



EFFECTS OF RAGGING ON HUMAN DIGNITY-A CRITIQUE

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Introduction

“Ragging in essence is a human right abuse.....in present times shocking incidents of ragging have come to the noticeThe student is physically tortured or psychologically terrorized....”

Supreme Court of India (Feb. 11 2009)

The Educational System is facing a number of problems in India. Ragging is one the evil in the professional courses and general courses. Gradually it is turn to as an evil in educational institutions, particularly in professional courses like medicine, engineering, and management. Now, it is very seviour problem, it is effect human dignity, even sometime victims attempt to suicide by freshers and lost their life. The Govt. and private educational institutions, they make attempt to control, but they couldn't successes in the control ragging. The many unethical things involves in the ragging, it is effect many ways on human dignity.

School and College life is very important in every body's life, because it is not only determines the future of a person but also is a time when most students understand the realities of life. But, majority students do not enjoy their life in the campus. None of the students enjoy their campus life at least till the end of their first year. This is mainly because of ragging. What is ragging? Does it have any advantages? Is it important to freshers? Well, these are the questions to which Indian society is looking the answers for.

Ragging has been frequently associated with a broad spectrum of physical, psychological, behavioral, emotional and social problems among the victims. It independently increases suicide risks. Ragging means causing, inducing, compelling or forcing a student, whether by way of a practical joke or otherwise, to do any act which detracts from human dignity or isolates his person or exposes him to ridicule or to forbear from doing any lawful act, by intimidating, wrongfully restraining, confining or injuring him or by using criminal force to him or by holding out to him any threat of



such intimidation, wrongful restraint, confinement, injury or the use of criminal force. In plain English, it means plain bullying a new student. There are two kinds of ragging, one is verbal and the other is physical.

Ragging needs to be perceived as our failure to inculcate human values from the schooling stage behavioral patterns ragging must deter its recurrence connected action is required at the level of the school, higher educational institution, district administration, university, State and Central Governments to make any curb effective Media and the civil society.

2. RAGGING FROM ANNALS OF HISTORY

Ragging is not new phenomenon. It existed even in older times. It was part of civilized societies.

In ancient seats of learning, e.g., Berytus and Athens ragging was prevalent. In army, schools of England ragging existed as a tradition. Later on this tradition took its root in medical and engineering colleges. In English society ragging took the form of freshers being paraded on street which caused much annoyance not only to freshers but even to general public especially girls. This phenomenon can be traced back to as early as 7th or 8th century A.D. in Greek culture; new entrants to the sport community were subjected to all kinds' humiliation and teasing to inculcate a team in them. After the passage of time this type of activities were adopted by Armed Forces in which new entrants have to pass out by obeying the seniors in off-duty time. Since its inception in the educational arena, ragging underwent several modifications before morphing into an organized form of campus violence. During the 18th century forming a student organization in college was very much in vogue particularly in European countries.

As has been said above, in the age of child in cradle, the ragging was a harmless practice rather permissible in the society but it had taken shape of brutality, humiliation and harassment after the First World War. In fact the technique, style or forms which the soldiers were brought by them, when they re-entered in the colleges after returning from war. Actually these forms were devised to highlight the importance of the team. Gradually these techniques and forms passed on those persons who did not know the real meaning of the technical word 'hazing' or 'ragging'.



3. RAGGING AND ITS EFFECTS

Ragging is not harmless fun. Students come from different social and cultural backgrounds, and what may be harmless fun for some may turn serious human indignity for some other human being. There are number of cases where some cases the fresher's and ragging intolerable and it leads to loss of self esteem. Ragging some time causes to loss of innocents lives.

Effects of ragging on freshers in different ways.

They are

1. Physical injury through beating, hitting by objects or by forcing to perform dangerous tasks
2. Sexual abuse by forced stripping, masturbation, forced unnatural sex etc.
3. Psychological trauma generated because of intense fear
4. Human Rights abuse
5. Forceful initiation to alcoholism, smoking and drugs
6. Dropping out from college
7. Group Violence
8. Leads to mob mentality and violent mindset
9. Deaths

4. RAGGING AND ABUSE OF HUMAN RIGHTS

Ragging is a traditional and systematical human right abuse in Education and such human right violations in education have not been given proper attention in India, which they otherwise deserve. However, with in United Nation, ragging has been considered as an issue of "Human Rights in education". Education law in India should take note of practice of ragging in educational system as a major obstacle in realization of the "Right to Education".

Blackstone believed that the principal aim of the society "is to protect individuals in the enjoyment of those absolute rights which were vested in them by the immutable laws of nature..." These rights represent the minimal rights that an individual is entitled to have, and which should be not interfered with at any cost. A modern welfare



state gives due recognition to the importance of the rights of individuals and implications of its violation. To illustrate the point, the constitution of India gives due protection to some of the basic and inalienable rights of the individuals under part III of the constitution of India which has been made enforceable and justifiable. Indian constitution begins with a Preamble that eloquently celebrates some of the cherished ideals that form the fresh and blood of the notion of human rights. The preamble gives due emphasis upon the liberty, equality and dignity of individuals, and these pious words adorning the Preamble find their reflection in Part III and Part IV of the constitution. The constitution therefore appears to be committed towards the protection and promotion of the individuals' rights or human rights which are what natural rights were in earlier times. In fact, human rights are natural rights re-incarnated. They have been called the "common language of humanity. The concept of human rights is premised on the idea of the likeliness of all human beings, and the commonality of their basic aspirations and urges. It is accepted that the innate urges of survival, association, and development are alike in all human being; that is why it is desirable to think in terms of claims or rights which would be common to all humankind. Such universally identifiable and acceptable claims of citizens against their government are commonly described as human rights. Human rights in its myriad forms and formulations find place in a number of declarations and conventions that aim at the recognition and protection of people's rights, especially those rights that form the core of the notion of human rights. The Universal Declaration of Human Rights, 1948 through its preamble talks about a human family where all the members thereof have inherent dignity along with equal and inalienable rights. The expression 'human family' connotes orders where the enjoyment of certain inalienable rights is not bound by any in such an order, freedom abounds, justice reigns and peace prevails. Article 1 reminds us that all human beings are born free and equal and they have equal rights and dignity. No one is inferior or superior to another. The declaration recognizes the right to life, liberty and security of a person.

The United Nations Commission on Human Rights, in its Annual Report 2001 advocates 4-A scheme, whereby governmental human rights obligations to make education available, accessible, acceptable and adaptable have been recognized. Education with ragging can hardly be acceptable to anyone and by this way this is well within government obligation to make education free from ragging. Hence, the State



needs to take up the task of making education acceptable to all and elimination of ragging should be construed to be a necessary step in this direction.

The Report of Human Rights Commission calls for:

1. Mainstreaming of human rights in educational strategies
2. The full mobilization of the existing human rights standards for education in order to enable the human rights community to provide a timely contribution to developments which were, until recently, deemed to lie beyond the reach of human rights safeguards.

Ragging is hardly perceived as a serious human rights issue in India and it is high time that human rights community in India (including Governmental and non-governmental players) should consider crafting adequate human rights safeguards against ragging. A careful and analytical analysis brings to fore one by one abuse of all the principles that comprise and fortify the notion of human rights. First, the very act of ragging shows complete disregard to the equality principle. Secondly, liberty of the victim student is invaded. Thirdly, the victim is stripped of dignity. Evil practice of ragging is subversive of human dignity. It is indisputable that the dignity of man is inviolable and that the right to life includes right to live with human dignity. It is primarily the education which brings-forth the dignity of a man. It is however unfortunate those senior students in educational students think that they have got license to defile and desecrate human values and dignity. Sometimes the traumatic experience of ragging is so horrendous that victim is not even treated as a human being. Rather, he or she is treated as an object of amusement and entertainment. That is, in such cases a human ceases to be taken as a human being. Such degradation of human life at the hands of those who will be supposedly the architects of India's future should set the alarm bell ringing.

5. PROHIBITION OF RAGGING

The Raghavan Committee notes that the reported incidents of ragging have, far from abating, actually increasing, and actually increased in the years since 2001. The different State laws define ragging more or less in the same tone. As a matter of fact, the definition of ragging is common to the Acts of Tamil Nadu, Maharashtra and West Bengal. They do take care of the psychological aspect of the trauma, yet do not comprehensively cover-save for the definition in the Chhattisgarh Act, perhaps being



a later piece of legislation- the broader implication of ragging, which the Apex Court itself set out in the ‘Vishwa Jagriti Mission’ matter as:

“Any disorderly conduct whether by words of spoken or written or by an act which has the effect of teasing, treating or handling with rudeness any other student, indulging in rowdy or undisciplined activities which causes or is likely to cause annoyance, hardship or psychological harm or to raise fear or apprehension thereof in a fresher or a junior student or asking the students to do any act or perform something which such student will not in the ordinary course and which has the effect of causing or generating a sense of shame or embarrassment so as to adversely affect the physique of psyche of a fresher or a junior student.”

5.1 RULES AND REGULATION OF UGC AND OTHER STATUTORY BODIES ON CURB OF RAGGING

The University Grants Commission and the statutory bodies such as the AICTE, MCI, DCI, NCI, ICAR as well as affiliating universities and Directorates of Higher, Technical, Agricultural and Medical etc. Education of State Governments, must make it mandatory and ensure that each institution compulsorily incorporates in the ‘prospectus’ and in other admission related documents, the earlier directions or any future directions of the Apex Court and /or of the Central or State Governments as applicable, so that candidates and their parents are sensitized in respect of the prohibition and consequences of ragging. Non compliance with the directives against ragging in any manner whatsoever shall be considered as lowering of academic standards by the errant institution. The regulatory authorities must proceed against such errant institutions by imposing the prescribed penalties already provide under their respective statutes /regulation etc. which they would otherwise have exercised in matters of lowering of academic standards.

Under the regulations, all the educational institutions have been directed to form anti-ragging committees and squads and ensure that no such incidents take place. The regulations have empowered the educational institutions to punish the perpetrators depending upon the severity of the crime. Students in indulging in such activity can be suspended, barred from attending class or library or even rusticated from institutions. To top them all, the ragging can be separately dealt under the Indian penal code. Being aware of the fact that educational institutions may or may not publicize instances



of ragging to prevent damage to their reputation, the UGC has also started the toll free helpline. According to the UGC guidelines, every institution is supposed to put up a notice prohibiting ragging and should also display contact numbers of anti-ragging committee members. Complaints received by the institutions are to be displayed on the website of the institution.

5.2. ROLE OF COLLEGES PREVENTING RAGGING

In many violent cases, colleges have actually denied the incident, or worse, indicates that the freshers had initiated the altercation. The college authority prefers to deny ragging incident for face-saving at the cost of the freshers trauma. In stray cases, where action has been taken against the seniors, public sympathy towards the perpetrator has made justice difficult. Many colleges now try their best to keep the incident under the cover to save themselves from embarrassment and the reputation of the college. The attempts of colleges fall way short of the basic expectations in dealing with ragging incidents.

The colleges should frame Rules and Regulation which should be adopted to maintain co-operation with new entrants. As, for the Recommendation made by the experts the college should adopt to curb the cruel nature of students in form ragging. The college should form committee the principal as chair person. This committee should meet new students and motivate them to upraise their problems to be posed by the senior student. Merciless action shall be taken against students who have involved in cruel ragging. They should take assistance of police to curb menace in their institutions. Further the colleges should adopt the Recommendations made by the committee to deal with hurdles created by ragging.

5.3. RECOMMENDATIONS OF RAGHAVAN COMMITTEE ON CURBING OF RAGGING IN EDUCATIONAL INSTITUTIONS

The Supreme Court appointed Raghavan Committee entrust to monitor the measure to prevent ragging in higher educational institutions.

He highlighted that the Supreme Court had endorsed all the major recommendations of the Raghavan committee report and advised regulatory bodies to modify their anti-ragging regulations in accordance with the directions of the Supreme Court.



Raghavan Committee Recommendations:

- a. Primary responsibility for curbing ragging rests with academic institutions themselves
- b. Ragging adversely impacts the standards of higher education
- c. Incentives should be available to institution for cubing the menace and there should be disincentives for failure to do so
- d. Enrolment in academic pursuits or a campus life should not immunize any adult citizen from penal provision of the laws of the land.
- e. Ragging needs to be perceived as failure to inculcate human values from the schooling stage
- f. Behavioural patterns among students, particularly potential raggers, need to be identified
- g. Measures against ragging must deter its recurrence
- h. Concerted action is required at the level of the school, higher educational institution, district administration, university, state and central Governments to make any curb effective
- i. Media and the Civil Society should be involved in this exercise.

6.4. GUIDELINES OF SUPREME COURT TO DEAL WITH THE EVIL

In exercise of the jurisdiction conferred by Article 32 and Article 142 of the Constitution Supreme Court issue the following guidelines:-

Supreme Court views with concern the increase in the number of incidents of ragging in educational institutions. Some of the reported incidents have crossed the limits of decency, morality and humanity. Some of the States have acted by enacting legislation and making ragging as defined therein a cognizable and punishable offence. However, we feel ragging cannot be cured merely by making it a cognizable criminal offence. Moreover we feel that the acts of indiscipline and misbehavior on the part of the students must primarily be dealt with within the institution and by exercise of the disciplinary authority of the teachers over the students and of the management of the institutions over the teachers and students. Students ought to not ordinarily be subjected to police-action unless it to be unavoidable.



The students going to educational institutions for learning should not remain under constant fear of being dealt with by police and sent to jail and face the courts. The faith in the teachers for the purpose of maintain discipline should be restored and the responsibility fixed by emphasizing the same. Broadly speaking Ragging is: Any disorderly conduct whether by words spoken or written or by an act which the effect of teasing, treating or handling with rudeness any other student, indulging in rowdy or in-disciplined activities which causes or is likely to cause annoyance, hardship or psychological harm or to raise fear or apprehension thereof in a fresher or a junior student or asking the students to do any act or perform something which such student will not do in the ordinary course and which has the effect of causing or generating a sense of shame or embarrassment so as to adversely affect the physique or psyche of a fresher or a junior student.

The cause of indulging in ragging is deriving a sadistic pleasure or showing off power, authority or superiority by the seniors over their juniors or freshers. Ragging can, be stopped by creating awareness amongst the students, teachers and parents that ragging is a reprehensible act which does no good to any one and by simultaneously generating an atmosphere of discipline by sending a clear message that no act of ragging shall be tolerated and any act of ragging shall not go unnoticed and unpunished. Anti-ragging movement should be initiated by the institutions right from the time of advertisement for admissions. The prospectus, the form for admission and / or any other literature issued to aspirants for admission must clearly mention that ragging is banned in the institution and any one indulging in ragging is likely to be punished appropriately which punishment many include expulsion from the institution, suspension from the institution or classes for a limited period or fine with a public apology.

The punishment may be also take the shape of:

- (i) withholding scholarships or other benefits
- (ii) debarring from representation in events
- (iii) withhold results
- (iv) suspension or expulsion from hostels or mess and the like.

If there be any legislation governing ragging or any provisions in the Statute/ Ordinances they should be brought to the notice of the students/parents seeking



admissions application form for admission/ enrolment shall have a printed undertaking to be filled up and signed by the candidate to the effect that he/she is aware of the institution's approach towards ragging and the punishments to which he or she shall be liable if found guilty of ragging. A similar undertaking shall be obtained from the parent/ guardian of the applicant. Such of the institutions as are introducing such a system for the first time shall ensure undertakings being obtained from the students and then parents/ guardians already studying. A printed leaflet detailing when and to whom one has to turn for information, help and guidance for various purposes, keeping in view the needs of new entrants in the institutions, along with the addresses and telephone number of such persons, should be given to freshers at the time of admissions so that the freshers need not look up to the seniors for help in such matters and feel indebted to or obliged by them.

The management, the principal, the teaching staff should interact with freshers and take them in confidence by apprising them of their rights as well as obligation to fight against ragging and to generate confidence in their mind that any instance of ragging to which they are subjected or which comes in their knowledge should forthwith be brought their knowledge and shall be promptly dealt with while protecting the head of the institution or a person high in authority addresses meetings of teachers, parents and students collectively in groups in this behalf.

At the commencement of the academic session, the institution should constitute a proctorial committee consisting of seniors faculty members and hostels authorities like wardens and a few responsible senior students: to keep a continuous watch and vigil over ragging so as to prevent its occurrence and recurrence, to promptly deal with the incidents of ragging brought to its notice and summarily punish the guilty either by itself or by putting-forth its finding/ recommendation/ suggestions before the authority competent to take decision.

The local community and the students in particular must be made aware of dehumanizing effect of ragging inherent in its perversity. Posters, notice boards and sign-boards wherever necessary, may be used for the purpose.

Failure to prevent ragging shall be construed as an act of negligence in maintaining discipline in the institution on the part of the management, the principal and the persons in authority of the institution. Similar responsibility shall be liable to be



fixed on hostel wardens/ superintendent.

Ragging, if it becomes unmanageable or amounts to a cognizable offence, the same may be reported to the police. However, the police should be called in or allowed entry in the campus at the instance of the head of the institution or person in charge. We expect the police also deals with such incidents when brought to its notice for action by keeping in mind that they are dealing with students and not criminals.

The action of the police should never violent and be always guided by a correctional attitude. The UGC shall bring these guidelines to the notice of the educational institutions. Publicity may also be given by issuing press notices in public interest by the UGC and the Government.

The superstitious beliefs about ragging get their strength both from the society and the college administration. In the society either people have already gone through ragging and therefore later it or else they see it as a mild practice of singing and dancing.

7. CONCLUSION

School and College life is very important in every body's life, because it is not only determines the future of a person but also is a time when most students understand the realities of life. So the practice of ragging affects the future of newcomers. It is clear that ragging is a criminal problem which has psychological roots and social ignorance around it. It is somewhat like dowry in its characteristics i.e it the magnitude of the problem is so humongous that a top-down law enforcement approach may not be adequate to solve it.

In a country where the constitution incorporates some of the noblest civil and political rights, it is saddening that these continue to be flouted and violated with impunity. Does it suggest we are living in a period where people, especially the younger generation has scant respect for these rights? Though it may be argued that those who do such heinous acts are fewer in number, it is a disturbing and ominous trend which needs to be curbed.

Unfortunately, ragging does not have a quick-fix solution. Passing a law or even implementing it will not solve the problem. We must understand that unless the society condemns it, ragging cannot be eliminated. We require a focused and



concentrated effort to educate the masses.

Educational institutions need to take responsibility for preventing ragging from occurring in them. This is responsibility has been imposed on them because the administration of educational institutions posses the ability to put in place measures which will prevent the occurrence of ragging. However, in order to completely eradicate ragging, it is essential that students themselves refrain from indulging in such activities. Mere interaction with fresh entrants however, should not be curtailed as it is essential that good relations are formed with senior students whose assistance is required during the course of one's studies. The nature of such interaction should be positive and the test to determine if interaction is positive is to ask the question of whether the interaction made the junior uncomfortable or not.

A periodical review of the implementation of the guidelines needs to be undertaken to gauge the efficacy of the same. The co-relation between the implementation of the guidelines and the reporting of incidents needs to be analyzed in order to determine whether the implementation of the guidelines is having a positive effect.

Needless to say when the vital cells of the organism show signs of becoming cancerous, doomsday will not be vary far especially in view of G. Belvob's observation that "The states has large groups of people it its employ... Together, all of these groups form the state's political system. Today's student's is tomorrow's future of the country. If he or she has no regard for the human rights of other fellow students, it will be a foolhardy to expect him or her to be a responsible citizen of tomorrow's India.

"If education, and in particular Higher Education, is to serve as the lever to the great surge forward of the Indian nation, the scourge of ragging which corrodes the vitals of our campuses needs to be curbed...."

.....Ragging adversely impacts the standards of higher education...."

Raghavan Committee

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