, Cesare Beccaria wrote in a brilliant tract *Dei delittie e dello pere* (on crime and punishment) that crime is a problem not because of bad people, but bad laws. In essence it prescribed three things: -

- (a) Only legislatures should make laws,
- (b) Punishment should be prompt and effective
- (c) Punishment should be based on the act not the actor.

Regarding the prevention of crimes, Beccaria wrote, let the laws be clear and simple. Unfortunately, in India, our laws are long-winded and delightfully vague. It is neither simple nor clear.

According to Dr. Jayprakash Narayan, a campaigner for electoral reform and transparency, that it is not the volume of legislation that matters, but the quality. Many laws are unwanted and of no use for the public. Therefore unwanted laws must be struck off and amendments should be made to other laws to suit the present and future needs. Such reforms should be made by the Government on the basis of legal advice by the best legal brains of the country.

Misuse of laws: - Many laws are misused by the police as well as by the bureaucrats to make money through corruption and bribing. They frighten the public at the knife- point of law and squeeze them to make money out of it.

Failure of law and order: - The corrupted police and bureaucrats are the main reason for the failure of law and order. A very good percentage of the police officials support the criminals for the sake of money. Even a vast majority of the police force is of criminals. In fact police are on the side of criminals and against the common people. Many police officials support the criminals or at least help or allow them to escape, for the sake of monetary gain. Thus the attitude and deeds of police itself increase crimes in our state. Many police officials think that bribe is their birth right and they will have it. So also the police force is unable to act freely. The political leaders suppress able and uncorrupted officials. In fact, the police force is directed and controlled by the political leaders, especially of the ruling party. Thus police force became puppets in the hands of politicians. In short the

police has failed in its primary task of securing society from the evil, which breach of law involves.

Police and Criminal justice system: - Police perform a complex set of tasks in the criminal justice system. They must combine physical powers, perceptual activity, interpersonal sensitivity and intelligent discretion to succeed at their jobs. They need to make quick judgements about all sorts of human behaviour under frequently stressful conditions. They should be versed in law and atleast intuitively knowledgeable about the social sciences. A good police officer should be incorruptible, well adjusted, people oriented, logical and free of emotional reactions.

Failure of prosecution: - A very good percentage of the crimes can not be proved in the court of law due to the absence of solid proofs, concrete evidences and enough witnesses. In many case the eyewitnesses are not ready to give the true statements regarding what they saw. This is because they are afraid of the culprits. So also they may be even threatened by the culprits and their people.

In many cases the police fail to point out the correct and accurate circumstantial evidences which points only to the accused. In such cases there arises the question of doubt in prosecution. The accused will be acquitted free due to this.

Usually the police do not charge the cases honestly. In many cases we can see the foul play of the police. In many cases it is found that they charge only the mild sections, which are less severe in

punishment by accepting money, or other rewards as bribe from the culprits or their people. At the same time they even charge cases against the people who are really innocent.

Disregard for Supreme Court instructions: - It is found that many police officers do not keep the instructions given by the supreme court of India regarding arrest of an individual. Abusing and insulting the complainants or the accused in the police stations are a normal routine. So also torture in lock ups has been increased to a great extent. Torture is a dangerous means of arriving at knowledge of truth. “There are guilty men who have enough firmness to hide a true crime and innocent victims who are made to confess crimes of which they were not guilty”¹⁰⁸ In proving criminal cases police must not resort to torture with out due consideration. Recently many cases of death due to torture by police have been reported in Kerala.

Delay of trial: - Procrastinations of legal trail often lead to injustice. When in an unduly prolonged process much of the material evidence perishes, the witnesses die, situations are altered and the subject matter itself passes hands and gradually dissipates all its worth for any adjudication in name, form or substance.

Problem of under- trials: - There are numerous instances of persons spending long and tormenting years in prison awaiting trial. On many occasions the period of detention would exceed the life term they might have been accorded for murder. And what did these men do? Violate some innocuous provisions of Gambling Act, Prohibition Act, Motor

vehicles Act and the like. All these charges do not make the accused a menace to society. All these allegations have to be proved after trial. Thus the accused is punished in advance even if he is proved innocent later.

The process of justice rendered must be rational as well as humane. But in the case of many under-trials, we should think that it is not so. Most under-trials are forced to spend time behind the bars due to state inefficiency. Under-trial prisoners are not being regularly produced before the courts due to inadequate police escort force. The saying, justice delayed is justice denied, is cent percent correct in the case of under-trials languishing in prisons for years together. The state is responsible for this. Denial of the right of speedy trial in respect of under-trials and their prolonged detention with out conviction is the violation of fundamental as well as human rights.

Over crowding of Criminal cases: - In almost all the criminal courts, there is an over crowding of criminal cases. Due to this most of the cases lag for years together. To avoid this the Government should establish enough Fast Track courts to clear the cases more speedily, without suffering the quality of justice. The application of Information Technology to the legal system should be considered seriously and computerisation should be implemented at all levels.

Lack of expertise: - At present there is no expertise at any level of the legal system. All judges from the lowest to the highest deal with all subjects under the sun. They are jack-of-all-trades, but master of none.

Civil as well as criminal cases are of different sorts, it should be classified under different heads and there must be a judicial set up for each class of litigation, so that both lawyers and judges, dealing with that class or subject will gain expertise in that area. This will prevent contradictions and inconsistencies in the interpretation of law.

Transfer of commercial cases: - The commercial cases should be transferred from lower courts to arbitrators because it can be easily and quickly disposed by arbitration. There should be compulsory references of all commercial cases to arbitration. A panel of arbitrators should be maintained at sub-district level to whom the commercial cases can be referred and finalised. Appellate Arbitral Tribunals also should be constituted in the district level. If a commercial case is not finalised in sub-district level then it may be forwarded to the Appellate Arbitral Tribunal.

Problem of Rehabilitation: - A legally defined right to rehabilitation or psychological treatment for prisoners in general has not yet emerged. Legislation regarding this should be considered as a serious matter by the Government.

A stable Government must be strong enough to allow, its citizens to develop and exercise their ability to think and still protect the peace, both internally and externally by adhering to the supremacy of law.

Notes and reference

- 102.. Wrightsman Lawrence S .Nietzel Michael T and Fortune William H.: *Psychology And The Legal System* . ..1987, p- 3
- 103.Machiavelli Nioccolo, translated by Luigi Ricci and C.E. Detmold .: *The Discourses On Livy* . 1940, p-3
- 104.W.D. Hudson .: *New Studies In Ethics, Volume Two- Modern Theories*, 1974. p- 76
- 105.M.G. Chitkara .: *Dr. Ambedkar And Social Justice* . 2002. p- 178
- 106.Stein.George P.: *The Forum Of Philosophy, An Introduction To Problem And Process* . 1973, p- 356
- 107.Dewey John.: *Theory Of Moral Life* . 1967, p 66
- 108.Dr. R.G. Chaturvedi .: *Philosophy Of Law* . 1984, p- 171
- 109.Foucault Michel.: *Discipline And Punish* . 1995, p- 40

CONCLUSION

Poulose V.T. "An enquiry into the problem of rising criminality in the state of Kerala and legal and sociological remedies in the present Indian context - A philosophical analysis" Thesis. Department of Philosophy , University of Calicut, 2006

CONCLUSION

Thus in short the problem of rising criminality in Kerala is due to multifarious reasons. A vast variety of personal as well as sociological problems lie behind this. The basic root of all personal problems is not only related to, but also arises from ones own family. It is family circumstances in ones own childhood, which influence his or her personality development. The unscientific way of rearing children, parental alcoholism, weak parental supervision, child abusing etc. affect the proper personality development of the child. The conflicts between parents severely affect the mental growth of the children. Whatever things a child hears, sees, and studies with in the family are prime factors in moulding the character and behaviour of that child. Thus parents become strong models and it is the behaviour and character of parents, which strongly influences a child at first. So also hereditary factors are very important in determining the character of a person. Modern Genetic Engineering emphasises this fact.

However the sociological problems are related to the society and an individual's personality whether perfect or defective

shows the cultural standard of the society in which the individual lives. Thus the particular social set-up decides the individual's personality in that society.

Scientific advantage, technological changes, market economy etc. changed the present social set-up of modern man. The fast way of life has become the style of modern man and it changed his attitudes towards the moral values, ethical teaching and philosophical conceptions. Thus human values have decreased and man has become like a robot. The feelings of love, philanthropy and generosity are becoming outdated. Everywhere man's selfishness play in the front. Modern man has lost the fine feelings of love, care and concern towards his fellow beings. He/she is ready to do any wrong thing for his own well-being. Thus there is always a criminal in the mind of modern man.

The education system at present is only based on academic studies with pragmatic interest and not on moral values, ethical teachings and philosophical principles. Thus the importance of character building of an individual is being neglected in the curriculum of education. Actually character building should be a part of education. Through education not only scientific and technological knowledge should be imparted, but also it should include training for body, mind and soul. If not we can only produce people who are educated robots, not cultured individuals. Thus the present set-up of the curriculum of education should be totally changed. Schools, colleges and universities should be converted to places where an ordinary individual is moulded

to highly cultured, civilised and socialised man. Thus socialisation of an individual must be an important part of education.

Other socio-political and environmental factors also add to the problem. At present what is needed is a more practical and scientific outlook and find out proper and suitable remedies to eradicate the basic roots of the problem of rising criminality. If not the highly educated state may become the most highly criminal intensive state of Indian Union with in a very near future.

So attention should be paid in the following factors to avoid the inclination towards criminality in the future: -

(1) Proper education with philosophical and moral instructions.

(2) Measures to eradicate economic stress due to unemployment and other reasons.

(3) Action to alleviate the sufferings caused by globalisation process.

(4) Maintain maximum participation of the people in public life and legislation.

(5) Measures to create the awareness of duties of a citizen through public media.

(6) Actions to create an atmosphere of social discipline in all walks of life.

(7) Support creative and literary expression of the people as well as enjoyment of art and literature.

(8) Provide opportunities for marginalized sections of society and women to appeal their grievances.

Appendix

On the basis of field survey and sample study some selected cases of convicts and ex-convicts are summarised below. It includes cases of different criminal activities. The real names of the convicts and their native places are avoided at their request.

The case study of a thief: - Mohan, now aged fifty four, from Vaniakad, Eranakulam district was running a hair cutting Saloon at his native place in the year 1982. One day, he was taken into custody, on suspicion, by the police related to a theft case. In fact, he was innocent and had no connection with the theft. But the police tortured him in the lock-up and then released him without charging any cases against him, since they came to know that he was innocent. The real culprits were arrested later.

This incident made a change in his life. He stopped his hair cutting Saloon and went to Vypeen Island, where he started a new Saloon. There he came into connection with a young man, who was a professional thief; through whom he came into connection with three more anti-social elements. Due to the influence of these four he came into the field of thieving. With them he actively involved in five thefts, but was not caught.

Meanwhile he got married. Just after his marriage he got job in C.I.S.F. as a barber and went to Andhra Pradesh. There he worked, about two years. During this time, his co-convicts were caught

by the police in theft case, and through them his name was revealed to the police. He was arrested and was sentenced for six years of imprisonment in Viyyoor central Jail. Due to this he was dismissed from C.I.S.F. He was released after six years of imprisonment.

Now he is working as a labourer. However three years back he was arrested for selling illicit liquor and was sentenced for six months of imprisonment.

He admits that it is his peer association group who paved his path to criminality. His father was a local politician who never tried to find time to spend with the family. He never got love and care from his father. He was brought up under the care of his mother. He got only primary education. He never received the minimum basic of moral and ethical teachings either from his parents or from his school teachers. He says that the attitude and loveless behavior of his father affected his adolescent life adversely.

Regarding jail circumstances he said that formerly torture in jail was a usual procedure and jail authorities were cruel and inhumane. But now the atmosphere in the jail and the attitude of the jail authorities has been totally changed. He agrees that, at present the jail authorities are decent and humane in their behavior to the inmates and there is no more torture. Food, accomodation and other conveniences are improved a lot.

Pertaining to the attitude of the society to the ex-cons, he agrees that there was indifference and contempt. However as years

passed the contempt and indifference by the society has been vanished and at present nobody consider him as a former thief. Now he is leading a good family life with his wife and children.

The case Study of a pickpocket: - Nasar, a young man of thirty-five from Moovattupuzha is a pickpocket. He was sentenced many times by the court- of-law for the crime of picking the pocket.

He started his life as a pickpocket at the age of eighteen. It is his association with the criminal elements of the society that he became a pickpocket. He commenced pick pocketing near liquor shops by picking the pockets of drunkyards just for fun sake. The habit of drinking made him an addict to alcohol and it boosted his interest in the profession of pick pocketing.

Mean while he got married and have two children. But he never looks after his wife and children. He doesn't have any feelings of commitment to his family. Due to this his wife is earning her livelihood through prostitution.

Jail life never changed his attitude. He justifies his acts that he needs money for a luxury life in an easy way. He doesn't have any guilty-consciousness for his past and present crimes as a pickpocket.

He lacks basic education. He never got love and concern from his parents and family members. He never got any type of moral treatments or ethical teachings from his parents or from any other sources.

Although he is a pickpocket, he is against more serious crimes like child molestation, rape, murder etc.

The case of an attempt of murder: - Sivadas, a young man of thirty-eight from Chalakudi was sentenced for five years in the jail for murder attempt. It was an incident of stabbing his own wife with a Kitchen Knife. He stabbed her twice and the injury was severe, but she escaped from death.

Their marriage was about six years back the incident. They have two children. He was an addict for alcohol and doesn't go for any work. It was his wife who goes for building construction works and with her earnings she maintained the family.

After a few years of married life, he started suspecting his wife. Though he had no proofs, he used to accuse her of extra-marital relations. This led to daily quarrel between them. One day during the quarrel, under the influence of alcohol, he stabbed her twice with a Kitchen knife.

At present he is in parole. However he is not having any connection with his family. He is not repenting on his act, instead he justifies it. To him, it is his wife who spoiled his life. He says that he doesn't have any expectations for the future life. He is totally frustrated. To the questions regarding morality, he answered that he never got any moral or ethical guidance either from his parents or from anywhere.

The case study of a murderer: - Jose aged thirty-two from Kothamangalam, has committed a murder at the age of seventeen and was sentenced for seven years of imprisonment.

The incident happened about fifteen years back. The victim was the labourer in his father's landed property. There was a conflict between his father and the victim regarding wage. During the conflict the labourer attacked his father severely and injured seriously. Meanwhile, Jose, the son of the attacked, who was only seventeen years old at that time, happened to be at the spot. He then attacked the labourer with a chopper and it resulted in the murder of the labourer.

After the jail life Jose got married and living with his family and children. He is living an ideal family life at present. The murder case was the first and the last in his life. He is not having any former or later criminal records. Actually, it was the circumstances that made Jose a murderer.

The case study of a cheat: - Abdu, aged forty from Perumbavoor was sentenced for imprisonment in more than a dozen cases of pawning fake gold ornaments. He used to pawn copper ornaments, which are thickly electroplated by gold and cheat the pawnbrokers.

He selected this as his profession since he thought that it is an easy way to make money and enjoy life. He is an addict to alcohol and has no earnings. He is married but lacks concern for his family.

He is uneducated and doesn't have even the minimum knowledge about moral life. He justifies his acts and doesn't have any guilty consciousness or repentance.

The case of a murder of one's own child: - Tomy from Eranakulam was sentenced for lifetime imprisonment for killing his own child. The incident took place about eighteen years back. He was married and had two children. He suspected his wife's chastity and faithfulness. He

believed that the younger child was born out of extra-marital relationship of his wife. Due to this there was daily quarrel between the spouses. One day, during the quarrel, in a state of high emotionality he choked the child to death.

After about ten years of imprisonment he came out of jail. The jail life changed his mind. He had real repentance. The priests and nuns from Christian church also helped him to have a moral and optimistic attitude towards life. The church authorities took special interest in his case and they made way for his re-union with his wife.

At present he is leading a happy family life. Anyway he doesn't like to reveal the reasons why he suspected his wife and the paternity of the young child because he doesn't want to remember the evil days of his former life.

The case study of an educated thief: - Shaji from Trivandrum was sentenced in more than a dozen cases of theft. He is educated and completed his pre-degree. He says that he never got love, care and concern from his parents; even from the childhood onwards. Quarrel among the parents were a daily routine and Shaji felt his home worse than hell. In these Circumstances he was easily attracted by the peer association group who were anti-social elements. He was introduced in the field of thieving by his peer associates who were thieves. Thus their company and influence made him a thief. He co-operated with his co-thieves in many thefts. In many cases he was caught and was sentenced for imprisonment.

During his jail life, he met with a Christian priest who was a regular visitor in the jail. The continuous advice and counseling of the priest

changed his mind and decided to start a new life. He agrees that he feels guilty consciousness and repents for his criminal acts in the past.

At present he is residing at Eranakulam and earning his daily bread by doing some job. He admits that it is the lack of love and care from parents and the influence of peer group made him a thief. He agrees that he never got moral and ethical guidance either from his parents or from his teachers. It is the lack of moral and ethical guidance opened the door for him to the criminal world.

The case study of a convicted person:- Karthikayan, a labourer, now aged sixty-four from Moothakunnam was sentenced for lifetime imprisonment in a murder case. The incident took place in 1969. He as well as the public says that he was really innocent and had no connection with the case. There were more than half a dozen persons in the murder of Subramanian, a landlord of that place. When the murder took place Karthikayan was not on the sight at all. He was about one kilometer away from the sight, when the murder occurred. He was at his work place. He was included in the case due to the statement given by the chief witness, who was the housekeeper of the landlord. It was due to personal grudge that the chief witness gave such a statement. He was sentenced in 1970 and was released after nine and half years of imprisonment in the Kanoor Central Jail.

After release he got married and now living with his wife and children. The attitude of the society is quite positive and generous since the people of the society know well that he was innocent in that case. Anyway he is not having any feeling of revenge for convicting him in a murder case in which he had no part.

The case of murder of a criminal: - Mathai, a petty businessman from North Paravoor was sentenced for lifetime imprisonment in a murder case. He murdered a known criminal, who was a public nuisance and a threat to women. The victim has been in jail, many times, related to many criminal cases.

Once the Victim stabbed Mathai's brother and injured severely, though he escaped from death. In return to this incident Mathai took revenge, which resulted in the murder of the criminal in a public place.

After ten years of imprisonment Mathai was released from jail and at present he is running a cycle repairing shop. He got married and leading a family life.

As an ex-con, Mathai is not having guilty consciousness regarding his act, only because he has terminated the evil life of a criminal who was a permanent threat to the society.

The case of a murder under intoxication: -

Krishnankutty from Chandamangalam, now aged 52, was sentenced in a murder case for lifetime imprisonment. The incident happened twenty years back.

Krishnankutty was an addict to alcohol. He had a friend namely George who was also an addict. George was a very healthy person and was an anti-social element and public nuisance.

One day under, alcoholic intoxication both of them quarreled each other. During the quarrel, George inflicted Krishnankutty with heavy blows. Krishnankutty who was not healthy as George could not give back in the same coin. So he went to his house to take a knife. He

came back with the knife and stabbed George from behind; which resulted in the death of George.

After ten years of imprisonment Krishnankutty was released from jail. He is a chronic bachelor and now working as a labourer. He said that the incident happened under alcoholic intoxication, high emotionality, and feelings of revenge. Krishnankutty is not having any criminal records before or after the incident. At present he is living a gentle life.

BIBLIOGRAPHY

1. Acuff F.Gene, Allen Donald E, Taylor Lloyd A: From Man to Society. The Dryden press, Hinsdale, Illinois, 1973.
2. Allers Rudolf: The Psychology of Character (Translated with an introduction by E.B. Strauss) Sheed and Ward Ltd. London. 1951.
3. A.D. Lindsay: The Philosophy of Immanuel Kant. T.C. and E.C. Jack Ltd, London, U.K., 1919.
4. Albert Ethel M., Demise Theodore C., Peterfreund Sheldon P: Great Traditions in Ethics. Eurasia Publishing House (P) Ltd. Ram Nagar, New Delhi, 1968
5. Ashok Kumar (Editor- in-Chief): Terrorism and New World Order. Anmol Publications Pvt. Ltd, New.Delhi, 2002
6. A.Pfeiffer: Dialogues on Fundamental Questions of Science and Philosophy. Pergamon Press Ltd. London. 1967.
7. A.C. Grayling: Philosophy, A Guide Through The Subject, Oxford University Press, Oxford, 1995
8. Basant Kumar Lal: Contemporary Indian philosophy. Narendra Prakash Jain for Motilal Banarsidass, Delhi, 1973.
9. Bogliolo Louis: Philosophical Anthropology (Vol - I). Firma KLM Private Limited, Calcutta, 1984.
10. B.M. Laing: A Study in Moral Problems. George Allen and Unwin Ltd. London, U.K. 1922.

11. Benjamin Harry and R.E.L. Masters: *The Prostitute In Society*.
Mayflower Book Ltd, London 1966.
12. Bartol Curt R: *Criminal Behavior A Psychosocial Approach*
(Second-Edition). Prentice-Hall a division of Simon and
Schuster Inc. Englewood Cliffs, New Jersey, 1986.
13. Coleman James C. *Abnormal Psychology and Modern Life*.
D.B. Tarapore Vala Sons and Co. Private Ltd, Bombay, 1968.
14. Carson Robert C. and Butcher James N.: *Abnormal Psychology
and Modern Life*. Harper Collins Publishers Inc. New York
U.S.A. 1992, p-272.
14. C.G. Shah : *Marxism, Gandhism Stalinism*, Popular Prakashan,
Bombay, 1963.
15. D.R. Laing and D.G. Cooper: *Reason and Violence, A Decade of
Sartres Philosophy, 1950-1960*. Tavistock Publications Limited,
London 1964.
16. Dashiell John Federick: *Fundamentals of General Psychology*.
Houghton Mifflin Company, Newyork, U.S.A. 1937.
17. Dewey John: *Human Nature and Conduct*. George Allen and
Unwin Ltd. London 1922.
18. Dilman Ilhan: *Morality and Inner Life, A Study in Platos*
Georgia. The Macmillian Press Ltd, London, 1979.
19. Durkheim Emile: *Moral Education*. Macmillian Publishing co.
Inc. New York, 1973.

20. Dr. Vijaya Bjarathy. Educational Philosophies Of Swami Vivekananda And John Dewey. A.P.H. Publishing Corporation, Darya Ganj New Delhi 2000.
21. Dr. Dyer Wayne W: Your Erroneous Zones. Avon Books New York, 1977.
22. Dewey John: Theory of Moral life. Wiley Eastern Private Limited, New Delhi 1967.
23. Elliott Anthony: Psychoanalytic Theory, An Introduction. Blackwell Publishers, Oxford U.K. 1972.
24. Faurot Jean H.: Problems of Political Philosophy. Chandler Publishing Company, U.S.A. 1970.
25. Foucault Michel: Madness And Civilisation, A History Of Insanity In The Age of Reason. Vintoge Books, A division of Random House, New-York, 1988.
26. Fischer Kurt W. Shaver Philip, Brown Catherine etc: Psychology Today, An Introduction. Random House, Inc., New York U.S.A. 1975.
27. Fromm Erich: The Sane Society. Ballantine Books, New York, 1955.
28. Fromm Erich: Man For Himself, An Enquiry Into The Psychology Of Ethics. Routledge and Kegan Paul Ltd, London 1949.
29. Feldman Robert S.: Social Psychology, Theories, Research and Applications. Mc Graw-Hill Book Company New York, 1985.

30. Fromm Erich: *The Anatomy Of Human Destructiveness*, Penguin Books Ltd, Middlesex, England, 1977.
31. Feldman Philip: *The Psychology Of Crime - A Social Science Textbook*, Cambridge University press, 1993.
32. Foucault Michel: *Discipline And Punish, The Birth Of The Prison* (Translated from the French by Alan Sheridan) Vintage Books, a division of Random House, Inc, New York, 1955.
33. Glickman Jack: *Moral Philosophy, An Introduction*. St. Martins Press, New York, 1976.
34. Gelder Michael, Gath Denis, Mayo Richard and Cowen Philip: *Oxford Text Book Of Psychiatry*. Oxford University Press, New-Delhi 1999.
35. Greenberg Jay R. and Mitchell Stephen A: *Object Relations in Psychoanalytic Theory*. Harvard University Press, 1983.
36. Gisbert Pascual: *Fundamentals Of Sociology*. Orient Longmans, Bombay, 1957.
37. Hans Raj Bhatia: *What Basic Education Means*. Orient Langmans Ltd. Culcutta, 1954.
38. Hans Kurt: *Understanding, Adjustment, And Behavior*. Prentice, Hall Inc Englewood Cliffs, New Jersey, U.S.A. 1965.
39. H.L.A. Hart: *Punishment And Responsibility, Essays in the Philosophy of Law*. Oxford University Press, Oxford, 1968.
40. Huby Pamela: *Plato And Modern Morality*. The Macmillan Press Ltd. London, 1972.

41. Hospers John: Human Conduct, Problems Of Ethics. Harcourt Brace Jovanovich Inc, U.S.A. 1961.
42. H.J. Eysenck: Crime And Personality. Routledge and Kegan Paul Ltd. Great Britain 1964.
43. Henriques Fernando: Modern Sexuality. MacGibbon and Kee Limited, Great Britain 1968.
44. Hamachek D or E.: Encounters with the self. Holt, Rinehart and Winston, Inc. U.S.A, 1971. p-253.
45. Haiberstans Joshua.: Everyday Ethics. Penguin Books, U.S.A, 1993, p-147.
46. Israeal Joachim: Alienation, From Marx To Modern Sociology. Allyn and Bacon, Inc. Boston, 1971.
47. J.A. Hadjield: Psychology And Morals, An Analysis Of Character. Methuen and co-Ltd, London, 1923.
48. Jones Vernon, Lewin Kurt. Jones Harold E. etc: Manual Of Child Psychology. John Wiley and Sons, Inc, New York, 1954.
49. Kamenka Eugene: Marxism And Ethics. Macmillan and co.Ltd, London, 1969.
50. K.M.P. Verma: Kant And The Gita. Classical Publishing Company, New Delhi, 1980.

51. Kolenda Konstantin: *Philosophy's Journey Historical Introduction*. Addison Wesley Publishing Company, Inc, Philippines, 1974.
52. Krech David, Crutchfield Richards, and Ballachey Egerton L.: *Individual In Society, A Textbook Of Social Psychology*. Mc. Graw-Hill Kogakusha Ltd. 1968.
53. Klineberg Otto: *Social Psychology*. Henry Holt and Company, New York, 1940.
54. Lurton Douglas: *The Power Of Positive Living*. Fawcett World Library, New York, U.S.A. 1955.
55. Lazarus Richard S.: *Psychological Stress And The Coping Process*. Mc Graw- Hill Book Company, New York, 1966.
56. Mackenzie John S.: *A Manuel Of Ethics*, University Tutorial Press, New Oxford street, London, 1920.
57. Machiavelli Niccolo: *The Discourses On Livy*. (Translated by Luigi Ricci and C.E. Detmold) Random House Inc. New York and Oxford University Press Fair Lawn, N.J. 1940.
58. M.G. Chitkarsa: *Dr. Ambedkar And Social Justice*. A.P.H. Publishing Corporation, New Delhi, 2002.
59. MC Mahon Frank B. and Mc. Mation Judith W.: *Psychology, The Hybrid Science*. The Dorsey Press, Illinois, U.S.A., 1982.

60. Marsh Ian: Crime - Sociology In Focus Series (General Editor Murray Morison). Longman Inc. New York, 1986.
61. M.K. Gandhi: Basic Education (Edited by Bharatan Kumarappa). Navajivan Press, Ahmedabad, 1951.
62. M.C. David John W. and Harari Herbert: Psychology And Social Behavior. Harper and Row Publishers, London. U.K. 1968.
63. M.C. Candless Boyd R. and Trotter Robert J.: Children- Behavior And Development. Holt, Rinehart and Winston, Inc., U.S.A. 1961.
64. Macmurray John: Reason And Emotion. Faber and Faber Limited, London. 1935.
65. Naravane Vishuanath S.: Modern Indian Thought. Orient Longman Limited, New Delhi, 1978.
66. Norman Richard: The Moral Philosophers, An Introduction To Ethics. Oxford University Press. Walton Street, Oxford, 1983.
67. Nasr Seyyed Hossein: Man And Nature, The Spiritual, Crisis Of Modern Man. George Allen and Unwin Ltd. London, 1968.
68. R.S. Downie, Loudfoot Eileen M., Telfer Elizabeth: Education And Personal Relationships. Methuen and co Ltd, London, 1974.
69. R.G. Woods and R.C. Barrow: An Introduction To Philosophy Of Education. Methuen and Co.Ltd, London, 1975.

- 70.R.S. Peters: The philosophy of Education. Oxford University Press, London, 1913.
- 71.Rawls John: A Theory Of Justice. Oxford University Press, Oxford, 1971.
- 72.Rosmini Antonia: The Philosophy Of Right, Volume-1, The Essence Of Right. Bell and Bain Limited, Glasgow, 1993.
- 73.R.G. Chaturvedi: Philosophy Of Law. The Institute for Research and Advanced Studies, Jaipure, 1984.
- 74.Regan Tom: Understanding Philosophy, Dickenson Publishing Company, Inc, U.S.A. 1974.
- 75.Rashdall Hastings: The Theory Of Good And Evil A Treatise On Moral Philosophy. Oxford University Press, London, 1924.
- 76.Ram Nath Sharma: History Of Western Philosophy. Kedar Nath Ram Nath, Meerut, 1984.
- 77.Sorenson Herbert; Psychology In Education, Tata M.c. Graw-Hill Publishing Co.Ltd, New Delhi, 1964.
- 78.Spencer Herbert: The Principles Of Ethics, William and Norgate, London, 1904.

79. Sappenfield Bert R.: *Personality Dynamics, An Integrative Psychology Of Adjustment*. Alfred A. Knopf INC. New York, 1954.
80. Sahacht Richard; *Alienation (With an introductory essay by Walter Kaufmann)*. George Allen and Unwin Ruskin House, London, 1971.
81. Stein George P.: *The Forum Of Philosophy, An Introduction To Problem And Process*. MC Graw-Hill Book Company, U.S.A. 1973.
82. Schwitzgebel Robert L. and Schwitzgebel Kirkland R. *Law and Psychological Practice*. John Wiley and sons Inc, New York, U.S.A. 1980.
83. Samuel Mathai: *Faith And Morals In The Space Age*, Somaiya Publications (P) Ltd. Bombay, 1973.
84. Sahakina William S. and Sahakian Mable Lewis: *Ideas Of The Great Philosophers*. Barnes and Noble Inc, New-York- 1966.
85. Stewart - Alison Clarke, Friedman Susan, Koch Joanne: *Child Development, A Topical Approach*. John Wiley and sons, Inc. New-York, 1985.
86. Sullivan Roger J.: *Immanuel Kants Moral Theory*. Cambridge University Press, 1989.

87.S.S. Barlingay and Padma B. Kulkarni: A Critical Survey Of Western Philosophy. The Macmillan Company of India Limited, Delhi, 1980.

88.Swami Rama and Swami Ajaya: Emotion To Enlightenment. Himalayan International Institute of Yoga Science and Philosophy, Pennsylvania, 1976.

89.Swami Dayananda: The value Of Values. Sre Gangadhareswar Trust, Rishikesh, 1985.

90.Stans Joshua Halber: Everyday Ethics. Penguin Books, U.S.A. 1993.

91.Singer Peter: Practical Ethics, Cambridge University Press, Cambridge, 1979.

92.S.P. Kanal: The Philosophy Of Religion. Lotus Publishers New Delhi, 1984.

93.Stephen Leslie: The Science Of Ethics. John Murray, London, U.K., 1907.

94.T.M.P. Mahadevan and G.V. Saroja: Contemporary Indian Philosophy. Sterling Publishers Private Limited New Delhi, 1981.

95.Titus Harold H.: Living Issues In Philosophy, Eurasia Publishing House (P) Ltd, New Delhi, 1968.

96. Titus Harold H, Keeton Morris.: Ethics for Today. D. Van Nostrand Company, New York, 1973, p-299.
97. Thilly Frank: A History Of Philosophy, Central Book Depot, Allahabad, 1976.
98. Thorpe Louis P. and Schmuller Allen M.: Personality, An Interdisciplinary Approach. D. Van Nostrand Company, Inc. London, 1958.
99. Taneja V.R.: Educational Thought And Practice, Sterling Publishers Pvt Ltd, New Delhi, 1983.
100. Thompson George G.: Child Psychology, The Times of India Press, Bombay, 1965.
101. Usha-Rani Singh and Rekha Sinha: Organised And Disorganised Personality, Wisdom Publications New-Delhi, 1990.
102. Vatsyayan: Social Philosophy, Kedar Nath Ram Nath, Meerut, 1972.
103. Voss James F.: Psychology As A Behavioral Science. Goodyear Publishing Company, Inc., California, U.S.A., 1974.
104. Warnock Mary: Existentialist Ethics. The Macmillan Press Ltd, London, 1967.

105. Watson John: Philosophy Of Kant Explained. James Maclehose and sons, Glasgow, 1908.
106. Wheldall Kevin: Social Behavior. Methuen and co Ltd, London, 1975.
107. Williams Bernard: Morality, An Introduction To Ethics. Press Syndicate of the University of Cambridge, Great Britain, 1972.
108. W.T. Jones, Sontag Frederick, Beckner Norton O., Fogelin Robert J.: Approaches To Ethics - Representative selections from classical times to the present. Mc Graw-Hill Book Company, New York, 1977.
109. Weston Michael: Morality And Self. Basil Blackwell and Nott Limited, Oxford, Great Britain, 1975.
110. Wilson John: Reason And Morals. The Cambridge University Press, London 1961.
111. Wrightsman Lawrence S. Nietzel Michael T. and Fortune William H.: Psychology And The Legal system. Brooks publishing company, a division of Wadsworth, Inc. California, 1987.
112. W.D. Hudson: New studies In Ethics, Volume Two - Modern Theories. The Macmillan Press Ltd, London, 1974.

NB 4986

