

**CRIMINAL BEHAVIOUR AMONG ELITE
URBAN YOUTH**

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CERTIFICATE

This is to certify that the dissertation entitled "Criminal Behaviour Among Elite Urban Youth" submitted in partial fulfillment for the Master of Philosophy Degree of this university has not been previously submitted for any other university and is my original work.

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Dedicated to
My Brother
Nitish

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Contextualizing the Problem:

Two case studies

The relation between crime and youth is not a new one, but the important question is about motive or about the factors, which lead individuals to commit crime. If some one is very poor, or unemployed, and even not able to meet the basic necessities of their existence, and then, he or she is engaged in unlawful activities, then for a sociologist or other concerned scholar, the kind of questions for investigation will be different. But on the other hand if some one belongs to an economically sound background, receives their education from renowned schools and colleges, and get full opportunity to grow up in a 'cultural capital' of their time, and then engage in activities which society does not expect from them, then the whole matter becomes more problematic.

The phenomenon of engagement of elite urban youth in criminal activity is emerging as a new social problem. Their insensitivity about the environment and irresponsibility about the society is a matter of immediate concern. One can easily observe their violent activities, in and around universities, cinema halls, restaurants, nightclubs or even in some cases, in the privacy of homes. It seems as if they want to exploit everything, consume everything, paying absolutely no heed to genuine need. And importantly, whenever they do not succeed in getting their desired object, they have recourse to criminal or violent behaviour readily. Violating the rules, engaging in a gang fight and drug addiction etc. for them is today more a way of asserting themselves. In most cases, crime for them is more a matter of pleasure and consumption. They go towards criminal activities not because of some compulsion of their basic needs, but for the sake of pleasure, or to assert their social position in society. For them, crime is no

more a matter of fear. They do not care much about the consequence of their act. Their criminal behaviour becomes peculiar, because unlike the general criminal they do not commit the crime with the risk of punishment. Once again, the notion of elitism becomes crucial for analysis. Because of their elitist background, they are able to manipulate the state apparatus. They start to think themselves above from the law of the land. Their criminal acts are often secret, cannot be publicized, those publicized are hardly investigated seriously, and in the last because of complex and expensive judicial processes, they are able to manipulate the whole machinery.

To contextualize the problem more explicitly, I will present two incidents of youth crime where the accused belong to very rich, powerful and affluent families, and we will see how the whole investigation process has been affected in order to save the accused. Towards the end of each case, I will also discuss some of the relevant questions of immediate concern that will help us to link this incident with the wider fabric of society.

The five word verdict, "all the accused are acquitted", by the Additional Session Judge, S.L. Bhayana on 21st Feb. 2006, in the sensational Jessica Lall murder case, has shocked the nation, with a sense of shame and anger and an acute sense of helplessness. The entire episode of the Jessica Lall case has become a symbol of justice denied, a rallying point of collective national anger and disgust, an example of serious flaws in the judicial system and above all, the clear evidence of the misuse of power and influence.

Following more than six years of police investigation in the Jessica Lall case, the acquittal of all accused has raised serious questions for the judiciary and police systems. It has also raised some worthwhile sociological aspects for interrogation. It range from a)

youth crime; b) urban life style; c) notions of modernity; d) unbridled consumption; e) corruption in the system; to f) influence of money and muscle power.

Now the Delhi High Court is hearing the case and a new police team has been constituted to establish the chain of events of the murder. However, here the important question is that, why have police failed to convict a single person in their more than six years of investigation? The analysis of this question will be helpful to open up the space for the discussion of many other sociological aspects. At this point of time, it should be also remembered that Jessica's murder is not the first case where the high profile elitist accused literally seem to be getting away with crime like murder, and police and court have failed to deliver their task. The other important recent examples of this kind are the murder of Nitish Katara and Priyadarshini Matto, or poor people on sidewalks being mowed down by Sanjiv Nanda (the tragic incident is popularly known as the BMW case) or by a Salman Khan, or the latest case of drug snorting by Rahul Mahajan.

According to news paper reports, the former model turned event organizer, Jessica Lall was shot dead at point blank range in the Mehrauli (South Delhi) based exclusive Qutab Colonnade Tamarind Court restaurant around 1:30 A.M. on 29-30 April night by a man who was allegedly refused a drink (Hindustan Times, 1st May, 1999). One prominent fashion designer Bina Ramani ran this restaurant, and the club engaged in the distribution of liquor without proper licence. After primary investigation, and on the basis of some eyewitnesses, the police has charge sheeted some high profile accused. It included, Manu Sharma alias Siddharth Vashist, son of the former Union Minister Vinod Sharma, accused on the charge of murder, and Vikash Yadav, son of the former Member of Parliament D.P. Yadav, of the charges of destruction of evidence. The other accused

are, Manu's uncle Shyam Sundar Sharma (a relative of former president Shankar Dayal Sharma), Amardeep Singh Gill alias Tony Gill and Alok Khanna (both are the Senior official of a multi-national soft-drinks company) Cricketer Yuvraj Singh's father Yograj Singh, Vikas Gill, Harvindar Chopra and Raj Chopra.

I come to those aspects, which indicate, how in this case the whole machinery and investigation process have been manipulated by those who have the money and muscle power and have powerful connections, to allow them to escape from suspicion, even in matters like murder.

Talking to reporters after pronouncing the judgement, Additional Sessions Judge S.L. Bhayana said, "The court has acquitted them because the Delhi Police failed to sustain the grounds on which they had built up their case" (The Hindu, 22 Feb. 2006).

The first major failure for the police in this whole investigation process was that the police could not even recover the weapon, which was used to fire at Jessica Lall. The second set back for the police came from the statement of deputy director of Central Forensic Science Laboratory (CFSL), Jaipur P.S. Manocha. Manocha deposed before a city court stating that the two-fired cartridges, recovered from the spot, had been fired from two different weapons (Hindustan Times, 22nd Feb. 2006). On the other hand, the entire police investigation in this case was based on the assumption that the accused had used a single pistol. There was no talk of a second pistol or person, and the police was very sure about this from day one. However, the second weapon theory, which had floated a few months after the incident, ultimately proved pitfall for the police. The third major ground, according to Mr. Bhayana, on which the court acquitted the accused, was that all three eyewitnesses, listed by the police on charge sheet, turned hostile during the

trial. Police has presented actor and model Shyan Munshi as a key eyewitness. The police claimed he saw Manu Sharma firing at Jessica Lall. Shyan Munshi, however, told the court that though he was present in the room, Sharma was not the shooter and that there were two persons who shot at Lall. According to newspaper report, within 24 hours of their statement, Munshi had changed his address, disconnected his phone line and vanished from the scene (Hindustan Times, 22nd Feb. 2006). Instead of helping the police, the Munshi statement has substantiated the second weapon theory, and become lethal for the whole police argument. The second important eyewitness was Shiv Das. Das worked as an electrician at Tamarind Court. He had reportedly told the police that he saw Manu Sharma having an argument with Lall and then firing at her. However, in court he said that he was removing lights after the party was over, and that he entered the hall only after he heard the shot. He did not see the assailant. Karan Rajput was another eyewitness. Police claimed Rajput, a relative of the manager of Tamarind Court, was present in the hall and saw Sharma firing at Lall. However, Rajput told the court that he was not in Delhi in April 1999, when the incident took place. He claimed he was in Dasua Punjab. With all this, the police could not even establish a complete chain of the circumstances leading to the incident.

The question remains, why the police miserably fail to catch the culprits in their more than six years of investigation. The close analysis of this question will strongly suggest that during the investigation police had made mistakes that were only possible if it was deliberate. It will also throw some light on the issue as to how the money and muscle power affect the whole investigation process.

According to one prominent English daily, the Delhi Police itself killed Jessica Lall murder case in a planned manner from day one and its top officers - including the then police commissioner Ajay Raj Sharma - were aware of how their own men had connived with the accused and tampered with the evidence. However, no one took any action (Hindustan Times, 23 Feb. 2006).

Interestingly, even the then joint commissioner, crime Branch (Delhi) K.K. Paul (now the police commissioner) had conducted an independent secret enquiry into allegation of evidence tempering. The reason why the then commissioner of police Ajay Raj Sharma had ordered Paul to conduct an enquiry was that a five-page explosive note had been sent to him by Sudhir Yadav, who took over as Deputy Commissioner, South Delhi, a day after Jessica's murder. The note by Yadav clearly stated that someone, either at the Mehrauli police station or at CFSL, had tampered with the evidence. Paul after conducting an enquiry, submitted his report to Ajay Raj Sharma in two parts, the interim report on 7th June, 2001 and the final report on 11th November of the same year. In his report, even Paul has mentioned that, there had obviously been a conspiracy between the accused and certain officials, which was to be investigated.

Instead of taking action, Surendar Sharma, the then SHO of the Mehrauli police station, was made the investigating officer of the case and no further explanation were asked from the area DCP and joint commissioner.

The other baffling aspects of the investigation process, to which Mr. Paul has also indicated in their enquiry report, was that there seemed no need for the cartridge, recovered from the scene of crime, to be sent to the CFSL when the weapon of offence had not been recovered. It is, according to him, an obvious indication that complication

regarding two weapon's theory is more or less self-created (Hindustan Times, 23 Feb. 2006).

Further, according to newspaper reports, if the Delhi police was in the mood to send the material evidence for forensic examination, then it ought to have been done of quickly. But it had been done more than three months after the incident. Even the CFSL did complain about the dilly-dallying attitude of the police. The police sent six parcels of the samples to the CFSL only on July 19, 1999. When the report was ready, the police refused to pick it up. The Delhi Police collected the report only after two stinkers from CFSL. Finally, this report has been submitted to the court after eight months of the incident.

In addition, the police have not recovered the clothes, which Jessica was wearing when she was shot. The hospital has no record of the clothes and neither do those who took her to the hospital. Similarly, cell phones of some of the key accused have also not been recovered. But the computer printouts available with the police shows that phone calls increased sharply after Jessica was shot dead. The prosecution too did not highlight this aspect properly (Hindustan Times, 28 Feb. 2006).

Then post-mortem report of Jessica's injuries was also not properly discussed. Dr. R.K. Sharma, who conducted the post-mortem, just deposed in the court that Jessica's death was due to a head injury caused by bullet. Some senior police officers are of the view that the post-mortem report could have been further explored to get at the truth. Apart from the injury, the size of the wound, its probable angle and other aspects could have been put forth in a bid to connect the evidence recovered from the spot to the injury (The Hindu, 4 March 2006).

Another major flaw was that even the police have not made the 'site plan' or '*nishan dehi*' in this case- which is considered an initial exercise of the investigation process, and plays a crucial role at the trial stage (The Hindu, 4 March 2006). During this exercise, the investigating officer prepares a sketch of the scene of crime, denoting the spot where the body of the victim was lying, its direction, the manner in which it was lying etc. While the site plan helps the investigating officer remember important points pertaining to the case even after a long period, it also helps him easily explain to the court what and how things happened before and after the crime. Despite these facts, the site plan in this case was virtually overlooked.

All the above-mentioned aspects about the investigation process clearly show how in cases of crime where the relatives of the high profile personalities are involved, the whole investigation process becomes a kind of official ritual. Commenting on this particular issue, one news paper writes, "Prime reasons cited for the failure of this particular case are: the police has not investigated the case properly, witnesses turning hostile, possible tampering of evidence and the police probably overlooking some of the alleged lapse of their own men which come to light during investigations. But there is evidence to believe that all these problems cropped up because the accused belong to rich and powerful families" (The Hindu, 25 Feb. 2006). The article also mentions the case where a Maulana Azad Medical College student was gang raped. It states that the same Delhi police had put in great efforts, not only to successfully trace the accused without the help of any eyewitness, but also preserved all the important evidence. The father of one of the accused convicted in this case said, "My son was convicted because we did not

have enough money or connections". After the acquittal of all the accused in Jessica Lall case his stand stood vindicated.

Apart from money and muscle power, the Jessica Lall murder case also indicates towards the many other important social issues, which are relevant to sociological discussion. Is it that the killing of Jessica was the manifestation of the power of a politician father? Does the victimhood of Jessica only magnify the social horror of the rising son? Undoubtedly, Manu Sharma does not have any identity, apart from his father. His power is inherited from his father and in this, Manu found the guarantee of absolute autonomy. Every act of crime is a display of confidence of his social position. However, it presents only one aspect in which a politician son comes with the gun and kills an innocent person. The whole debate actually ranged from the responsibility of the citizen, especially about those citizens, who claim the privileged position in society, to the notion of modernity, which here mingles with the notion of intolerance and passion.

It is a fact that the murder of Jessica was not committed in a dark and empty by-lane, but in the presence of scores of people in the national capital of the so-called sensitivised urban India. When a person is shot dead at point-blank range in front of a crowd and there is a lack of evidence of this act and not a single eyewitness is turning up then certainly a shocking degree of anomie is apparent.

In this whole incident of Jessica's murder, we may identify three separate sections of 'elite', and all have been clearly irresponsible in their actions. First are Manu Sharma and his all associates. These people believe that the law does not really matter for them. They break the rules even when they do not really need to do so. It shows their confidence that with the right connections they can get away with anything. The same

attitude of confidence and irresponsibility also runs through every other strand of the story. Bina Ramani has also flagrantly violated regulations to convert a heritage building into a tourist-driven shopping complex and restaurant. The Ramanis totally ignored the law by continuing to serve liquor without a licence, night after night. The third section of irresponsible elite was the guests themselves. A young girl, in the presence of a number of influential personalities, was murdered that night. The composition of guests ranged from political personalities to bureaucrats to Bollywood actors to prominent fashion designers and page 3 people. Among these so-called decent people, no one tried to apprehend the murderer, or at least attempt to confront his friends who were still present. The guests acted, as if they had nothing to do with this incident. The worst situation becomes evident when not a single guest offered any information. Even though, most of them knew exactly who the murderer was, they all behaved as if they had seen nothing.

Just after the incident, one article by Sumir Lal, (Hindustan Times, 9 May 1999) dealt with the some other important aspects. He argued that the notion of modern society, which characterized by “high life” - very sensitive, luxurious - is actually, today, not very distinct from “low life” - a life of degenerate living criminals. Practitioners of the high life today simultaneously live the low life. The desperation of the dispossessed, and the dissoluteness of the privileged, merges into common modes of behaviour. The incidence of Jessica's murder suddenly exposed this nexus. The question is why this distinction is going to be blurred. Sumir Lal answers that perhaps with modernity our natural instinct has changed. Manu Sharma had a gun and he shot one women because she refused to serve him another drink. Refusal of drink by a beautiful woman hurt his pride and put a serious question mark over his social position. Now there was only one way left to re-

assert this position in this section of society and it was, to shoot the woman in front of the crowd. It itself presents the tragic and anomic state of modern society in India.

But, whatever happened after the incident, reveals even more the bleak depths to which our society has plunged. Sumir Lal writes, "If you have just shot some one through the head, it should be enough to immediately bring down from whatever level of high you are at. But it did not happen in Sharma's case" (Hindustan Times, 9 May 1999). Instead of subjecting him to guilt and social rejection, Sharma's friends and many other 'responsible' politicians, police personnel and corporate executives helped him escape. The hostess of the party immediately got the blood and glass mopped up and the other guests suffered from collective blindness.

The existence of the social elite is not new, but the composition of the elite has altered over the years. Older elite have more or less a sense of responsibility. They at least try to show some appropriate causes of their act, and it puts down some limits on their public action. In most cases, older elite try to legitimize their social existence through philanthropic community work and try to clinch for itself a space where it could also be seen as a role model. The member of the new elite is however different. They are flushed with new money, and for them, life is one continuous bout of partying and drinking and flashing all that can be flashed. Its all about leading a highly consumerist life and consumption qua consumption is all that matters. These new social elites are so personalized that on one side, they are even ready to kill any body to satisfy a whim and on the other side, they are only preoccupied with physical beauty, parties, drugs and consumption of alcohol. For individual satisfaction, right or wrong is not an important issue for them. Commenting on this aspect Vir Sanghvi writes, "These are the people

whose nouveau value systems are askew anyway. They wear coloured contact lenses, glitter on their faces, regard the size of their waistlines as being matters of national importance, and when they do read a book, it is either a fad diet or the Celestine prophecy.” (Hindustan Times, 14 May 1999)

With the notion of individuality, they have their own interpretation of modernity. For them modernity has first, nothing to do with the mind. It is no longer a value ideal, and if it is, then it is a negative dictum of, ‘disobey the rules’. Instead of dreaming of transformation and social progress, they consider modernity as an entirely personal project. Commenting on this new elite, S.C. Mukhopadhyay writes, "...unfortunately, (our) ...society being led by an elite that can hardly think and act with any degree of social responsibility and intelligence and for whom the only way out of the complexities or blandness of everyday living is through the expenditure of lots of money. But then, some time money cannot buy everything, like drinks... It then becomes imperative to shoot those that stand in the way of contentment and ecstasy." (The Statesman, 19 June 1999)

Now, from the Jessica Lall murder case I come to the another similar yet different incident of crime i.e. snorting of drugs by Rahul Mahajan and Vivek Moitra, the son and the private secretary respectively, of the late BJP leader Pramod Mahajan. Although it is a very recent incident (it happened on 2nd June 2006) and everyday new factors are adding new twists in the story, till now it seems that both have taken the overdose of some intoxicants (most probably cocaine) and it resulted in the life threatening illness of Rahul Mahajan and the death of Vivek Moitra.

Based on whatever we know from newspaper and T.V. reports, Rahul Mahajan was actually on his way to Assam to immerse his late father's ashes in Brahmaputra, and decided to stay in Delhi at the allotted official residence of his father. Vivek Moitra, Pramod's former private secretary, was also accompanying him. Both started to consume large quantities of alcohol including at least two bottles of champagne.

At some stage, another person name Sahil Zarru, who knew Moitra, joined the party along with two other friends. Moitra asked Zarru to arrange for some stuff. Zarru and their friends went to Vasant Vihar (South Delhi), brought a packet of a white powder at the rate of Rs. 15,000, and returned. After getting the drug, the report states that, Rahul Mahajan and Vivek Moitra quickly started to snort it with a 500 Rupee note. At that time, Mahajan and Moitra had already taken some drink. Meanwhile, Zarru along with his others friend, came out from the Mahajan Bungalow and dropped one of his friends to their home.

When Zarru returned, he found Mahajan and Moitra lying unconscious in the room. Zarru panicked and asked the servants to take them to hospital. The servants, most probably called Harish Sharma, Pramod Mahajan's close friend and political advisor. Sharma directed them to go Apollo Hospital. Zarru very cleverly slipped from the scene and landed at Sri Nagar the next morning. Zarru's others friends became panicked when they came to know that Mahajan is in an unconscious state and Moitra had died. On the same day, they went to one private news channels office, narrated their part to a shocked nation, then went to the Mandir Marg police station, and surrendered. Zarru also, after waiting for sometime, went to another T.V. Channel in Srinagar along with a lawyer. One another important twist in the story was that Apollo Hospital, where Mahajan was

admitted, announced that he was tested for 14 drugs and the result 'turned out to be negative'. While the hospital had done a 'qualitative' exercise, 'quantitative' test done independently by a well-known pathological laboratory on Mahajan's urine sample, and found traces of a 'Cocktail of drugs' including cocaine.

Still the many crucial facts are awaited, but one instant impact of this incident was that it has shattered the month old public picture of Rahul Mahajan, where he was consoling his sister at his father Pramod Mahajan's funeral. Now, he is depicted as a man, who was to carry his father's ashes en route to Assam, to be immersed in the Brahmaputra on his one month Shradh the next day, but decided to pop champagne and throw a party.

Like the Jessica Lall murder case here also, the police was confronted with the charge of tampering of crucial evidence from the scene of crime. Vomiting stuff of the accused had been cleaned up, glasses were removed and the bottle of champagne kept back to the refrigerator. One another crucial aspect was that why did they prefer Apollo Hospital, which is around 16 km. far from their house, and avoided many other best known hospitals like Safdarjung, R.M.L. or AIIMS. Subsequently, the test report of the Apollo, which proved the negative findings of any drug stuff in Mahajan's urine and blood, was not in tandem with the report of other laboratory test and forensic report.

The sociological importance of the Mahajan's case is that it is a tip of the iceberg. As Devesh K. Pandey writes, "over the years, the Narcotics Control Bureau has noticed a gradual increase in Cocaine consumption in Delhi, Mumbai, Bangalore and even Goa, where the late night and 'rave' parties are becoming a routine in high society." (The Hindu, 4 June 2006)

One interesting methodological aspect, which at this point of time deserves to be highlighted is that though drug users can be found at any strata of social class, it is easily visible only among the lower class people. As Mayank Tewari writes, "(In high class society) It's (Drug addiction) the classic 'cover operation': to avoid peering eyes, many prominent leaders choose to stay behind their heavily guarded walls, invite a few friends over and partake of a bit of champagne and white powder" (Hindustan Times, 4 June 2006). Similar to the view, Priyanka Sinha also writes, "Corporate Chiefs, models and socialites are the usual suspects....But it's very difficult to pin the blame on someone as all this usually happen in the privacy of home or cars and among like minded friends" (Hindustan Times, 4 June 2006).

Rahul Mahajan episodes become more exclusive because there was a belief that Rahul Mahajan would replace his father. There was a general consensus that he should be given either the Rajya Sabha seat held by Pramod Mahajan or occupy some responsible post in party, including in the youth wing of BJP. Noting this point Vir Sanghvi writes, "It is all very well to say that this is a private matter. But truth is that it is not. (Because) There was very real move to ask the younger Mahajan to stand for the Rajya Sabha seat... (or) to install him as one of the leaders of the party youth wing" (Hindustan Times, 4 June 2006). That he is still being considered by the BJP, to become a tomorrow leader, and his indulgence in drug snorting is undoubtedly an alarming sign.

Further, Mahajan is not alone. Like Mahajan, there are many other errant children of corrupt and powerful politicians or bureaucrats or businesspersons present in the metropolitan cities, who like sex, drugs and rock 'n' roll. Moreover, there is no doubt that the cocaine culture now includes much of these novae riche underbelly.

Now, again we are faced with the similar questions i.e. why is this happening, what are the motivating factors that lead these neo rich generations toward criminal behaviour. At this point of time, some one may argue that it is not at all a new phenomenon. Even in the ancient period, children of the king enjoyed privileged positions, and in the countryside, until now, the children of the landlord or *Jamindar*, command certain degree of authority and claim special treatment. Their power and position too is inherited from their parents, and for them, similarly, crime is more a matter of fun. Despite all these similarities, we cannot simply put the Manu Sharma, Sanjeev Nanda, Vikas Yadav or Rahul Mahajan in this category. After all, with some similarity, there are also many stark differences between these two. One important difference is that in the earlier period, we found both religiously and legally sanctioned different law for the elite, and for the commoner. But today, because of the whole claim about the civilizational progress and modernity, there is a strong feeling about the notion of equality, either it is a equality before law or equality of opportunity. Article 14 and 15 of Indian Constitution, for example, is a clear manifestation of this claim, and one can also hope that this manifestation of equality should be clearly realized first in the so-called sensitive urban milieu.

Thus, in comparing rural and urban elite indulgence in crime, the causes and motivational factors are different and it is an independent question of sociological enquiry.

Explanation for this new phenomenon are neither easy to come by nor simple. Undoubtedly, the motive of such crime is seldom the need for money or things, or even the impulse to disrupt civic codes through despair or frustration. Their crimes reveal a

mindless destructiveness. It is more a reflection of the pathological aspect of our modern society. Commenting on this, Bhaskar Ghose writes, "It is not merely the way child are brought up; it is the way they - parents - and people like them lived, and still live today" (Telegraph, 17 May 1999). And today number of people in high places are charged with cheating, embezzlement and accepting bribes. The urge to get rich at any cost has spread today like a disease.

Similarly, our social fabric of old cultural ethos and value systems, regardless of whether it was right or wrong, is losing its command. At the same time, the notion of modernity is not capable of providing an explanation of our whole conduct of day-to-day life. These result in a kind of emergence of vacuum in the social system. Commenting on this Krishna Pandey writes, "... today ... old values are being replaced by a new set of norms which are the product of money and muscle power. And this has resulted in the emergence of a class which is blinkered by money, power and glamour.... The product of this class is the result of wrong upbringing, faulty educational system and corruption in public life" (The Observer, 17 May 1999).

Children are not isolated; rather they grow up with their regular interaction to their surrounding. Then it becomes very apparent that these children, in line of their society, will have a scanty regard for law and regulations. They live under the perpetual impression that they can get away with anything, as they have money to flaunt, and above all the power and authority of their parents to shield them under crisis. Again, Pandey writes, "It's the deadly and destructive combination of money with power."

Delhi police officer Amod K. Kanth, who was also associated with the investigation of Jessica Lall murder case, has some interesting findings to relate. While

analysing the heinous crimes and those who commit them, he found that in 1998, nearly 93 percent of the criminals were first timers, belonging to the age group of 16 to 25 years, and surprisingly, a large number of them happen to belong to well-to-do families and some even to affluent parents. He comes out with another interesting finding that children from slum, poor background rag pickers etc. are more conscious of the crime they want to commit. Whereas, for those who come from wealthy families, crime and violent aggressive behaviour is a fad (quoted in the article of Krishna Pandey, The Observer 17 May 1999).

To conclude our discussion, Manu Sharma and Rahul Mahajan are just manifestations of the new life style. Many like them are gripped under the intense feeling of individuality, which in many cases, resulted in the individual aloneness and social uprootness. They are not able to locate their exact position in the social fabric. They are confused with what role they have to play. They grow up in the total isolation from humanitarian social values. Their parents manifest their love to convince them that all they have to do is indicate they want something and it will be provided, whatever the price. With this, they are also confident enough that they will get away with whatever they do because of their father's connection and position. They are so destabilized and confused with their position that on one side, Manu Sharma killed a lady when she refused him a drink because the bar had closed, and on another side, Rahul Mahajan threw a party and opened the bottle of champagne and snorted drugs on the way to immerse his father ashes.

From the analysis of these two cases and some subsequent discussion on this issue, it has become clear that the phenomena of elite youth and crime cannot be properly understood and analyzed in isolation. Their occurrence is deeply rooted in the prevailing cultural ideas of the society. In the next chapter of this thesis, when we will discuss some

of the important theoretical aspect of crime, this relation between crime and society will become more evident.

CHAPTER-1

THEORETICAL PERSPECTIVE OF CRIME

The discussion on the phenomena of crime in this chapter will be mainly centered on the idea of two pioneering figures in the field of sociology i.e., Durkheim and Merton. However, for the sake of extensive examination of their ideas, and more importantly, for tracing those early streams of thought from which their ideas can be compared and their relevance can be identified, I shall examine, briefly, earlier writings on this subject.

Before the enlightenment process in Europe, punishment was arbitrary and barbarous, 'due process' of law being absent or ignored and crime itself being ill defined. It was in this context that the Italian Cesar Becharia, in his famous writing "*Essay on crime and punishments*"(1804), first formulated the principle of crime and criminology. Actually, his whole idea was based on the 'social contract theory' of Hobbes. Like Hobbes, he also assumed that the stage of natural condition, in which all men were living, was to be in a continual state of war. It was the war of each against each other and to this reason, their absolute liberty become of little value and uncertain. To avoid this uncertainty of liberty and dreadfulness of war, all men enter into a contract in which they sacrificed one part of their liberty to enjoy peace and security. For Becharia, the term and condition of this contract is law, and violation of this law is crime.

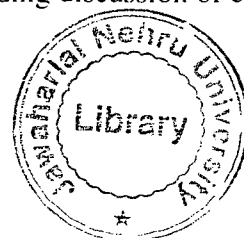
Further, going in the same Hobbesian direction, Becharia also realized the point well that, until such time as the absence of sovereign power, the whole system of crime and punishment have no value. So, he stated that the sum of all these sacrificed portions of the liberty of each individual, constituted the sovereignty of a nation, and was deposited in the hands of the sovereign, as the lawful administrator, which defended the

condition of contract from the usurpation of each individual, who would always endeavor not only to take away from the mass his own portion, but to encroach on others. (ibid: pp. 5-6)

The basic assumption of classical theory can be summarized as follows:

1. All human beings by nature are self-seeking and are liable to commit crime.
2. There is a consensus in society as to the desirability of protecting private property and personal welfare.
3. In order to prevent a 'war of all against all'; men freely enter into a contract with the state to preserve the peace, within the terms of this consensus.
4. Punishment must be utilized by the state to deter the individual from violating the interest of other individuals and this makes for the social contract.
5. Punishments must be proportional to the interests violated by the crime.
6. There should be as little law as possible, and its implementation should be closely delineated by due process. And
7. The individual is responsible for his actions and is equal, no matter what his rank, in the eyes of law.

Here it will be worthwhile to mention that, as social contract theory seen historically as an ideological framework for the protection of the rising bourgeoisie, in particular against feudal interference, the classical theory of crime and social control also commended support from the same section of the society. Moreover, despite of inclusion of some forward-looking provisions, the negative aspect of the classical criminology was that the detailed discussions of the criminal motivations were mostly avoided. The focus is rather on the evolution of a legal system. In avoiding discussion of criminal motivation



- in particular any discussion of the relationship between inequality and criminal action - social contract theorists left the moral and rational supremacy of the bourgeoisie unquestioned.

Commenting on this aspect George Vold writes, "It seems fair, therefore, to characterize the classical school as 'administrative and legal criminology'. Its great advantage was that it set up a scheme of procedure easy to administer. It made the judge only an instrument to apply the law.... Puzzling questions about the 'reasons for' or 'causes of' behaviour, the uncertainties of motive and intent, the unequal consequences of an arbitrary rule, these were all deliberately ignored for the sake of administrative uniformity. This was the classical conception of justice - an exact scale of punishments for equal acts without reference to the nature of the individual involved and with no attention to the question of special circumstances under which the act came about." (Vold, 1958: p.23)

Therefore, the central problem involved in implementing the 'pure' classicist was that they were concentrated on the criminal act, and an individual difference between criminal actors was largely ignored.

The classical school of criminology retained a virtual monopoly on the study of crime until the latter part of the nineteenth century. By the 1870s, the classical theory, which upheld the belief that persons rationally calculate all pleasure and pain during the exercise of free will to commit or refrain from crime, began to give way to 'biological positivism'. This new theory proposed that crime is not a rationally reasoned behaviour that will occur unless prevented by the proper threat of punishment, but rather is the result of inborn abnormalities.

Cesare Lombroso was the founding father of the biological positivist school, which is best known for his notion of the atavistic criminal, and nearly all other biological theories stem from them. Lombroso first claimed to have discovered the 'secret' of criminality when he was examining the skull of the famous brigand 'Vihella'. At the sight of that skull, he believes to see the problem of the nature of the criminal. This were explained, according to him, in terms of anatomically the enormous jaws, high cheek bones, prominent superciliary arches, solitary lines in the palms, extreme size of the orbits, handle-shaped or sensile ears etc. Apart from these visible characteristics, criminals has also the insensibility to pain, extremely acute sight, excessive idleness, love of orgies, and the irresistible craving for evil for its own sake.

Later, Lombroso compared criminals to control groups of soldiers and in line of their assumption found significant differences in their physical character.

Actually, his theory was first spelt out in *L' Uomo Delinquent* in 1876 but at the time of the publication in 1897 of the fifth edition, he, in the face of criticism, apart from atavistic nature of criminality, also started to indicate toward the environmental influences of criminal behaviour.

Despite of all this, the basic idea of this school was that, while society is certainly justified in punishing criminals for its own protection, the certainty and severity of punishment will have no effect on natural-born criminals, since their crimes are caused by an innate biological makeup which no law can effect.

Later this biological positivism reached a higher level of sophistication, especially in the work of Hans Eysenck (1953, 1954 and 1970) and Gordon Trasler (1962) and developed in the form of 'psychological positivism'. The simple genetic or physical

assumption about crime has been elaborated in a complex manner, and some important work in this school has even considered the social aspect in the occurrence of crime. However, no scholar of this school could clearly cross the boundary of individualism, and could see the crime as social phenomena.

Durkheimian Thoughts and Phenomena of Crime:-

Durkheim's central achievement was to spell out the element of social explanation of crime in a time when such political philosophy and the positive school were united under the banners of 'individualism'.

As we had already mentioned, the classical philosophies of crime and criminal behaviour was largely based on the theory of social contract. Therefore, the methodological importance to 'individuals' was guaranteed. But, in explaining the phenomena of crime, this kind of analytical 'individualism', for Durkheim, had no relationship to the realities of industrial society. He believes that, a society divided into different interest groups, on an inequitable basis, was not a society in which 'just contracts' between individuals and between individuals and society could be realized successfully. He writes, "The conception of a social contract is today very difficult to defend, for it has no relation to the facts. The observer does not meet it along his road, so to speak. Not only are there no societies which have such an origin, but there are none whose structure presents the least trace of a contractual organization. It is neither a fact acquired through history nor a tendency, which grows out of historical development. Hence, to rejuvenate this doctrine and accredit it, it would be necessary to qualify as a contract the adhesion, which each individual, as adult, gave to the society when he was born, solely by reason of which he continues to live. But then we would have to term

contractual every action of man which is not determined by constraint." (Durkheim, 1964b: p.202)

With this, Durkheim also attacked the view of utilitarian political philosophy, which was depicted in the work of Herbert Spencer and *Laissez-faire* political economists. Whereas these thinkers tended to see economic relations as a confrontation and an exchange between social interests of supply and demand, resulting in the satisfaction of both, Durkheim had a less sanguine view of 'interests' in the industrial society of his time. He says, "There is nothing less constant than interests. Today, it unites me to you: tomorrow, it makes me your enemy." (ibid)

Further, this break with analytical 'individualism' was most clearly stated in "*Rules of Sociological Method*", published in 1895, which found expression in the concept of the '*social fact*'. Durkheim had come to realize that the world was not simply the result of individual action. Unlike the utilitarian and the classical liberals, Durkheim believed that society was not the direct reflection of the characteristics of its individual members. He says, "The system of signs I use to express my thought, the system of currency I employ to pay my debts, the instruments of credit I utilize in my commercial relations, the practice followed in my profession, etc., function independently of my own use of them... Here, then, are ways of acting, thinking and feeling that present the noteworthy property of existing outside the individual consciousness." (Durkheim, 1964a: p.2)

Moreover, for Durkheim, these characteristics of a society i.e., system of commerce, communication, morality and indeed, its general functioning, were not only

external but also constraining. The coercion might be formal, by means of law, or informal and indirect, by means of ridicule, for example, but it is nonetheless effective.

Importantly, the break with analytical individualism, for Durkheim, was also a break with an idealistic ideology and turned Durkheim towards the investigations of the concrete, as distinct from the ideal, possibilities dictated by the social facts of industrial society.

On the other hand, the kind of biological determinism used by Lombroso in the explanation of crime, similarly seemed inadequate for Durkheim. Actually, when he was busy in his intellectual exercise, the debate about biological determinism was very much present in the air and so it was impossible for any scholar to do not explain their position. Writing on this issue Durkheim says, "There is ... no reason for admitting the existence of innate and imperious vocation for special objects. At least, if there are, they are not the rule....The son of a great philologist does not inherit one word; the son of a great traveler can be surpassed in geography in school by the son of a miner. That is not to say that heredity is without influence, but that it transmits very general faculties and not a particular aptitude for this or that science. What a child receives from his parents is some power of attention, a capacity for perseverance, a wholesome judgment, imagination, etc. But each of these faculties can be suitable to a multitude of different specialties, and assure the success of each.... If (one) lives in an industrial environment, he may become an engineer with inventive genius. If chance places him in the business world, he will perhaps be a fearless financier. Of course, (he may)... have his own nature... but the careers in which he will be able to use (these) talents and satisfy his inclination are many." (Durkheim, 1964b: p.315)

After considering those ideas of Durkheim, which establish him in contrast to the two other school of thoughts, namely 'Classical School' and 'Physical Positivism', we will now analyse his three other scheme of thoughts, which is directly linked with the phenomena of crime i.e., his view on human nature, his concept of anomie and his idea of normal and pathological.

(1) Durkheim's View of Human Nature:

Durkheim's views of human nature involved an appeal to the constitutional duality of human nature - a duality of the body and its needs, on the one hand, and of the soul, on the other. Actually, his position of human nature was never clearly formulated until he published, "*Elementary Forms of the Religious Life*" in 1912 and even then, he felt compelled to repeat his position for critics in an Italian journal in 1914. In this article he writes, "Far from being simple, our inner life has something like a double centre of gravity. On the one hand is our individuality - and more particularly, our body in which it is based; on the other, is everything in us that expresses something other than ourselves. Not only are these two groups or states of consciousness different in their origins and their properties, but there is a true antagonism between them. They mutually contradict and deny each other. We cannot pursue moral ends without causing a split within ourselves, without offending the instincts and the penchants that are most deeply rooted in our bodies." [Kurt Wolff (Ed 1960): p.328]

So according to Durkheim, the instincts of men are organically given and the control and constraint of man is the task of social sentiment, acting through the soul. In other words, it is evident that, for Durkheim, passion and egoistic tendencies are derived from our individual constitutions, while our rational activity is dependent on social

causes. The institutionalization of 'individualism' as a social and political creed is, for Durkheim, the product of a long period of social evolution. Durkheim says that, if society were only the natural and spontaneous development of the individual, these two parts of us would harmonize and adjust to each other without clashing. Further, he says, in fact, society has its own nature, and consequently, its requirements are different from those of our own nature as individuals. The interests of the whole are not necessarily those of the parts. Therefore, society cannot be formed without our being required to make perpetual and costly sacrifices.

Interestingly, the similarity between this position and that of Freud has been widely noted. However, these two are not the same. For Durkheim, emphasis was on that man has to be repressed not only because he has certain constitutional needs and predispositions but also because the failure to repress this part of man's constitutional duality can lead to an anomie i.e., asocial, situation of normlessness.

(2) Durkheim on Anomie and the Division of Labour:

As we know, according to Durkheim, social science needs concepts that adequately express things as they actually are, and not as everyday life finds it useful to conceive them to be. The concept of '*social fact*', elaborated in "*Rules of Sociological Method*" proceed with this principle and highlight the fact that today men are living, not in a universe of choice and freedom, but that rather they were living under conditions in which their natural faculties were not being utilized. They were, in short, living under a 'forced division of labour'.

This insight was the basis of Durkheim's conception of anomie, and the conditions conducive to crime, deviance and disorder. Analysing the phenomena of anomie

Durkheim realised the point well that moral authority was acceptable to men only to the extent that, that authority was relevant to men's real, material situation. Moral authority was no authority at all unless it was meaningful to men caught in unfamiliar, rapidly changing or most importantly, forced social positions. In a situation where men were not performing, occupational and social tasks concomitant with their natural talents, moral authority would have no power at all.

Further, traditional society, for Durkheim, was characterized by relationships of mechanical solidarity. That is, it was typically a social structure of determined nature, associated with a system of segments, homogenous and similar to each other. In this society, law was also repressive in nature, and characterized by the existence of general moral agreement on the nature of sanctionable behaviour. There is, in other words, a strong collective conscience underpinning the enforcement of repressive law, and there is general agreement on the nature of punishment.

According to Durkheim, when relationship of mechanical solidarity weakened with the industrialization and high division of labour, the nature of law changed from repressive to restitutive. Restitutive-law characterized by the fact that it does enforce sanctions and does demand expiation. With this, it becomes institutionalized in the growth of specialized courts and tribunals that had not existed in societies of mechanical solidarity. Change in the nature of law is the testimony to the collapse of the hold of the collective conscience, and to the growth of individuality of interest. Durkheim writes, "Whereas (mechanical solidarity) implies that individuals resemble each other (organic solidarity) presumes their difference. The first is possible only in so far as the individual personality is observed into the collective personality; the second is possible only if each

one has a sphere of action which is peculiar to him; that is, a personality. It is necessary, then, that the collective conscience leaves open a part of the individual conscience in order that special functions may be established there, functions which it cannot regulate.”(Durkheim, 1964b: p.131)

Therefore, the situation under conditions of organic solidarity, is one in which ‘individualism’ is actually strengthened by the collective conscience, whereas under conditions of mechanical solidarity, collectivism is institutionalized under the collective conscience. In other words, under mechanical solidarity, we found close proximity between inherited faculties and social activities, whereas in an organic society, with a specialised division of labour, it becomes necessary that the inherited faculties are socially develop and hence the importance of norms which actually encourage individualism.

According to Durkheim, anomie has its source in this dissociation of individuality from the collective conscience. It can find expression in two interrelated way. Either the collective conscience is unable to regulate man's appetites and anomic result, or the 'cult of the individual' is encouraged beyond the sufficient and necessary aims of a differentiated society. In the latter case, norms occur which actively encourage the development of unregulated aspiration and 'egoism' result.

The anomic-egoistic situation has been seen by Durkheim to be a pathological phase in the development of society. To mitigate this situation Durkheim suggested the formation of occupational associations and the abolition of inheritance. For Durkheim, anomic, egoism and the disorder of his time would be removed with the development of the 'spontaneous' over the 'forced' division of labour. He writes, "We may say that the

division of labour produce solidarity only if it is spontaneous and in proportion as it is spontaneous. But by spontaneity, we must understand not only the absence of all expression of violence, but also of everything that can even indirectly shackle the free unfolding of the social force that each carries in himself. It supposes, not only that individuals are not relegated to determinate functions by force, but also that no obstacle, of whatever nature, prevents them from occupying the place in the social framework, which is compatible with their faculties. In short, labour is divided spontaneously only if society is constituted in such a way that social inequalities exactly express natural inequalities. But, for that, it is necessary and sufficient that the latter be neither enhanced nor lowered by some external cause. Perfect spontaneity is, then, only (possible when)... absolute equality in the external condition of conflict (exist). It consists, not in a state of anarchy which would permit men freely to satisfy all their good or bad tendencies, but in a subtle organization in which each social value, being neither overestimated nor underestimated by anything foreign to it, would be judged at its true worth". (ibid: p.377)

(3) Durkheim on the Normal and Pathological:

Now, it is becoming gradually clear that Durkheim spent a considerable amount of space and time on the question of crime in his writings, usually by way of illustrating his understanding of the human nature and by discussing the question of anomie, individualism and collective conscience.

But above all, by explaining the concept of normal and pathology in his pioneering work, "*Rules of sociological method*" Durkheim has given a totally new twist to the 'phenomena of crime'. It will be quite correct to say that here Durkheim's stand was more than the moral statistician. For Durkheim, crime is normal because first, it was

throughout present in the society. It is not a result of the period of evolution. Secondly, it shows a kind of statistical consistence in each society, and finally, where he goes beyond the normal statisticians, it performed some kind of social function. He writes, "Let us make no mistake. To classify crime among the phenomena of normal sociology is not merely to say that it is an inevitable, although regrettable, phenomenon, due to the incorrigible wickedness of men; it is to affirm that it is a factor in public health, an integral part of all societies." (Durkheim, 1964a: p.67)

For Durkheim, public health has to be defined. For him, crime marks the boundaries of morality. He writes, "Robbery and simple bad taste injure the some altruistic sentiment, the respect for that which is another's. However, this same sentiment is less grievously offended by bad taste than by robbery; and since, in addition, the average consciousness has not sufficient intensity to react keenly to the bad taste, it is treated with greater tolerance. That is why the person guilty of bad taste is merely to be blamed, whereas the thief is punished." (ibid: p.68)

With this, Durkheim has identified another function of crime. For him crime keeps open the path to necessary changes. From this perspective yesterday's criminal is tomorrow's philosopher, and for Durkheim, 'Socrates' was the prime example. Durkheim writes "Crime... must no longer be conceived as an evil that cannot be too much suppressed. There is no occasion for self congratulation when the crime-rate drops noticeably below the average level, for we may be certain that this apparent progress is associated with some social disorder" (ibid: p.72). Writing about the nature and purpose of punishment, he says, "if crime is not pathological at all, the object of punishment cannot be cure to it, and its true functions must be sought elsewhere" (ibid: p.73). And it

is, undoubtedly, the demonstration of the power of society against those who are trying to assert the collective conscience.

The most serious consequence of Durkheim's theory was that although it could not totally depoliticize the theory of crime yet he played a great part. Whereas on the one hand, in the 'classical approach', we found a kind of favourable circumstances for the emerging bourgeois, on the other hand, the 'biological positivist' under the banner of 'Lombroso work', was propagating a kind of racial theory of crime. Contrary to these two for Durkheim, the existence of inherited wealth is at the root of the problem, making for 'unjust contracts' between men. We should note here that unjust is being based on inheritance, power and wealth rather than on natural aptitude and abilities. Durkheim believed that the abolition of inheritance would allow the development of a situation in which, free contracts were possible and for him, only in such a situation could men be satisfied. Durkheim writes, "The situation (where unequal merit of men will always bring them into unequal situation in society) is no longer the same if some receive supplementary energy from some other source...(and it) result in displacing the point of equilibrium, and it is clear that this displacement is independent of the social value of things....In another words, there can not be rich and poor at birth without there bring unjust contracts. This was still more the case when social status itself was hereditary and law sanctioned all sort of inequalities." (Durkheim, 1964b: p.384)

Merton and the Phenomena of Crime

In the previous section, we were concerned to identify Durkheim's work as an important break with analytical individualism. He has criticized the notion of individualism and then naturally the notion of utilitarianism on two levels. On the one

hand, in the case of egoistic situation, for Durkheim, it encourages the desire of individual conscience beyond the required level and on the other hand, in the case of anomic situation, it fails to provide sufficient restraint on the individual conscience. But, in both cases, Durkheim realized the importance of norms and normative control. Merton is at one with Durkheim, in his emphasis of the normative incentives to control the phenomena of crime. But later, he started to put the importance of normative control in second place, and came to see deviance or crime as more a matter of social arrangement, rather than simply as lack of social control.

In his pioneering work, Merton separates out two central elements in what he calls the 'cultural structure' of a society: the culturally defined goals, and the 'institutionalized means' by which these goals are achieved.

In a well-adjusted society, according to Merton, goals and means are harmoniously integrated and both are accepted by, and available to, the population of the society as a whole. Malintegration occurs when there is a disproportionate emphasis on either end or means. Merton argues, "(certain societies develop) a very heavy, at times a virtually exclusive, stress upon the value of particular goals, involving comparatively little concern with the institutionally prescribed means of striving toward these goals.... A second polar type is found in groups where activities originally conceived as instrumental are transmuted into self-contained practices, lacking further objectives. The original purposes are forgotten and close adherence to institutionally prescribed conduct become a matter of ritual". (Merton, 1968: pp. 187-88)

Apart from the element of harmonious relation between means and goals, for Merton, the perfect society should also inculcate, into its members, the joys of

competition, the justice of making sacrifices and the value of awards. The perfect society would be like a gigantic game, where everyone would be encouraged to obey the rules, and where everyone would be rewarded with prizes they judged to be appropriate. Merton writes, "...continuing satisfaction must derive from sheer participation in a competitive order as well as from eclipsing one's competitors if the order itself is to be sustained. If concern shifts exclusively to the outcome of competition, then those who perennially suffer defeat may, understandably enough, work for a change in the rules of the game. ...the distribution of statuses through competition must be so organized that positive incentives for adherence to status obligations are provided for every position within the distributive order." (ibid: p.188)

Describing the nature of American society in the light of the above-mentioned context, Merton says, there is more emphasis on the goals, and this society has almost neglected the necessity for making appropriate means, which is universally available for all its members, to achieve a defined goal. Because of less emphasis on means, Merton argues, normative legitimate means have been replaced by technically efficient means, and, in particular, money has been consecrated as a value in itself. According to Merton, in the 'American Dream', there is no final stopping point. A vast amount of exhortational literature keeps an intense pressure on individuals to strive for further income in the interest of conspicuous consumption. He says, "The distinctive nature of this [American] cultural doctrine is twofold: first, striving for success is not a matter of individuals happening to have acquisitive impulses, rooted in human nature, but is a socially-defined expectation, and second, this patterned expectation is regarded as appropriate for everyone, irrespective of his initial lot or station in life... of course,...the nature and

extent of this movement up the economic ladder can become differently defined among the several social strata. But the prevailing cultural orientations assign great emphasis to this form of success and hold it appropriate that all should strive for it." (ibid: p.221)

The important problem for Merton is that these kinds of strains only occur against the background of an overall social ideology of egalitarianism. Since not all people are equally well placed to partake of the joys of competition, it makes no sense to hold out a set of social goals, which depend exclusively for their acceptance on their relevance to the population at large. The disjunction between the goals of success (specifically money) and the means for their achievement (unequal opportunity) is a disjunction that is created, sustained and amplified by the populist myth of American society.

Further, the ideology of the 'American Dream', however, insists that everyone should pursue the same monetary goals of success: the idea that everyone should be ambitious and that success comes to those who exert sufficient effort and who possess the sufficient merit. Therefore, failure is seen ideologically as an individual rather than a social phenomenon. Merton notes the importance of this ideology to divert people from criticism of the existing structural arrangements.

At this point of time, it would be important as well as interesting to compare the ideas of Durkheim and Merton, especially in the context of anomie.

Durkheim would have been in complete accord with Merton when he decries the 'artificial' restriction of opportunities and, neither Durkheim nor Merton would have called, without qualification, for the maximization of opportunities for any one.

But as we know, for Durkheim, anomie was endemic in industrial societies not only because of inequality in the condition of competition, but more importantly, because

self-interested success goals had been raised to the level of social ends. For Durkheim, the institutionalization of 'self-interest' meant the legitimization of anarchy and amorality and further, this effort of maximized opportunities for individual achievement would in no way end anomie. On the other hand, for Merton, perfect society would be one in which, there was an accord between merit and its consequences. The means for achieving success would be respected and the opportunities would be available to all those of sufficient merit. Therefore, in many respect, Merton's ideal society is very similar to Durkheim's, except that for Merton meritocratic emphasis is elaborated in terms of opportunity structures and socially engendered motivation.

Merton also evolves a typology of responses to the imperfect American society, specifically to the disjunction between the ends held out as universally desirable and the means made available for their achievement. The typology is radically sociological in two distinct respects. First, it is opposed to those theorists operating with a biologically derived model of deviant action and secondly, although the typology is called a typology of individual adaptations, it is clearly intended to refer to the kinds of choices that are made by people who are dependent upon their occupying specifiable positions in the social structure.

Basically, the typology holds out the promise of being able to specify the relationship between an actor's position in a social structure and kind of outcome of adaptation.

Merton identified five modes of adaptation and in this, four adaptations are categorized as 'deviant' adaptations.

Merton's typology of modes of individual adaptation

Mode of adaptation	Cultural goals	Institutionalized means
1. Conformity	+	+
2. Innovation	+	-
3. Ritualism	-	+
4. Retreatism	-	-
5. Rebellion	+ ₋	+ ₋

Conformity

It represents the normal condition in society where persons identify those goals for themselves that is compatible with the goals of society, and he/she has also access to those means that has been identified and institutionalized by the society for achieving that goals. The middle class stratum of American society, in particular, is the prime example of this group.

Further, about the typology Merton writes, "To the extent that a society is stable, adaptation type I - conformity to both cultural goals and institutionalized means - is the most common and widely diffused. Where this not so, the stability and continuity of the society could not be maintained." (ibid: p.195)

Innovation

Innovation is the most important and common deviant form of adaptation in Merton's typology. The utilitarianism of 'America' places an all - encompassing stress on success and yet does not address the question of means adequately. In other words, the 'American Dream' urges all citizens to succeed while distributing the opportunity to

succeed, unequally. The result of this social and moral climate, inevitable, is innovation by the citizen - the adoption of illegitimate means to pursue and obtain success.

Writing about the American situation Merton says, "... these situations exhibit two salient features. First, incentives for success are provided by the established values of the culture and second, the avenues available for moving toward this goal are largely limited by the class structure.... It is the combination of the cultural emphasis and the social structure, which produces intense pressure for deviation. Recourse to legitimate channels for "getting in the money" is limited by a class structure which is not fully open at each level to men of good capacity....(so) The dominant pressure leads toward the gradual attenuation of legitimate, but by and large ineffectual strivings and the increasing use of illegitimate, but more or less effective, expedients." (ibid: p.199-200)

Ritualism

Ritualism involves the abandoning or scaling down of the lofty cultural goals, but one continues to abide, almost compulsively, by institutional means. This is to be explained, according to Merton, in terms of the strict patterns of socialization in this class and by the limited opportunities for advancement offered out to its member.

In this context, Merton also raise very significant question i.e., whether this (Ritualism) represents genuinely deviant behaviour. Since the adaptation is, in effect, an internal decision and since the overt behaviour is institutionally permitted, though not culturally preferred, it is not generally considered to represent a social problem. To answer this question, Merton at last concludes, whether this is described as deviant behaviour or not is clearly dependent upon the cultural model in which men are engaged.

Here one generalization can be made, where 'innovation' is seen to be a typically working class adaptation, 'ritualism' is typically lower middle class in location. Writing about this, Merton says, "If we should expect lower-class Americans to exhibit Adaptation II- "Innovation" - to the frustrations enjoined by the prevailing emphasis on large cultural goals and the fact of small social opportunities, we should expect lower-middle class Americans to be heavily represented among those making Adaptation III, "ritualism". For it is in the lower middle class that parents typically exert continuous pressure upon children to abide by the moral mandates of the society, and where the social climb upward is less likely to meet with success than among the upper middle class.... The socialization patterns of the lower middle class thus promote the very character structure most predisposed toward ritualism". (ibid: p.205)

Retreatism

According to Merton, this adaptation is the least common. In this category fall: 'psychotics, pariahs, outcasts, vagrants, vagabonds, tramps, chronic drunkards and drug addicts'. The retreatist has rejected both institutionalized means and the goals of the system. He is seen as having internalized objections to innovative, (illegitimate) means which might have helped him to achieve the goals, and also lacking the opportunity to utilize legitimate means. Finally, retreatism is a highly individualized, or more properly, a privatized adaptation. Merton writes, "It is thus an expedient which arise from continued failure to near the goal by legitimate measures and from an inability to use the illegitimate route because of internalized prohibitions, this process occurring while the supreme value of the success-goal has not yet been renounced. The conflict is resolved by

abandoning both precipitating elements, the goals and the means. The escape is complete, the conflict is eliminated and the individual is asocialized." (ibid: p.207-8)

Rebellion

Before examining 'rebellion' as a mode of adaptation, Merton has distinguished it from a superficially similar but essentially different type, 'resentment'. According to Merton, the concept of 'resentment' was taken up and developed sociologically by Max Scheler. This complex sentiment has three interlocking elements. First, diffuse feeling of hate, envy and hostility, second, a sense of being powerless to express these feelings actively against the person or social stratum evoking them and third, a continual re-experiencing of this impotent hostility. And finally, the essential point distinguishing resentment from rebellion is that the former does not involve a genuine change in values. Rebellion, on the other hand, involves a genuine transvaluation, where the direct or vicarious experience of frustration leads to full denunciation of previously prized values.

The above paragraph itself clears the concept of rebellion to the large extent. Finally, Merton writes, "This (Rebellion) adaptation leads men outside the environing social structure to envisage and seek to bring into being a new, that is to say, a greatly modified social structure. It presupposes alienation from reigning goals and standards....for rebellion apparently aims to introduce a social structure in which the cultural standards of success would be sharply modified and provision would be made for a closer correspondence between merit, effort and reward." (ibid: p.209)

Finally, about Merton we can say that, his discussion of the modes of adaptation does however contain a relatively explicit critique of society. The fundamental flaw in the social order, for Merton, is that aspirations and opportunities are out of accord with one

another. The innovator is deviant and disruptive because he does not adhere to legitimate means, but he is also to be understood as a product of socially induced aspirations and the objective inequality in the distribution of opportunity. The ritualist is to be pitied for continuing to play the game without hope of reward. The retreatist is an asocial product of social disorganization. Interestingly, if Merton sees himself as taking up any one of these adaptation for him, it is that of the rebel - whose ideal is a society where cultural standards of success would be sharply modified and provision would be made for a closer correspondence between merit, effort and reward.

In the last, it is significant that, such a use of anomie, as a theoretical base, by both Durkheim and Merton to analyse crime has helped to shift the theory away from an individual consensual model of society and emphasis has shifted to consider the societal structural arrangement extensively.

Taking into account the importance of societal structural arrangement, in explaining the phenomena of crime, in the next two chapter of this thesis, I will look at the issue of youth crime, with two other social variable i.e. mass media and education respectively. Whereas the chapter on mass media will be helpful to understand those new spaces of the modern society, which promote or facilitate the criminal behaviour, chapter on education will show the reason about the inability of our society to deter this criminal behaviour.

CHAPTER-2

ROLE OF MASS MEDIA IN PROMOTING THE CRIMINAL BEHAVIOUR AMONG YOUTH

The triangular relation between 'media', 'youth' and 'crime' is not a simple and straightforward relation. Each of these variables affects the other two and are simultaneously affected by their counterpart. In this chapter, my intention is not to examine all aspects of this complex relationship. Rather, I will concentrate only on one aspect of their relation i.e., how and what kind of role media plays in facilitating the criminal or deviant behaviour among young people, especially affluent urban youth.

Undoubtedly, the interest of sociologists in mass media has been stimulated by the development in technology, allowing the speedy transmission of audio and visual stuff across the geographical, linguistic and other boundaries. It began with the rise of the popular press, followed by the invention of film, T.V., computer and now Internet. This rapid development of the audiovisual phenomena has resulted in a kind of world where media-constructed images significantly influence what we think and how we partition our attention, time and other scarce resources. Importantly, the physical or electronic transmission of message content does not in itself complete the process of communication, whether this communication is from one to one or one to many. For the completion of effect, there must be meaningful interaction with the transmitted message. Then the nature and the extent of effect of the communication becomes the central question of sociological inquiries.

Describing the scope of media effects Gladys Engle Lang and Kurt Lang in '*Encyclopedia of Sociology*' (1992, voll-3, p.1207) writes, "Media effects have been

studied at three levels: the atomistic, the aggregate, and the societal. Effects on the atomistic level involve the cognitive process and behavioral responses of individuals who make up the various mass audiences. By contrast, aggregate measures take into account only distributions that produce changes in averages usually expressed as net effects. Consequences for society have more to do with the political, cultural and other institutional changes....” Further, they also argue that, inference based on the observation of effects on one level when ascribed to effects on a different level have often turned out to be invalid. This kind of conclusion about the effect of media, which is true in some sense, make the phenomena obscure and scarcely leave any space for universal generalization. The kind of material media present, both print and electronic, is always in the flux. With this, the universal access of the media, especially through satellite T.V. Channel and Internet, affect the people of one cultural context differently than the other. This and much other similar kind of problems related to media research posses a great challenge for researcher.

But despite this, and various other kinds of limitation, certainly we found a significant space for a discussion on the issue of media, youth and crime. In this paper, I have divided my discussion into two parts. In the first part, I have discussed some relevant empirical research and their findings on the effect of media in general, and the effect of media in promoting criminal behaviour in particular. In the next part, my focus is basically on to understand the relation between media and youth in the context of modern consumerist culture.

I

One common characteristic related to media research in general and media representation of crime and fear of crime in particular is that, virtually all studies examine the relationship between media and crime at only one point in time, so this left little room to understand the nature of changes in this regard. In this situation, one may argue that studies regarding the changes of media representation of crime are possible by analyzing the studies of two different periods. But, partly because all variables related to media research (like, age group, cultural context, access to media etc.) are in a constant notion of flux and partly because all the researcher have collected data using different method and measurement techniques, this kind of comparative analysis of two different studies will not prove viable.

Robert Reiner and Sonia Livingstone in their paper, "*Discipline or Desubordination? Changing media images of Crime*" (1997), intended to plug this gap by providing an account of changing media content concerning crime over the post-war period.

Interestingly, in an initial period they have made it clear that their objective is not to examine to what extent shifting media image reflect the reality of crime and criminal justice. Particularly on this question, perhaps they believe in a dialectical process of interaction between changing media representation and actual pattern of criminality and criminal justice.¹ Here their concern was to gather historical and interview data on the role of media in changing the criminal and justice perception since 1945 and to

¹ See Sonia Livingstone, (1998), *Relationship between media and Audiences: Prospect for Future Research* in T. Leibes and J. Corran (eds.), *Media, Ritual and Identity: Essay in Honour of Elihu Katz*. London, Routledge.

understand how audiences of different generations interpret different aspects of mass media representation especially crime.

As far as the method is concerned, keeping the stated objective in mind they examined presentation of crime and their effect in three mass media: cinema, newspaper and television. For films, their analysis combined a sample of all films released in Britain since 1945. For television, they focused on fictional crime series. For press they selected '*The Times*' and '*The Mirror*' and analyzed the criminal events throughout most of the period. They also divided their 46 year period into three: 1945-1964 (for television 1955-64), 1965-1979 and 1980-1991. According to them, this periodisation was based on political and social histories of the period, together with preliminary analysis of the data that suggest such periodisation might be useful.

Based on the above setting their main findings were-

- (i) Crime narrative and representation are, always a prominent part of all mass media.
- (ii) According to them, murder remains the most common crime scene and to slight extent, property crime has plummeted, while sexual and drug-related offences have become more common.
- (iii) The degree of violence and terror depicted in one plot of crime related scene has increased considerably.
- (iv) In depiction of criminal justice, in all kind of media, representation of police protagonists has become less positive over time. In the first period, 1945-64, they narrate, the most common method is that the offender is brought to

justice. However, in the later two periods, this becomes very less frequent and the most frequent method becomes the killing of the offender.

- (v) On the front of popularity of crime media their finding was, people varied over type of crime fiction they enjoyed. Young women were particularly keen on media, which are realistic and offer them information especially about consequences and prevention of crime. Men generally preferred action plots, with fast pace, special effects and humor.

On the basis of above and many other findings, they conclude that, the first postwar decade is a period of consensus and social harmony in suppression of crime and representation of criminal justice. Crime stories - news as well as fiction - present an image of society as based largely on shared values and clear yet accepted hierarchy of status and authority. Crime was as defined by Durkheim: it united all healthy consciences to condemn and extirpate it. Criminals were normally brought to justice and the criminal justice system was almost invariably represented as righteous, dedicated and efficient.

Then, according to Reiner and Livingstone, during the mid 1960s the dominant mode of representation of crime and justice shifts; the values and integrity of authority increasingly come to be questioned, and doubts about the fairness and effectiveness of criminal justice proliferate. Media started to give increasing prominence to conflict and policemen feature increasingly as morally corrupt.

Since late 1970, they marked another shift. Now stories are increasingly bifurcated between those who seek to return as far as possible to the values of consensus, and those which represent a hopelessly and disordered world. As far as the shifts in the mode of representation of aspects of crime and justice is concerned it was more in the

direction of demystification of authority and law, and change in the conceptualization of criminal from attack on sacred to secular. Crime moves from being something, which must be opposed and controlled ipso facto because the law defines it thus, to a contested category. This echoes Durkheim's theorization about the changes in the sentiments about punishment, which according to him, take place when society move from 'mechanical' to 'organic' stage. Criminality now comes to be seen less as an offence against the sacred and absolute norms of a collective conscience and more a matter of one individual harming another. In current media, crime is portrayed as it may be wrong, but this is nonetheless more a pragmatic issue. Today harm is considered at the individual level only, not for the authority of the law itself and its implication for the conscience collective.

In summing up, according to them, because of changes in the perception of suffering from collective to individual over the period, media change to depict crime from a negative and forbidden object to a positive and as a tool of re-assertion of power. In this whole project of transformation, youths were the most vulnerable section.

Apart from this, among those early scholars who are more focused on the effect of mass media is F. James Davis (1952). He conducted an early study in Colorado, and investigated the relationship between newspaper presentation of crime news and public estimate of crime rate change. He proceeds with the hypothesis that public opinion about Colorado crime trends reflected changes in the amount of newspaper coverage, rather than, change in actual rate of crime. And his conclusion that the newspaper by covering certain types of crime, disproportionately influence the public opinion regarding the trend and legitimacy or illegitimacy of crime, was in the line of conformation of their

hypothesis. However Davis points out that some of the evidence (e.g., regarding rape) in his study was inclusive and that the problems under investigation warrant more definite and through research.

Work of Sarah Eschholz and Jana Bufkin (2001) has been conducted in the wake of several recent school shootings, such as the incident of Columbine High School in Littleton, Colorado where 15 people died and several other were injured. In this paper, renewed attention has focused on how media affects the behaviour.

For proceeding, the claim has been made that teen, particularly males, learn violence from watching televisions and movies, visiting internet sites and playing certain type of video games.

As far as the method is concerned, it consists of the 50 top-grossing films in 1996 of the United States. Three individual coders watched each of the 50 films. Each coder watched the film in a room and watched each film in its entirety. Keeping in mind the gender and race issue, the group of individuals consisted of a white female professor, an African American female graduate student and a white male graduate student. A fourth coder, a white female professor, reviewed any movies in which there was significant variation among coders.

In this paper, it has been also hypothesized, and proved statistically, that youth violence is predominantly a male phenomena and one basic region of this is televisions effects on aggression are stronger among boys than girls. They analyse sex, gender issues, and focus on how men and women are portrayed differently in the media and how violence is dramatically used to demonstrate both power and masculinity in the mass media.

They expect that boys may be particularly vulnerable to violent media image because films show that male characters use violence both to solve problems and to reinforce their masculinity. Further, to represent masculinity with a kind of paradoxical belief of the victory of good over evil and a rugged individualism signifies that they are above the law. Undoubtedly, a subtle message of legitimization of violence also transmitted. Here masculinity is reinforced to the other through the physical strength, rejection of authority and through use of physical force.

On the other hand, Eschholz and Bufkin also argue, women typically occupy two territories in the entertainment media. They are either 'virgins' and 'good girls' who occupy the domains of traditional femininity, or are 'vamp' and 'bad girls' who transgress traditional boundaries. Interestingly, individuals who remain within the confines of emphasized femininity are not immune from criminal victimization. In fact, there is an emphasized need for male protection. Meanwhile, women who dare to cross-traditional gender lines by asserting their independence are often portrayed as a victim in some point of time.

To conclude their research they write, "... research reveals that there is reason to be concerned about media images. Combining insights from psychology and social psychology, criminology/sociology and critical media studies, we come away facing the possibility that some individuals, particularly young males who lack alternative models, may use media images as a resource for constructing gender and the accomplished product may be violent and criminal"(ibid: p.670). Further, commenting on the kind of stuffs media present, they say that masculinity was significantly related to both offending and victimization in these movies. 'Good character', who successfully accomplishes

masculinity and the 'bad' ones who challenge their dominators, repeatedly resort to violence and crime in the situational construction of their gender identities and interestingly, audiences watching these films are presented with a reality constructed according to strict rules of power that legitimize the use of force in dispute.

Until now, I have only mentioned those studies that depict mass media as a powerful force to affect the human behaviour and reinforce the claim that mass media has a very significant role in influencing the young generation for the violent, deviant or criminal behaviour. However, there are also many studies, which represent a contrary picture and criticize the prevalent view of intense relation between the media and its reader, audience or viewer.

Roshier (1973: pp. 28-39) conducted a study in England, focusing on the selection of crime news for newspaper and the potential impact of such news on public perceptions of crime and criminals. His analysis involved survey data collected from a sample of *Newcastle* residents and three British dailies. The main conclusion emerging from his study was that, newspapers do give a distorted impression of crime and criminals, and these distortions showed remarkable consistency over time. When a sample of the public was asked about their perceptions concerning different types of crimes, the investigator found surprisingly very little relationship between the public's view and newspaper presentation.

Similarly, the work of *Vincent F. Sacco* (1982) shows the negative relationship between mass media and its impact on crime. For this purpose, the data was collected in the province of Alberta in 1979, in conjunction with a larger project designed to assess the effectiveness of a province-wide mass media crime prevention programme. Sample of

households were selected from the seven 'Alberta' communities with population greater than 10,000 and drawn on the basis of population represented by each town or city.

In contrary with earlier research findings, the analysis of the Alberta data reveals no evidence of a significant media effect. Sacco writes, "... any attempt to relate differing perception of crime to differing patterns of media consumption may be misleading... (because) differences in media habits may not be properly regarded as indicators of variability in the awareness of mass media crime content"(ibid: p.489) Further, according to him, members of the general public divide up their social worlds into much the same categories as do academic criminologist and criminal justice planners.

Between these two opposite group we certainly also found presence of middle way. G.Comstock et al (1978) in their work has taken more socio-psychological approach and found relationship between children's media consumption (particularly television and film) and their aggressive behaviour. However, they suggest that this relationship is dependent on various other factors like

- 1) Whether children are exposed to the media (especially violent and erotic media) at a mature age or not
- 2) How much the notion of 'individual freedom' is prevalent in society at that point of time
- 3) How frequently media expose the violent content, its degree of severity and in what extent member of particular society perceive these exposed material as general and
- 4) When the law of the land, legally recognize the children, as a young or adult member of society etc.

Similarly, Stanley Cohen and Jack Young (1973) argue that certainly media play a crucial role in shaping the individual conception and public opinion on many issues including crime. However, in identifying their limitation, they also suggest that mass media can only sensitize the individual on certain type of deviance or social problem and reinforce some particular belief. According to him, there does not seem to be research support for a rather deterministic concept of the effect of the mass media on shaping public conception. Media is only one variable, which provide or facilitate a condition for criminal or deviant behaviour. The realization of this behaviour depends also on many other variables.

Certainly, at this point of time, our discussion comes near to the Durkheimian concept of 'social fact' and we found a hidden similarity between his finding on suicide in the one hand and effect of mass media on criminal behaviour on the other. As Durkheim argues, suicide should be considered as a 'social fact'. Forces which lead an individual for suicide is always present in society but, these forces become more prone when some rapid and massive changes occur in social setting and result in unnatural fluctuation (both upward and downward) in suicide rate. Similarly, in our case, we may generalize that effect of mass media (especially negative effect) become more prominent when, in Durkheimian term, because of some changes in society, the degree of 'social solidarity' on that particular society, at that point of time, go down from the desired level. In this situation, the isolated individual starts to receive their worldview from mass media. In other words, the direct experiences of our immediate environment or 'reality' constitute mostly of mediated-reality, reality as described by media. In this kind of situation, media, instead of functioning under the guideline of collective conscience,

assumes the position in social structure from where he becomes more efficient to formulate the collective conscience.

II

In the previous section of this chapter, our discussion was mainly centered on the issue of how and in what extent media promote the criminal behaviour among youth. Now, in this section we will try to look at one other relationship between media and crime i.e. how today media is helpful in transforming the events of crime in a mode of commodity, and present it for the consumption. In another words, here my attempt is to search those new spaces where media plays a very crucial role in our engagement with crime and criminal behaviour in terms of consuming the events of crime. Here I proceed with the assumption that these spaces are largely created by the new logic of consumeristic culture, which is an essential prerequisite for capitalism.

Commenting on the common characteristics of today's consumerism in general, and in this, the relation between violent acts, crime and consumption in particular, Erich Fromm writes, "... (today) I want everything for myself; that possessing not sharing, gives me pleasures; that I must become greedy because if my aim is having, I am more the more I have; that I must feel antagonistic toward all others: my customers whom I want to deceive, my competitors whom I want to destroy, my workers whom I want to exploit. I can never be satisfied because there is no end to my wishes; I must be envious of those who have more and afraid of those who have less. But I have to repress all these feelings in order to represent myself as the smiling national, sincere, kind human being everybody pretends to be.... Greed and peace preclude each other." (Fromm, 1976: p.28)

In today's consumerist society, as the above paragraph echoes, individualism, greed, destruction, dishonesty, fear and violence are woven through the process of production and consumption, inevitably into all our everyday lives. In addition, it is a power and peculiar characteristic of modern capitalist system, which transform every aspect of our life into a form of commodity and makes it available for consumption. Interestingly, crime and violence, which were earlier regarded as a negative aspect of our social fabric, and everyone generally tried to escape from this, have also, become 'objectified' and 'commodified'. As Don Slater has argued, "All social relations, activities and objects can in principle be exchanged as commodities. This is one of the most profound secularizations enacted by the modern world. Everything can become a commodity at least during some part of its life. This potential for anything, activity or experience, to be commodified or to be replaced by commodities perpetually places the intimate world of the everyday into the impersonal world of the market and its values. Moreover, while consumer culture appears universal because it is depicted as a land of freedom in which everyone can be a consumer, it is also felt to be universal because everyone must be: this particular freedom is compulsory."(Slater, 1997: p.27)

Further, in prevailing idea of consumerism, one's capability and personality are not judged by what he owns, or by what kind of creative skill one can have, but by our ability to consume, to use, to finish up completely, to suck the resources. The prevalent idea of our time is that without consumption there can be no social life, and no social identity. When identity comes not from production but from consumption, then those who did not produce, but somehow able to consume, occupy the central place in social

structure and become the icon of the society and all members, especially the young, put their best effort to somehow reach near to them.

In this consumerist culture, one important role of media is to help in transforming every aspect into a commodity and crime is not an exception. Today various acts, which were earlier certainly regarded as a criminal or deviant act, is now legalized and popularized by the media. As Mike Presdee writes, "I was horrified several years ago at my own emotional reaction to a world championship boxing match that ended in dramatic scenes of death and dying. I realized then that what I had been enjoying were two men systematically, and legally, beating each other to death. If indeed I had recorded the fight, as no doubt millions did, I would now be in possession of my own 'snuff' movie, to replay at my own convenience and for my continual enjoyment whenever I felt the need... so that I would sit down with a drink by my side and get excited by watching a man being beaten to death." (Presdee, 2000: p.69)

The kind of experience Presdee spell out is not a strange situation for us. The peculiar characteristic of this was that it was the real violence, manufactured for enjoyment, through a sophisticated and commercially organized global media industry, specifically for consumption. Unlike Shakespeare's *Macbeth* or any film fiction, the actors wouldn't get up after the curtain came down and go to the dressing room and retell stories of yet another great performance. There is a quest for the real death and real violence without the constraints and framework of theater.

Further exploring this aspect, the above-narrated experience of Presdee is only a tip of the ice-burg. There is a growing demand for the reality show on the prime time channels. Here I will give another examples which makes the point well that how reality

media and humiliation T.V. has transformed these cruel aspects of life into a commodity and make available for our consumption.

Reality entertainment comes in many forms. There is a top rated video '*Police Stop*' comprising a complete video of police helicopter footage of real car chases that begin with a bang. The blurb on the box states, 'no actors, no stunt men, no script, this is real life action as it happens captured on camera by police'. There is also a television of the 'catastrophe', where everyday death is the commodity (e.g. *Fire Rescue 999*); sporting violence video that rarely fall outside the top ten video list such as '*Trouble on the Terrace*' or '*Tyson Unchanged*' (sub title, He's mad he's bad and he's back); car crashes and crime watch style programs like *Car war* or *Bike War*.

Print media is also in competition with electronic media in providing its consumer with transgressive pleasure. Interestingly, comic strips have a long history of connecting the sex and violence together in a fictional way, whereas contemporary magazines, like television, have moved from fiction to fact, from fantasy to reality. The magazine '*Bizarre*' (sub title 'it's all about extreme'), has a circulation of over 100,000 plus, is a prime example of how pleasure is deeply related with suffering, sex and violence. It celebrates and concentrates openly on the irrational and inhuman aspect, but more than anything on the real. Its stories have included feature on dog fighting and backstreet brawlers (jan. 99), where Jon Hotten talks about unlicensed boxing and describes, "Here the sensation is barer. The punches sounds like punches complete with the sucking of breath and the snort of pain..." (*Bizarre*, jan. 99: p.39). The other story talks of the 'Art of Nasty' (Feb. 99). The special sealed section of May 1999 contained a full-page illustration of the death photography of the Nazi war criminals hung at Nuremberg. The

special section of August 1999 contends the top ten weirdest porn mags ever, which clearly show the intent to make sexual gratification a central aim of the publication. *Bizarre* regular section, titled “The Worst on the Web” takes it readers into the contemporary site of transgressive pleasure.

Now I come to the ‘Internet’. Perhaps it crosses all the boundaries in the realm of violent pleasure that the other forms of media such as televisions and magazines are attempting to follow. There are the businesses of billions per year for the erotic and violent content on the web. Some popular sites on this realm are www.necrobabes.com, www.ruemorgue.com or www.torture.net etc.

The home page of necrobabes (which sub title is, erotic horror for adults) writes “These site deal with very politically incorrect fantasies. If you do not have these sorts of fantasies, you will likely find them shocking...”

Similarly, the home page of one another site, www.gorezone.com writes, “The materials which are available within this site may include graphic visual depiction and description of extremely disturbing scenes of death, violence, dismemberment, sexually explicit material, nudity and sexual activity...” This site also gives the cautionary note that, if you have a weak stomach or have a heart problem then you should not visit this site content.

One another site www.club-dead.com, visited by each month tens of thousand of consumers, makes claims to be about erotic art but a cursory glance at its video menu, with description of extreme violence and rape are evidence enough of the pleasure it is peddling with its emphasis on appearing as real as possible.

From all these examples, we clearly realize that what the reader read or viewer watch is the point of death, accident, sexual humiliation, scene of rape etc. in the form of entertainment. Interestingly, here we found no place for the feeling of embarrassment, pain, humiliation etc. that, in natural forms are attached with it. Modern media transformed all these into a commodity, and presented them for consumption. In other words, embarrassment and humiliation become the matter of enjoyment for the crowd and for the viewing 'public'. Of course, here the participants sign a confidentiality document that restricts them from telling how the programme was made, thereby keeping hidden the process of the production of humiliation. Often they are also no match for the media experts who contort and control their emotions for the sake of the ratings, and as a result monetary profit. This then is part of the process of the commodification of all aspects of our lives that has been such a feature of contemporary society. And, the most crucial part of this whole aspect is, at least for us, that youth consume the largest chunk of this stuff.

Commenting on the relation between media, crime and public perception about crime Jeff Ferrell, in his book *'Crime of Style: Urban Graffiti and the Politics of Criminality'* (1996) argues that, for crime to come into 'being' and to enter the realm of popular consciousness there must exist a tentative arrangement between criminal, media and the public on the criminalizing process. By giving the example of joyriding he says, the popular knowledge of the passion of 'joyriding' is conceptualized into culture by the media and transposed into the popular consciousness. All have (including media) their place and part to play in the process of the construction and the definition of crime and as such, all become true partners in crime. In this way, for Ferrell, the public and the media

are as much a part of the process of crime as the person identified and defined as the criminal.

Till now, on the basis of above discussion, we may say that, when the media in modern consumeristic society enter into the realm of crime, the most likely, it is the commodification process that is at work with the dynamics of market. Consumption and communication come together through media to form the engine room of criminalization.

But the story does not end here. Modern media, apart from transforming the event of crime into a commodity, also constantly suggest to us that the whole world cannot be grasped directly, we are today not in a position to judge what is right and wrong, but we need to be specially mediated, into a world of immediacy. Interestingly, this emphasis of mediation of memory, after some time, transform into the mediation of history itself, and in this whole process, media constantly priorities the consumption and eradicate the popular memory. This whole process of eradication of popular memory together with the process of transformation of the event of crime and violence into a commodity and so normalization of the phenomena of crime, make the conducive environment for criminalization and senselessness, especially among youth.

At this point of time, it will be important to make distinction between these new forms of media representation with the early notion of carnival. Whereas early carnival was constituted by community feeling and was authorized by the culture of that particular society, modern media provide all the stuff in the privacy of home. The T.V. programme or internet sites enable any one to transgress the cultural boundaries without any public humiliation. This capacity of media to individualize all aspects, including crime, turns all things into commodity. Secondly, carnival has an essential character of periodic reversal,

after a culturally sanctioned period, but in the case of reality entertainment, it barely happens.

Importantly in this process, all that is left of in crime is excitement and desire as crime itself became transposed into a commodity. Here the producer or those who control the means of communication, worry little about what should be or should not be commodified. It operates free from the vagaries of morality, preferring instead the so called more scientific and rational approach of its 'central imperatives' of 'expansion', realization of surplus value 'profit' etc.

Commenting on the similar situation, Christopher Lasch, in his book '*Culture of Narcissism*' (1979) writes, "Society that has reduced reason to mere calculation, reason can impose no limits on the pursuit of pleasure – on the immediate gratification of every desire no matter how perverse, insane, criminal or merely immoral. For the standers that condemn crime or cruelty derives from religion, compassion, or kind of reason that reject purely instrumental application and none of these outmoded forms of thought or feeling has any logical place in a society based on commodity production." (Lasch, 1976: p.69)

Put simply, today transgressing and doing wrong are for many an exciting and pleasurable experience. In fact, we know that to watch and enjoy pain, violence, cruelty and crime, in itself, produces a sense of guilt. But, global multimedia industry enables us to consume many of these forbidden pleasures in the privacy of our own homes, without questioning how those commodities come into being or whether there are victims involved. In a sense, others do our crime for us and the multimedia deliver the pleasures to us via the Internet and a growing 'reality' television show. We can watch it in secret without the disapproving 'gaze' of the order of the rational world of authority. The very

individuality created by capitalism contains within, the heart of transgression, but hidden from view, unseen and unknown. When this hidden transgressive thought move from the private to the public, it result in an extravaganza of violence and crime.

To conclude, on the basis of above discussion, which comprise of two sections, the following generalization can be made.

First, despite some contrary observation most of the researchers are in accord to the point that media play a crucial role in formulating the perception about crime. It may sensitize some events of crime, may reduce some crude aspect of crime to the point of normality etc. Further, undoubtedly media receive the context or relevance of their content from society but at the same time, media also play a crucial role in determining the future direction of society.

Second, the effect of media does not work in isolation. Its effect depends on many other factors like, the degree of social solidarity in the society, nature of the culturally prevalent ideas etc. If in any society, the degree of the social solidarity will be less and the idea of individualism and consumerism will be culturally preferred, then it is more likely that the effect of media will be more intense. In this situation, people will start to make their worldview based on whatever content media presents to them, and not on the long experiences of their community. They will also seek answer of many of their real world problem in a mediated world and it will result in an act of violence and crime.

Third, one other peculiar characteristic of media, which is explicitly visible in today's world of consumerist culture, is that it has transformed the event of crime to a form of commodity. It makes the situation like, we do not want to think about the humiliation, suffering, and pain but also want to feel it, feel it for enjoyment. Similarly,

we do not like it to be filter through culture but as unadorned, uncontaminated, immediate experience, but not for sensitizing the society and then for collective effort for eradicating it, but for individual saturation. These new spaces of consumption of violence and crime, which is largely created by the modern mass media, has contributed in the creation of an actual world of senseless act of violence and crime.

Finally, we can say that, today's young (especially elite urban young) are not really being prepared or aware about what they are consuming, but they simply continue to consume (even the phenomena of violence and crime) because they are somehow able to consume. Now they want to gain or to control all they know about (simply through media) the world and interestingly, this process of knowing is today totally cutoff from thought, uprooted from the reality.

CHAPTER-3

ROLE OF EDUCATION AND YOUTH CRIME

In the previous chapter, our concern was on the role of media in facilitating the criminal behaviour among the youth, especially among the elite urban youth. In this chapter, we will analyse the same phenomena of elite youth crime vis-à-vis education. In this context, the important questions that arise are that, why the educational system today has miserably failed in deterring the criminal behaviour among youth, particularly among those youth who have throughout received their education from renowned schools and colleges. Or, why today instead of performing their traditional task of enlightening the notion of humanism and making the people more sensitive about their world, educational centers themselves have become the epicenter of crime and violence.

Contextualizing the issue, from the late 1980's, educational institutions in both India and the world around, have witnessed a tremendous increase in campus violence. Issues like gender harassment, gang fighting, collecting money in the name of religious festivals and so on, are not strange phenomena for the new generation. Undoubtedly, the educational institutions, especially the institutions of higher education, were always centres from where the various kinds of movements generate activists and mass mobilization take place. However, we should make a clear distinction between these kinds of mass mobilizations, which have wider socio-political causes, and the incidence of crime or youth violence in the campus. In the Indian context, the phenomena of mass mobilization in the campus had culminated in the Jay Prakash Naryan, *Samporn Kranti* movement. But after this, in many universities of higher education in India, a new kind of politics, which was more a kind of criminal activity, emerged. Many of the student hostels of various universities today have become a shelter for the criminals and a hub of

anti-social activity. One can feel their aggressiveness clearly during the period of student election in which money and muscle power become manifest in a big way.

Now, for analysing the problem of youth crime and its relation with educational system, it becomes imperative to look at this issue in the larger context of prevailing social structure and sentiment. In both India and the world, it has been felt that the criminal behaviour among youth has increased significantly with the introduction of market liberalization. In a very broad sense liberalization is a way of thought, which advocates for freedom in all spheres of life. It criticizes the intensive intervention of society and state with regard to all human conduct. It gives importance to the freedom of speech and freedom of choice. Certainly, at this point of time it will be a misunderstanding to think that, here I am blaming only liberalization for the inability of educational system in deterring criminal behavior among youth. Here my only intention is to introduce a new variable for the complete understanding of the phenomena. Undoubtedly, the criminal behavior of the student must be understood in the surrounding in which the liberal thought is the most prevalent thought and control of both the formal and informal institution of the society is becoming weaker and weaker.

One of the most important characteristic of this 'liberal' thought is that it has tried to examine, and in most cases has redefined, the role and functions of the social institutions. As far as the issue of education is concerned it has raised a number of questions, among them some important questions are, what should be the purpose of education? Should it be to confine themselves only to introducing the prevalent ideas to students and it should be up to the student to choose their way, or the purpose of education is a little bit more than this? Similarly, on the issue of teacher-student relationship, the questions are, whether it should be a formal relation where both are only concerned with their officially defined duties, or it should be an informal kind of

relation where students have a higher degree of respect for their teacher and the teachers clearly know their serious responsibilities for the general society. One other important question in this regard is concerned with the moral dimension of education. The propagators of liberal thought advocate for the value free or morally neutral education. According to them, the content of education must be 'secular'. On the other hand, some scholars argue that by propagating morally neutral education, which is first not entirely possible, we are trying to close off one important channel by which society transmits their shared experience and values to the next generation and maintain some degree of social control.

Now, again coming back to the question of education and youth crime, as we have already discussed, violence in educational institutions is today not a very strange phenomenon. It is appearing in many diverse and extreme forms. Psychologists and sociologists have suggested various causes of this occurrence, including T.V. violence, dysfunctional families, poor emotional and cognitive development, inequitable educational opportunity, easy availabilities of drugs and weapons, changes in the role models for youth etc. In some cases, especially in the west, numbers of programs have been initiated in the light of above suggestion to deal with this problem. Unfortunately, many of these programs could not succeed to bring the desired goals. Perhaps many of these programs fail to address the more fundamental causes of violence and aggression.

In an initial period of this discussion, it will be quite reasonable to hypothesize that a more effective means of prevention of violence should involve itself in helping children to become more responsible members of societies. In this perspective, it can be also proposed that teachers have an important role in helping to reduce violence by promoting the moral dimension of education and introducing the curriculum, which helps students in becoming more resilient in meeting the challenges they face each day without

restoring to violence.

In this point of my discussion, the purpose of the above-mentioned hypothesis is very limited. It is only a point of reference from where the discussion can be initiated. One can also make a totally opposite hypothesis based on their own experience and understanding of the available literature. Actually, the debate regarding the purpose or the role of the education is just a part of the debate about locating the most perfect balance between the society and the individual. It is the most important issue on which all the human sciences whether it is sociology, political science or economics contribute their effort to bring about a satisfactory balance. Still the quest has not been completed. Some prefer to give more importance to society vis-à-vis the individual and some have the opposite position. Similarly, some scholars in the field of sociology of education look at education as a means of socialization and social control. They give precedence to society over the individual. On the other hand, for some scholars education is a right of individual, and its purpose is only to introduce the individual to various perspective of life style and it is solely up to the individual to choose the desired goal for himself.

Now in this particular context we will analyse the ideas of some renowned scholars on the role of education.

Durkheim's View on Education:-

It seems from all Durkheim's writings that he has a deterministic kind of view about education. Durkheim looks theoretically towards the relationship between individual and society where the latter is coercive. In the "*Rules of Sociological Method*", for instance he states that, "it becomes immediately evident that all education is a continuous effort to impose on the child ways of seeing, feeling, and acting which he could not have arrived at spontaneously. From the very first hours of his life, we compel him to eat, drink and sleep at regular hours It is true that, according to Spencer, a

rational education ought to reject such methods, allowing the child to act in complete liberty; but this pedagogic theory has never been applied by any known people, it must be accepted only as an expression of personal opinion.... What makes these facts particularly instructive is that the aim of education is, precisely, the socialization of the human being; the process of education, therefore, gives us in a nutshell the historical fashion in which the social being is constituted....This unremitting pressure to which the child is subjected is the very pressure of the social milieu which tends to fashion him in its own image, and of which parents and teachers are merely the representatives and intermediaries". (Durkheim; 1964(a): P.6).

From the above paragraph, it seems that Durkheim was thoroughly preoccupied with fitting the child into the society. However, it does not reflect the entire scheme of his thought. It is true that, for Durkheim, education was a 'social thing' and it was concerned with mediating between the individual and the society, but interestingly not society in general. By saying 'society', Durkheim was not indicating toward any ideal of society. Actually, Durkheim, as a student of comparative sociology as well as comparative education, recognizes the diverse character of the society, therefore, the need of different educational system for different society in terms of either content or method. Further, to clearly follow, for Durkheim, it neither is the aim of education to present some picture of an ideal society to the child; nor is it the object of the educationalist to consider some ideal form of education for the society. Durkheim writes, "If one begins by asking, what an ideal education must be... it is to admit implicitly that a system of education has no reality in itself. One does not see in education a collection of practices and institutions that have been organized slowly in the course of time..., therefore, can no more be changed..." (Durkheim, 1968: pp. 64-65) According to Durkheim, there is not just one form of education, but many forms: there are, in fact, as

many different forms of education as there are different milieu in a given society. Therefore, society as a whole, and each particular milieu, will determine the type of education that is realized.

Actually, the whole effort of Durkheim is also nothing but an effort to make a balance between individual and society. And from his perspective, it is vital through education to preserve a degree of homogeneity and that by establishing in the child, from the very beginning, the essential similarities of collective life. Meanwhile, for Durkheim, it is also very important to ensure a certain amount of 'diversity' in society, without which all forms of co-operation would be impossible, especially when society comes to the stage of organic solidarity. Durkheim suggests that this diversity is assured by the very diversification and specialization of education itself.

By giving their own definition of education Durkheim writes, "Education is the influence exercised by adult generations on those that are not yet ready for social life. Its object is to arouse and to develop in the child a certain number of physical, intellectual and moral states which are demanded of him by both the political society as a whole and the special milieu for which he is specifically destined." (Durkheim, 1968: p. 71)

From this definition, one thing has become certain is that Durkheim recognizes the diversity of society and for him, education is most importantly only a means by which the society prepares, within the children, the essential condition of its very existence.

Further, Durkheim's view of education is also a kind of methodical socialization of the younger generation by the older and in this, the teacher exercises natural ascendancy over his pupils, because of his superior experience about the conduct of society. As we have seen in chapter one of this thesis, when he explains his position about the nature of human beings, for him, in each of us, exist two beings; one is made

up of all the mental states that apply only to ourselves and to the events of our personal lives: this is what might be called the individual being. The other is a system of ideas, sentiment and practices, which express in us, not our personality, but the group or different groups of which we are part. Their totality forms the social being [Wolff(Ed), 1960]. For Durkheim, perhaps, to constitute this being in each of us is the end of education.

Similarly, in '*Education and Sociology*' (1968) commenting on the nature of man and their relation with the moral dimension of education, Durkheim argues that spontaneously, man was not inclined to submit to a political authority, to respect a moral discipline, to dedicate himself, to be self-sacrificing. According to him, there is nothing in our congenital nature that predisposes us necessarily to become servants of divinities, symbolic emblems of society, to render them worship, to deprive ourselves in order to do them honor. It is society itself, which, to the degree that it is firmly established, has drawn from within itself these great moral forces in the face of which man has felt his inferiority. About the role of education in this process, Durkheim writes, "Society find itself, with each new generation, faced with a *tabula rasa*, very nearly on which it must build anew. To the egoistic and asocial being that has just been born it must, as rapidly as possible, add another, capable of leading a moral and social life. Such is the work of education." (Durkheim, 1968: p.72)

Durkheim has also discussed the role of the state in the process of education. According to him, in the society where the child is supposed to belong first to his parent's, there education is conceived as essentially a private and domestic affair. In this point of view, one tends naturally to reduce to a minimum the intervention of the state. However, when the above-mentioned system becomes unable to discharge their duties, it is natural that the state should take charge. After all, for Durkheim, education has a

collective function. Its objective is to adopt the child to the social milieu in which he is destined to live. On this basis, Durkheim argues, it is impossible that society should be uninterested in such a procedure. Durkheim writes, "It is, then, up to the state to remind the teacher constantly of the ideas, the sentiments that must be impressed upon the child to adjust him to the milieu in which he must live. If it were not always there to guarantee that pedagogical influence be exercised in a social way, the latter would necessarily be put to the service of private beliefs, and the whole nation would be divided and would break down into an incoherent multitude of little fragments in conflict with one another" (Durkheim, 1968: p.79). For Durkheim, choice is necessary, and education should not be completely abandoned to the arbitrariness of any private enterprise. However, education should assure, among the citizens, a sufficient community of ideas and of sentiments, without which any society is impossible.

Realizing the complexity of establishing the balance between society and individual, Durkheim again argues that this is not to say that the state must monopolize the educational institution. One can even believe that scholastic progress is easier and quicker where a certain margin is left for individual initiative. In fact, it is not, indeed, up to the state to create the community of ideas and sentiments without which there is no society; it must be established by itself, by perpetual course of the development of society, and the state can only consecrate it, maintain it, make individuals more aware of it.

But with this, Durkheim also says that it is not admissible, in any case, the limits within which state intervention should be kept. Principle of state intervention could not be disputed. After all, from Durkheim's point of view, it is not a question of recognizing the right of the majority to impose its values on the children of the minority. Actually, Durkheim believed that in spite of all of the differences of opinion, there are at present, at

the basis of our civilization, a certain number of principles, which, implicitly or explicitly, are common to all; that few indeed, in any case, dare to deny overtly and openly. The role of state, for Durkheim, is to outline these essential principles and to see that nowhere are children left ignorant to them.

One other important point, regarding the role of education is that, according to Durkheim, the educational system can change neither society nor itself. In *Suicide* (1966), he states that, "It (education) is only the image and reflection of society. It imitates and reproduces the latter in abbreviated form; it does not create it. Education is healthy when peoples themselves are in a healthy state; but it becomes corrupt with them, (and) being unable to modify itself. If the moral environment is affected, since the teachers themselves dwell in it they cannot avoid being influenced; how then should they impress on their pupils a different orientation from what they have received? Each new generation is reared by its predecessor; the latter must therefore improve in order to improve its successor. The movement is circular.... Education, therefore, can be reformed only if society itself is reformed. (Durkheim, 1966: pp. 372-73)

Similarly, in chapter three of *Education and Sociology*, which he titled "Pedagogy and Sociology" he maintains that, our pedagogic ideal is explained by our social structure. He writes. "Not only is it society which has raised the human type to the dignity of a model that the educator must attempt to reproduce, but it is society, too, that builds this model, and it builds it according to its needs.... The man whom education should realize in us is not the man such as nature has made him but, as the society wishes him to be; and it wishes him such as its internal economy call for.... Every change of any importance in the organization of a society results in a change of the same importance in the idea that man makes of himself.... Thus, in the present as in the past, our pedagogical idea is in every detail

the work of society. It is society that draws for us the portrait of the kind of man we should be, and in this portrait, all the peculiarities of its organization come to be reflected.” (Durkheim, 1968: pp. 122-23)

Perhaps, Durkheim can further argue that we tend to become like the portrait drawn for us by society because, basically, we want to conform to the level of success and adjustment or adaptation that we see around us. Once again, we realize the deterministic notion of Durkheim on the issue of education. He does not perceive education as a means of social change, rather for him it is more a means of social stability. Actually, uppermost in his mind was the aim of mediating the pupils to the nature of the larger society, into which they were born, and of the local community and milieu, in which they were nurtured. Education was, thus for Durkheim, an agency whereby society perpetually recreated itself.

Further, for Durkheim, freedom ultimately derived from the acceptance of the rationality of the internalization of social demands. From this point of view, liberty and authority sometimes seem opposite to each other. But in reality, this opposition is factitious. Durkheim writes, “Liberty is the daughter of authority properly understood” (Durkheim, 1968: p. 89)

The element of discipline was also very strong in Durkheim’s pedagogy. He believes that, just as the priest is the interpreter of his God, the teacher is the interpreter of the great moral ideas of his time and of his country. For Durkheim, the authority of the teacher is only one aspect of the authority of society. The child should then, be trained to recognize it and to submit to it.

To conclude, we may say that for Durkheim, if the social values are ‘good’ (i.e. have survival value), then the child will be ‘good’ according to that understanding, and he will survive. But if the social values are ‘bad’ (i.e. self-destructive), then they will be

reflected in the student, and the society will produce a person full of anomic, destructive and deviant tendencies. We should also acknowledge that, for Durkheim, it was ultimately the moral values of that society and not discipline which were the most important. Discipline, he accepted, was only a means of specifying and imposing the required behavior. In fact, Durkheim goes further and says that to act morally, to respect discipline, to be committed to a group, is today not enough. Today we must know why we behave or should behave in a particular way; we must know the reason for our conduct. Perhaps, Durkheim very early saw the dilemma of the modern time. He might realize that we can no longer make use of traditional systems, or a force of habit, for establishing the balance between society and individual. Today, for him, the age-old means do not provide a solid enough basis of social control, and are unable to effectively discharge its functions. Today, until the importance of society will not be recognized on the basis of reason, the balance will not be perpetual and in this perspective educationists have to recast their techniques.

Scholars from the Field of Psychology and Their Comparison with Durkheimian Thoughts:-

I will now examine briefly the work of two eminent scholars from the field of psychology i.e. Jean Piaget and Lawrence Kohlberg. Their works are directly relevant to the contemporary theories of moral development of youth.

Jean Piaget is among the first psychologist whose work was directly relevant to the development of the moral aspect of the child. He has illustrated their view in his famous book "*The Moral Judgment of the Child.*" (1965). According to Piaget, all development emerges from action; that is to say, individuals construct and reconstruct their knowledge of the world as a result of interactions with the environment. Based on his observations of children's application of rules when playing, Piaget determined that,

morality too can be considered a developmental process. From Piaget's view point moral development is a result of the interpersonal interactions through which individuals work out resolutions, which all deem fair.

For Piaget, then, school should emphasize cooperative decision-making and problem solving, and nurturing moral development by requiring a student to work out common rules based on fairness.

The above-mentioned view seems a direct rejection of Durkheim's view of proper moral education. Piaget, similar to Durkheim, believed that morality resulted from social interaction or immersion in a group. However, Durkheim believed moral development was a natural result of attachment, which manifests automatically in a respect for the symbols, rules, and authority of that group. Piaget does not go to that extent and reject this belief that children simply learn and internalize the norms for a group. He believed that individuals define morality individually, through their struggles to arrive at fair solutions. By adopting this view, Piaget makes the task of classroom teacher more difficult. The educator, for him, must provide students with opportunities for personal discovery through problem solving, rather than indoctrinating students with norms.

Lawrence Kohlberg (1989) has perhaps tried to reconcile the differences between Durkheim and Piaget. Similar to Piaget, he also starts with the assumption that children form their way of thinking through their experiences, but Kohlberg's development of moral judgment goes beyond the ages studied by the Piaget.

Kohlberg, first of all, on the basis of their findings, has rejected the traditional character of educational practice. Traditional approach, according to him, are premised with the idea which view moral character like well defined "sets of virtues" and thus, the teacher has to teach these virtues through example, by giving students an opportunity to practice these virtues, and by rewarding their expression. Criticizing this approach,

Kohlberg says, it provides no guiding principle for defining what virtues are worthy. In fact, teachers often end up arbitrarily imposing certain values depending upon their societal, cultural and personal beliefs. Kohlberg has rejected this focus on values and virtue, not only because of the lack of what virtues are to be taught, but also because of the complex nature of practicing such virtues.

In addition, he also rejects the relativist viewpoint in favor of the view that certain principles of justice and fairness represent the pinnacle of moral maturity, as he found that these basic moral principles are found in different cultures and subcultures around the world. The goal of moral education, then according to Kohlberg, becomes to encourage individuals to develop to the next stage of moral reasoning.

In this way, he tried to reconcile some of the differences in orientation that existed between the theories of Durkheim and Piaget. Actually, Kohlberg develops the 'just community' school approach towards promoting moral development. The basic premise of this school is to enhance a student's moral development by offering them the chance to participate in a democratic community. It entails full participation of community members in arriving at any decision, and provides the person with a sense of belonging. An underlying goal of this is to establish collective norms, which express fairness for all members of community. Actually, the whole scheme is based on the belief that placing the responsibility of determining and enforcing rules on a student or person will lead them for pro-social behavior more seriously.

However, it will not be correct to assume that Kohlberg's community simply leaves students to their own devices; in fact, the teacher plays a crucial leadership role in these discussions, promoting rule and norms which have a concern for justice and community welfare and he also ultimately enforces the rules. But on the other side, the teacher should listen closely and understand a student reasoning. In the last analysis, it

requires a very delicate balance.

View of Karl Mannheim on Education:-

Karl Mannheim, like Durkheim, has also a very close concern with the 'sociology of education', and in Mannheim's work, there are many details, which provide for interesting juxtaposition with Durkheim's sociology. Mannheim was the professor of sociology at the University of Frankfurt, and was considerably influenced by the Marxist ideology. After the rise of Nazi-totalitarianism, he went to England and became a lecturer in the London School of Economics.

The most important characteristic of Mannheim was that he was a very enthusiastic planner. His persistent advice for the post war society was that, it must be planned. However, he also could not totally resolve the dilemma of society and the individual. Despite the advocate of planned society, he wanted to preserve the maximum freedom of the individual to the greatest extent.

Further, Mannheim considered that a minority, especially the cultured elite, would carry on planning of this sort. He certainly, then, opens a great space for the sociologist and educationist in outlining the planning for social reconstruction. This preoccupation with education and society is mainly found in his two books, *Man and Society in an Age of Reconstruction* (1940) and *Diagnosis of Our Time* (1943). In both these books, he also highlights the importance of education and argued that, the planned society depends upon a transformation of man, and for this purpose, education is the chief means to bring this change.

But he also, like Durkheim, does not accept the total isolation of educational sphere from the society. He went on to say that, "sociologists do not regard education solely as means of realizing abstract ideas of culture, such as humanism or technical specialization but as part of the process of influencing men and women. Education can

only be understood when we know for which society and for what social position the pupils are being educated. Education does not mould men in the abstract but in and for a given society". (Mannheim, 1940: p. 37)

In his book "*Diagnosis of Our Time*", he outlines the significance of new social techniques. According to him, after war, our society is in a state of ill and we are living in an age of transition from *laissez-faire* to a planned society. He writes, "the planned society that will come may take one of two shapes: it will be ruled either by a minority in terms of a dictatorship or by a new form of government which in spite of its increased power, will still be democratically controlled" (Mannheim, 1943: p.1). Mannheim insists that techniques are neither good nor bad in themselves and that all planning is evil. There can be planning for conformity and so also, there can be planning for freedom and variety. His standpoint is that, undoubtedly, no society can hope to survive, if it fosters only conformity. However, a new post war social order also cannot function skillfully until the 'spirit of planning' guides it. According to Mannheim, we need a new 'militant democracy' with the courage to agree on some basic values, which are acceptable to everybody. These agreed basic values, according to Mannheim, must be brought into the child with all the educational methods at our disposal. Actually, between '*laissez-faire*' and 'totalitarianism' Mannheim sees the possibility of the Third way.

Criticizing the educational institutions of his time he says, today there is no agreed educational policy for our citizens. The situation is like that the further we progress the less we know for what we are educating. He considers that today the educational system is working primarily for profit and monetary reward. The education system of our time is not able to communicate to the masses that they are useful and the important members of the society. Mannheim saw that in the midst of a rapid and uncontrolled growth of society, the educational system is still adaptive to the needs of a

parochial world. It is not providing the effective way to deal with the new challenges. Mannheim writes, "You cannot create a new moral world mainly based upon rational value appreciation, i.e. values whose social and psychological function is intelligible, and at the same time maintain an educational system which in its essential techniques works through the creation of inhibition and tries to prevent the growth of judgment." (Mannheim, 1943: p. 24)

Commenting on the function of youth in society and its relation with education, Mannheim argues, static societies rely mainly on the experience of the old but for the modern dynamic societies it become indispensable to establish a close cooperation between youth. But the education system of our society, for Mannheim, is not able to provide sufficient condition for this cooperation. He writes, "The whole educational edifice, with its emphasis on examinations, marks, memorizing or inventories of facts, is busy killing the spirit of experimentations. So vital in an epoch of change." (Mannheim, 1943: p.42)

However, with their constant emphasis on experiment,*Mannheim was also aware of the fact that in this epoch of rapid change, culture would benefit humankind only if its essence or quality was preserved. The problem for Mannheim, like all other scholars, was in levelling down this cultural standard or essence.

Describing the role of a teacher, Mannheim says, the teacher should be educated in a way, which will enable them to understand the meaning of change. For him, in the present situation, where everything is changing very fast, no teaching is sound unless it trains man to be aware of the whole situation in which he finds himself, and able after careful deliberation, to make the best suitable choice and come to a decision. He writes, "... educational opportunities (is) for the people to train themselves for leadership, and an improvement of the method of the selection of the best in the various fields of social

life.” (Mannheim, 1943: p.72)

From the above discussion, we can short list some of the basic points of the Mannheimian thought about the society in general and education in particular.

Firstly, Mannheim clearly agrees with denying the possibility of arriving at an absolute truth or at an absolute basic characteristic of society. To him, like Durkheim, all truths are dependent upon specific social factors. To Mannheim also, all thought are socially determined and the personal contribution of the individual is of little importance in comparison with the patterns of thought predominant in the group.

Secondly, whilst opposing the Fascist and communist regimes, Mannheim was equally opposed to *laissez-faire*. In between these two, he selected the way of consciously directed planning in order to preserve freedom and the democratic way of life. This view of planning has considerable effect on his idea of education. He tries to integrate the individual to society and education was an important means for this purpose.

Thirdly, because of their persistent emphasis on planning, Mannheim was confident about the great possibilities of arriving on some basic values.

Fourthly, on the issue of youth, he argues, more and more youth have to be integrated into the social life of the larger society and this is only possible by establishing much stronger links between the school or curriculum and that particular society.

Fifthly, on the question of education, he adopts a balancing approach between the hegemony of society and freedom of individual. On one hand, he says education should submerge one’s aggressiveness and individuality in the interest of the group and social belonging. It is a kind of adjustment of the self for common goals. On the other hand, we must educate equally for originality, for creativeness, and for spontaneity. However, in the last, Mannheim takes their position and warns that, education for spontaneity is only

permissible when it lead us to realize more and more that we are members of one society.

View of Gandhi on Education:-

In the end, it will be worthwhile to mention some of the important ideas of Gandhi on education. The peculiar characteristic attached with his thought is that, it is not concerned with one well-defined scheme or subject. Neither Gandhi was a typical academician, nor a stereotype politician and nor the average religious person, but he has presented his thoughts in almost all the important aspects of human life. Interestingly, he has also never laid claim for the final point about own thoughts and he was always ready to re-evaluate it in the light of new experiences of life. He writes, "...I am not at all concerned with appearing to be consistent. In my search after my truth I have discarded many ideas and learnt many new things....What I am concerned with is my readiness to obey the call of truth, my God, from moment to moment, and, therefore, when anybody finds any inconsistency between any two writings of mine, if he has still faith in my sanity, he would do well to choose the latter of the two on the same subject." (Gandhi, 1939: p.4)

Another important characteristic of his thoughts, which has affected his whole philosophy, including education, was his belief to see the life from a holistic perspective. For example, he never tried to separate the politics from religion; rather his stand was that politics must be guided by religious morality. These holistic perspectives lead him to believe in the existence of God and to love His creation, to see the non-exploitative relation between soil, plants, animals and human beings.

Now, particularly coming to his view about education, undoubtedly for him, it was an important issue and he has analyzed it in relation with many other perspectives like, education and its role in character development, education and respect for manual labour, questions related with medium of instruction, matter of religious education, and

most importantly, education and the issue of all round development of the pupils etc.

In '*Hind Swaraj*' (1939) citing the Huxley definition of education i.e.: "That man I think has had a liberal education who has been so trained in youth that his body is ready servant of his will and does with ease and pleasure all the work that as a mechanism it is capable of; whose intellect is clear, cold logic engine with all its parts of equal strength and in smooth working order... whose mind is stored with a knowledge of the fundamental truth of nature... whose passions are trained to come to heel by a vigorous will, the servant of a tender conscience... who has learnt to hate all vileness and to respect other as himself,... a liberal education for he is in harmony with nature. He will make the best of her and she of him" (ibid: p.78). Gandhi says, "I conceive it as a true end of education."

Looking from this perspective, Gandhi strongly realized that at present neither primary nor higher education in India were able to realize this. In *Young India* (21-06-1926) commenting on the prevailing educational system he writes, " (today) higher education make us foreigners in our country and the primary education being practically of no use in afterlife become almost useless. There is neither originality nor naturalness about it."

Further, for him, the greatest visible evil of the present education was that it has broken up the continuity of our existence. Similar to Durkheim, he writes, "All sound education is meant to fit one generation to take up the burden of the previous and to keep up the life of the community without breach or disaster. The burden of social life is continuous, and if at any stage one generation gets completely out of touch with the effort of its predecessors or in anywise get ashamed of itself or its culture it is lost."(Young India, 20-03-1924)

Actually, whatever ideas Gandhi has put forward regarding education, its central

concern was to integrate the individual with the society, making a person an active member of his community, not to cut him from masses. This concern was perhaps most clearly visible when he presented his view about English education in India. Making a balanced approach, wherever Gandhi felt that English education is developing a great divide between some English educated person and masses, he condemned this and at the same time, he recognizes the importance of English education in uniting the whole country and in making correspondence with the English people and with world. (Hind Swaraj, 1908: pp. 79-81)

Similarly, when Gandhi emphasized for the inclusion of *Charkha* in educational curriculum his concern was not merely economic. In *Young India* (07-08-1924) he writes, "...school must be the most potent means of propagating the message of *Charkha*, of bringing Hindus, Mussalmans and others closer together and of educating the 'untouchables' and abolishing the curse of untouchability from the school." Further illustrating the purpose of spinning in the same article, he says that spinning will make the child to labour for the country. It is a daily practical lesson in patriotism. By this a boy should contributed to the nation, even during his education, without expectation of return. It is an important lesson in sacrifice he will not forget.

On the delicate question of creativity and discipline, Gandhi says that the pupils must have initiative. They must cease to be mere imitators. They must learn to think and act for themselves and yet be thoroughly obedient and disciplined. Actually, for Gandhi, the highest form of freedom carries with it the greatest measure of discipline and humility. He writes, "...unbridled license (in education) is a sign of vulgarity injurious alike to self and ones neighbours." (Young India, 03-06-1926)

From all these above ideas, it is evident that for Gandhi, the issue of education was not concerned with knowledge of letters and individual monetary profit. Rather it

was more the issue of social service. He writes, "The end of all education should surely be service, and if a student gets an opportunity of rendering service even whilst he is studying, he should consider it as a rare opportunity and treat it not really as a suspension of his education but rather its complement."(Young India, 13-10-1927)

Finally, for Gandhi, the purpose of education is to connect the people with society, make them always ready for the service of their community, nation or the world and most importantly, to develop the feeling of humanity in the pupil. He writes, "Real education consists in drawing the best out of yourself. What book can there be than the book of humanity?" (Harizan, 30-03-1934)

In our journey from Durkheim to Gandhi on the question of education, it has become clear that all these scholars have seen education as an important mechanism to connect the people from society, to transmit their cultural heritage, to make them ready for the service of the society and most importantly, to develop the notion of humanism. Undoubtedly, all have largely also realized the importance of creativity and left the space for individual initiative. However, none of them has seen, for a moment, this individual freedom against the society, rather, for them it is an important prerequisite for the social development.

When we look at this propagated aim of education, and the phenomena of rising criminal behaviour among youth, then the most likely is that either today our educational system is not being able to generate the feeling of social responsibility and humanism among the pupils, or today it is giving more importance to individual success and monetary profit.

Finally, to preventing the youth from criminal behaviour, education should allow children to take a more effective role in directing their learning and it should also make

them feel that they are the responsible member of society. Until education is able to install in them the feeling of responsibility about society, or a sense of connectedness, it is difficult to prevent the youth to adopt criminal behavior for realizing their unrestricted individual desire.

CONCLUSION

Throughout this thesis, the point of emphasis was that the phenomena of indulgence of elite youth, in criminal or violent activity, could only be understood properly, if we were to look at it not just as an issue of law and order but also as a shift of one set of ideas and sentiment of society to another.

Apart from this, it will be also a kind of sociological naiveté, to consider the murder of Jessica Lall or drug snorting by Rahul Mahajan as exceptional incidents, and to relate the phenomena of crime simply with the economic hardship, or with the conditions, prevailing in slums. Actually, the incident of Jessica Lall and Rahul Mahajan, and few others, are some of those examples, which have come out in the public. One peculiar characteristic of elite crime is that very few cases could even reach to the stage of FIR. Those, which did, were hardly investigated seriously, and in the last, because of lack of evidence and complex judicial procedure, most of the accused were acquitted. Commenting on the similar situation, Dipankar Gupta writes, “People who usually break the law in this country belong to this so-called elite class. It is another matter that prison statistics do not reflect this fact. Given the elitist disposition of our lawmakers and breakers it is hardly surprising that our jails should be stacked with thousand of poor people whose crime may have been something as insignificant as saying a wrong word, or straying into a landlords fields.” (Gupta, 2000: pp .68-69)

At this point of time, it will be also important to remember the findings of police officer Amod Kanth. While analyzing the heinous crimes and those who commit them, he found that in 1998, nearly 93 percent of the criminals were first timers, belonging to the age group of 16-25 years, and surprisingly, a large number of them happen to belong to

well-to-do families, and some even to affluent parents. (Quoted in the article of Krishna Pandey, The Observer, 17 May 1999.)

Again, let us, take up those striking points that have come out during the analysis of both the Jessica and Mahajan case. First, the reason of Jessica's murder was only the refusal of drink. Secondly, Manu Sharma could do this murderous act, without any hesitation or fear, because he was sure that his father's high connection would shield him from facing the punishment. Third, among the presence of large number of so-called 'high society' people, not a single person turned out as eyewitness. Fourth, Rahul Mahajan has not hesitated to take drinks and snort drug while on the way to immerse his father's ashes. Finally, in both cases, the modern institutions like police, forensic laboratory, renowned hospital etc., were heavily engaged in saving the culprits and misleading the public. All this itself shows that how much, not only Manu Sharma or Rahul Mahajan, but also all the members of this society, are under the grip of 'anomic state' and 'egoistic individualness'.

Then the obvious question is that why our society, instead of expected act of putting control over the violent or criminal behaviour of their member, is acting as a mute spectator.

On this complicated issue of transformation of society, number of theoretical standpoint and analysis exist. As Avijit Pathak, in context of modernity, writes, "Durkheim saw growing differentiation, specialization, division of labour and resultant organic solidarity in modern industrial societies. Weber saw the process of rationalization, or the emergence of a bureaucratic form of authority in the new age. And Marx saw capitalism, its market economy and its inherent contradictions" (Pathak,

2006:p.11). However, perhaps from this classical age to till date, all concerned scholars, while understanding this issue of social transformation; have also tried to locate the best possible balance between individual and society. Some were more inclined for stability, so for them, main concern was to highlight that danger which might occur if excessive efforts were made to bring down the job of society from one certain point, where as for other, issues like individual freedom and initiative, expression of ideas etc. were more important.

Among these, the detailed analysis of the ideas of Durkheim and Merton provide very useful insights. As we have seen in Chapter One of this thesis, Durkheim is more deterministic in nature when he deals with the question of the relation between individual and society. According to him, man by nature is self-seeking, and it is society, that put control over his behaviour. Moreover, for Durkheim, any failure of society to do this job will lead their members into pathological states, which are anomic or egoistic.

The act of Manu Sharma or Rahul Mahajan is the clear manifestation of the existence of these pathological forms in our modern society.

One another crucial point of the Durkheimian thoughts, which deserve to be highlighted here, is that in their effort to drive the society away from this pathological stage, Durkheim suggests that each individual's social position should be concomitant with their natural talent. Moreover, for this, the first essential prerequisite is the abolition of inherited wealth, and then naturally, the social position (1964b: P.377). In both case of Manu Sharma and Rahul Mahajan, they have no individual identity. Their positions have been inherited. Possessing the wealth or social position, without deservedness, develop a conducive environment for breaking the law.

The essence of the Mertonian thought on the issue of anomic, crime and violence is also not very different from Durkheim, except that ,whereas for Durkheim, the reason of this (anomic) is more a matter of failure of society to suppress the individual desire and freedom, for Merton, it is more the matter of making balance between ‘culturally defined goals’ and ‘institutionalized means’ to achieve this goals.

When we look at the phenomena of anomic, individualness etc. of the high class, particularly in Indian context, then the whole notion of modernity and its consequences, become the focal point of analysis. Critical voices of modernity may argue that it is the west projected modernity that has eradicated our popular memory, uprooted us from the society, given the importance of individual satisfaction over social well being. Moreover, the growing incident of crime and violence, to the large extent, is a result of these changes (Uberoi, 2002). On the other hand for Dipankar Gupta, India and many other developing countries, in fact, have not realized until now, the true essence of modernity. For him, if the clock were to stop here, the final diagnosis would, or rather should, declare India as still unmodern. (Gupta, 2000: p.13) Further, he says that modernity has to do with attitudes, especially those that come into play in social relations and a modern society at least must characterize these attributes:

- Dignity of the individual;
- Adherence of universalistic norms;
- Elevation of individual achievement over privileges or disprivileges of birth;
- Accountability in public life. (ibid: p.12.)

Latter he also adds fifth characteristic to modernity that is ability to trust institutions rather than people. (Ibid: p.222.)

After analyzing the Indian situation in this context, he has reached the conclusion that at present India is more westoxicated than westernized. For him, true westernization implies the establishment of universalistic norms and the privileging of achievement over birth, whereas westoxication is about the superficial consumerist display of commodities and fads product. (Ibid: p.21.)

In fact, commenting on the some recent incident of crime - including Jessica Lall case - he says that far from signifying modernity, much of these recent spates of murder and mayhem are only a bold reassertion of traditional Indian culture. (Ibid: p.161) Further he argues, crime has only changed its locale, it is pointless to blame either modernization or a value vacuum when violence occurs in different urban centres of India. For him, the truth is that very little has changed in the male Indian mind-set, and to hold modernity responsible for the grisly incidents of urban violence perpetrated by political brats or to blame westernization for the molestation of women in hotel discotheques, only corroborates what we Indians hate to admit that our traditional culture is deeply flawed at its core. (Ibid: p.162)

But on the other hand, some other sociologist like Avijit Pathak does not seem entirely convinced with this position. For him, modernity is about contradictory and conflicting experiences. He writes, "(in modernity) there are positive experiences relating to the spirit of freedom, criticality and agency. And there are also painful experiences relating to existential and cultural anguish". (Pathak, 2006: p.12)

Although, he also talks about the core values of modernity, like critical consciousness, emancipatory quest, individuation, democratization and most importantly self-reflexivity etc, which even the vehement critique of modernity, cannot be denied.

However, for him, it is not necessarily right to say that these attitudes have only appeared at a specific juncture of history. He writes, “even in the past, in tradition, or in ‘non-modern’ periods one can notice the traces of the core values of modernity which we are talking about” (Ibid: p.24.). Further, cautioning us from the excessive effect of modernity, he says that it is, however, important to realize that modernity is a double-edged phenomenon. While its core values have a liberating potential, its concrete practices may cause arrogance and violence and in last resultant in a situation, what he calls ‘administered totality’. (Ibid: p.26)

Actually, his whole effort is to develop the notion of ‘softer modernity’. Modernity that on the one hand, attributed with their own core values and on the other hand it should also left space for the practices of other alternative like tradition. He writes, “It is like asserting the need for a two-way process: (a) modern west willing to learn from non-western tradition in order to correct itself, and (b) we begin to appreciate the core values of modernity in order to create a better world. (Ibid: pp. 34-35)

In final diagnosis, for him, it is not solely correct to blame the traditional values of our society for the anonymity, loneliness, alienation or criminal and violent activity in urban centres, and to characterize Indian modernity as ‘mistaken’. He writes, “it does not necessarily condemn our modernity as ‘mistaken’. Instead, it sees the possibility of differences and reminds us of the specificity of our own modernity... modernity in India need not necessarily be seen as an antithesis of tradition. As a matter of fact, traditional symbols, values and structures have been modernized; and modernity itself has reinforced traditions.” (Ibid: p.53)

In the Second and Third Chapters of this thesis, when we have tried to analyse the phenomena of elite youth crime of urban milieu, in relation with mass media and educational system respectively, then this whole analysis of modernity, and quest for making a balance between individual and society, has appeared in a significant way. As we have seen that how today, the modern mass media transformed our every aspects of life, including the painful aspect of violence and suffering, in a commodity and present it for the consumption. Above all, modern media also perpetually try to convince us that, today's world can only be understood and grasped properly if it will be mediated. This perpetual emphasis of mediation uproots the individual from the shared experiences of society, and makes them more alone and alienated which resultant in a conducive environment of crime and violence.

Similarly, from the detailed discussion of the ideas of Durkheim, Mannheim and Gandhi on the role of education, it is clear that for all, the chief purpose of education is to connect the individual to society, and make them responsible members of the group. Undoubtedly, one of the main reasons of the indulgence of elite youth in criminal behaviour is that either educational system of our time is not being successful in this job, or its preference itself has altogether changed and instead of connecting the people from society, it is encouraging the notion of individual success and quest for individual satisfaction more.

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