



## Principal's Message

I congratulate the Staff and Students of the Department of Sociology on the release of their maiden newsletter titled Samajya for the academic year 2021-2022. I wish many more such newsletters appear in the near future.

As a member of the Department of Sociology it is a pleasure to see students dissecting and analysing the idea of the State. Having a critical perspective would make students more involved in the functioning of the State rather than be disillusioned by it. When the pen becomes mightier than the word, state accountability to its people become a given. It is wonderful to see the students attempting that. The opinion piece by Swathi on how the Russian State funds War is very informative. The multi-nation indirect involvement in funding such ventures makes us introspect on our contributions as a State to sustain such a war.

Parvathy's stand on the problems with prisons and the injustice that women prisoners and under trials face is necessary



to understand the right to a dignified life and what it actually would entail. This seems to stem from the class with Adv. Bindu Doddahatti on Abolition Feminism that looks at alternatives to a Carceral State. Adv. Ashwini Obulesh educating the non-teaching, teaching and student fraternity on Prevention of Sexual Harassment at Work Place Act 2013 in a language that was accessible helped dissect the idea of power. Adv. Ruth Thomas speaking of marginality of the migrant population in the informal sector was eye opening.

The different resource persons called by the department to engage with students have very interesting portfolios. All of them are advocates working on bringing justice to women and those marginalised. Adv. Doddahatti has received her LLM from University of Pennsylvania, teaching at Azim Premji University and is a lawyer working on Human Rights Adv. Obulesh is a graduate from National Law School India University, Bengaluru. Adv. Ruth Thomas is a graduate from National University of Advanced Legal Studies, Kochi. Their knowledge and exposure would assist students in connecting theory to practical reality. I wish the Department the very best in their future endeavours and hope more renowned resource persons address the students and share their knowledge and experiences with them. More importantly students write and share their opinions more on pertinent issues through this newsletter.

# OPINION

## JUSTICE SYSTEM OR INJUSTICE SYSTEM?

We've heard about many cases of police brutality and the inhumane treatment of those who're imprisoned, in India. If you take women's prisons for example, they weren't provided proper legal assistance the way men were until a case brought to light in 1983. Despite Article 39-A of the Constitution which states that legal aid should be mandatorily provided to underprivileged people with free of cost, no proper aid was provided according to the Article 39-A to the people. Most people in prisons are those who're undertrial, forced to remain there for longer period of time due to the incompetency of our legal system.

This incompetency was further proven by how they handled the pandemic: despite the Court stating that a large number of prisoners to be released on parole to reduce the outbreak, they were still one of the most vulnerable groups due to how congested prisons are; people in isolation weren't given proper care because of the lack of compassion towards prisoners, there weren't enough medical professionals to set up care centers, and not enough space for the large population of prisoners to practice physical distancing.

Those who're in prisons don't have proper hygiene and sanitation facilities, especially with respect to menstrual hygiene; along with this, lack of proper medical care and psychological support, sexual violence, exploitation of labor, stripping people the right over their own body and privacy, police brutality, and overcrowding are major issues which people in prisons face.

There is also a clear bias in who populate these prisons. More than half of the population in Indian prisons are people from the Dalit, Bahujan, and Adivasi (DBA) community, and Muslims; many are arrested under the Anti-Terror Law and on sedition charges, from areas where the military enjoys impunity and those who speak up against atrocities committed against them are silenced, people with psychological illnesses, from the Hijra/queer community.



When it's clearly the marginalized groups who're the majority in prisons, it's not surprising that not many higher-ups care to ensure their right to dignity and protection.

There have been measures taken to fix this broken system, but if we go to the roots, we'll see that many who are currently in prisons are there because of their social status and are purposely targeted; many others don't belong in prisons, but mental health care centers where they ought to receive actual help; many, including gender minorities are incarcerated for trying to earn a living in a country where they're not given job opportunities.

We're taught that prisons exist to rehabilitate people, to make things right – but when there are so many who have to wait in a prison for years to be called to Court; when there are so many who're denied their basic human rights; denied legal aid; where is rehabilitation? Where is justice?

Do we really want progress or do we just want to remove “undesirable” people from view? If our current system is this ineffective, isn't it time we looked at other forms of justice than imprisonment?



Parvathy Menon,  
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## "WHO DRIVES PUTIN'S WAR MACHINE?"

Just four months ago, Boris Johnson said-"The old concepts of big tank battles on the European landmasses are over". But on February 24th Russia invaded Ukraine. Putin probably expected an easy path ahead to overthrow the democratic regime in Ukraine, but the resistance has been unbelievably strong. Most Western nations have expressed solidarity with Ukraine. Imposing seemingly heavy sanctions on Russia, they hoped that if they target it's economy eventually Putin will have to force his troops back to pre-February 24th borders. But Putin's aggressive geopolitical ambitions have not subsided so far, making us wonder whether these sanctions are working at all.

Ever since 1991, Russia's growth seemed to no improvement in their average growth rate, that remained at a mere 2 percent and the average inflation rate at an alarming 8 percent.

So how has Putin been financing his war crimes? It seems we have been dangerously overemphasizing their weakness and grossly underestimating the size and resiliency of their reserves.

The Russian economy has been a self-sustaining one with a massive agricultural sector, plenty of raw materials including energy, an advanced IT sector and the aerospace industry. Even during the Crimean annexation in 2004, the Russian economy was on the brink of a massive recession.

How has Putin managed to dodge the strain the war puts on the economy? It seems this was Putin's plan all along. The reserves in Russia's Central Bank are at a record-level high that even while being the 11th largest economy in the world, Russia holds the 5th largest stockpile of foreign currency. Russia was aware of the strain that the war would put on the economy. But it seems they started diversifying their "war chest" long back. While 60 percent of most countries' foreign reserves are in dollars. Russia knew all along that US could freeze it's reserves during a crisis, so 32 percent of Russia's reserves are in Euros, 13 percent in Yuan, 22 percent in gold, 6.5 percent in Pounds and 10 percent in other currencies. Putin has long been trying to 'de-dollarize' Russia's economy.

As for their ties with Europe, it is not a problem because ,Europe spends as much as 1 billion dollars a day to import oil, gas, and coal from Russia, indirectly financing the Russian war machine rolling through Ukraine. Europe remains Russia's largest market for its energy products, and this trade accounts for 40 percent of the Russian budget. Even if Europe were to impose heavier sanctions on Russia, they know they would be hurt than Putin would ever be from their actions.



As for the UK, only 5 percent of it's energy comes from Russia but for years the UK has been welcoming Russian billionaires into the land through a loophole that allows them to invest their "ill-gotten" money in mansions, football clubs, newspapers of the UK anonymously, while the governments were busy seizing operations of US and European companies in Russia, these assets remain untouched in the foreign lands. The conservative party has also been criticized in this context for constantly welcoming "donations" from Russia.

Makes one wonder, have the responses of the world governments been strong enough? Mateusz Morawiecki , the Poland Prime Minister was the first one to point out this paradox of how the European Union's over-dependence on Russia has financially empowered Putin and his geopolitical aggression. Joseph Borrell (former Spanish foreign minister) has also pointed out how Europe continues to pay the equivalent of the amount of Russian assets frozen because of it's dependency on Russia for energy.

Has Putin been neutralizing the West as a threat to his ambitions by calculating that it's economic interests will trump it's moral and political interests? Given the situation, the readers are inclined to think so. The only solution at this point seems to be cutting off European dependency on Russia for energy.

Surely it comes with a price. But a price that these nations can afford to pay by increasing imports from other suppliers, reducing consumption, improving energy efficiency and even developing new and sustainable energy sources.



Swathi p,  
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## ASSAMESE ASSERTION OF IDENTITY THROUGH THE CAA

The Citizenship Amendment Act gave rise to protests in Assam that spread like wildfire in different areas of the region when the Bill was introduced in the Parliament on the 4th of December 2019. Assam was the first state to witness the protests followed by different regions in the Northeast and the mainland India which created confusion and chaos of jurisdiction in terms of providing justice to people as well as state welfare.

The Assamese people feared that CAA would lead to an immense number of Hindu immigrants from Bangladesh swamping indigenous communities, threatening their identity, culture and tradition. Dating back to history there was a treaty signed between the Rajiv Gandhi Government and the leaders of Assam Movement in the year 1985 which was known as Assam Accord.



Anti-CAA protests spring from the breach of contract of Assam Accord which stated the identification and deport of illegal Bangladeshi immigrants residing in Assam. Since the 19th century when colonialism took place, Britishers encouraged the influx of Bengali migrants and even decided to treat Bengali as the official language of the state.

The partition of 1947 gave rise to migration of Bengali immigrants and again in the year 1971 that created violent agitation saw more settlers coming from Bangladesh which violated the Accord. The fear stems from the cultural oppression experienced by the indigenous community of Assam. The breach of the Accord also meant violation of the clause 6 of Assam Accord that promised to protect, preserve and promote the cultural, social, linguistic identity and heritage of the Assamese people. Many leaders quit BJP in order to support the fierce protests that took place across the state.

CAA hits at the ethnic fault line in states like Assam where there has been a history of Bengali-Assamese infighting. With an increasing share of the Bengali population in the proportion of people in Assam and the relative decline of the Assamese targeting education and employment as well, the criticism of CAA has taken an ethnic root. Legislation may be a factor for a section of voters in urban areas however it won't affect how people vote in the rural areas, while the government's welfare schemes targeting all segments of the population could play a bigger role in the election. Hence it has festered due to local ethnic insecurities and local vote bank politics which defines that it is not just an issue confined to the state of Assam but the entire mainland India.



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# EVENTS

## CARCERAL FEMINISM AND ALTERNATIVE MODELS OF JUSTICE



ADV. BINDU DODDAHATTI  
(Resource Person)

Violent crimes such as domestic violence, rape, kidnapping, murder are seen to only increase in numbers despite stringent measures taken by the state to circumvent it. Wonder why that is the case? Has strict policing or severe punishment ever done any justice to the victim or has it ever brought down the number of crimes committed? Harsher laws have only criminalized or marginalized people of several communities such as the Indigenous, Adivasis, Dalits, Muslims; and it has never brought about any systemic or cultural change. Carceral feminism is a feminist approach that supports punitive policies such as policing, prosecution, and imprisonment to resolve sexual or gendered violence in the hope that it will help reduce the crimes against women in society. It is a term coined by feminist sociologist Elizabeth Bernstein in an article titled *The Sexual Politics Of The New Abolitionism*. Carceral politics depends largely on the state's judicial apparatus to punish perpetrators instead of resolving the larger systemic social problem. It, in fact, reinforces the victim-perpetrator dichotomy which fails to address issues of sexual violence against women beyond the level of the individual.

According to NCRB (2020), there is about a 39% rate of conviction with regard to rape, domestic violence, unless a woman dies, action is not seriously taken by the apparatuses of the state. The Indian government has always resorted to easier means when comes to addressing violence against women and children by awarding the perpetrators with a death penalty, sadly that does not resolve the issue at hand.

What is even more interesting to note is that caste and economic status determines who gets punished—a large number of people who face death penalty sentences, not only those pertaining to gendered violence but in general come from poor and marginalized communities – SC, ST, Muslims, Indigenous etc.

They are always at the receiving end of punishment mandated by the law and the carceral state because they do not come from economically well-off backgrounds nor do they have political connections or belong to a caste that has social prominence.

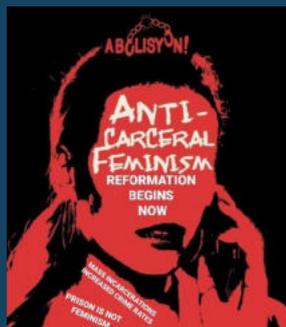
Criminal justice systems, the state and the police in India are controlled predominantly by the upper-caste and dominant-caste communities, they draft and enforce laws while the historically marginalized communities bare the brunt of these laws. Both the Hathras case and Nirbhaya case can be compared to get a glimpse of the discriminatory nuances of the justice system. The upper caste perpetrators of the Hathras case were allowed a free pass when they raped a girl belonging to the lower caste whereas in Nirbhaya's case the perpetrators belonged to OBC, General Class, economically poor with no political or dominant caste affiliations, all 4 convicts were hanged.

The perpetrators who belong to dominant upper caste generally tend to escape the punitive shackles of the state and law while the perpetrators belonging to other or marginalized sections of society are either hung or are sent to prisons where they are further subjected to dehumanizing and deplorable conditions, leaving no scope for any form of rehabilitation or reformation.

The law is ever only imposed on the poor of this country and not the rich. Prison population constitutes Dalits, Adivasi, Muslims, who are disproportionately imprisoned.

The imprisoned further come out as hardened criminals, unable to reintegrate back to the society due to lack of support from its community they resort to what they know best which is to kill, steal etc.

Carceral politics also affects marginal communities by criminalizing an entire community of people, for example when one brings sex work into the ambit of human trafficking, women who resort to sex work as means of livelihood are not only penalized and criminalized, their communities too experience the wrath of further criminalization. Carceral state which is run by patriarchal dominant caste and class is only interested in retribution and carceral impulse can be seen powerful across all political, economical and social spectrums.



It is important to understand that punishing is easy but it does not bring about rehabilitation and reformation. As we have established that having higher and stringent measures does not lead to societal change that we hope, instead people with specific backgrounds fall prey to these measures while people with money belonging to dominant caste or religious, with political influence or are economically privileged tend to get away from the clutches of the law quite easily. We don't need stringent laws but rather we need a complete overhaul of the system itself and how the law functions. It is imperative to move away from carceral models, talk about alternatives to heal the society rather than be retributive.

Restorative justice models, transformative justice models or community lead models, adopted by Nordic countries, South Africa, aims towards repairing harm when it has been caused— not through carceral means, but as a community negotiation- where the focus is to help the aggrieved person and the perpetrator (and anyone else involved) reach harmony, a sense of justice being fulfilled without punitive actions.

Whenever crime occurs, communities need to take initiative to resolve the issue instead of calling the police and then hold the perpetrator accountable by community standards. Restorative or Transformative justice structures with egalitarian representation need to be set up within the communities for this to work.

It is a different outlook which seeks to resolve issues in a healthy manner whereby the victim takes center-stage and is given agency and the perpetrator too is held accountable for their actions is given an opportunity to unlearn and relearn. As a society we need to strive to move towards constructive and progressive justice models that uphold human dignity and not humiliation, degradation and dehumanization.



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## CROSSING THE LINE: HARASSMENT IN THE WORKPLACE AND EDUCATION



ADV. ASHWINI OBULESH  
(Resource Person)

When the #MeToo movement peaked, the once veiled hush-hush topic of “sexual harassment at the workplace” had been exposed. Unfortunately, incidents of workplace harassment are not uncommon, not even in educational institutions, which are considered the pinnacle of morals and ethics. Sexual harassment, in both education and the workplace, is an unwelcome behaviour of a sexual nature that takes a personal toll on the victims' lives at unparalleled levels: in the case of students, it interferes with their ability to learn, study, work, or participate in school activities.

In the case of workplace harassment, the employee faces career interruptions and other problems related to professional life, along with the mental and physical strain it puts on them. Most of these incidents are swept under the rug, making it hard to define and quantify the extent of sexual harassment.

In association with IQAC, the Department of Sociology discussed the Sexual Harassment at Work Place Act 2013 with a Focus on Educational Institutions on 12th September 2021 for students and on 15th September 2021 for non-teaching staff in St. Joseph's Auditorium. The seminar provided a platform for the audience to extend their knowledge into the dynamics of workplace harassment and its types, the acts, the POSH act in particular, and organisations available to support them. The importance of respecting associates in any organisation or institution was articulated. The discussion was run by Ms Ashwini Obulesh, Advocate of the High court of Karnataka and Founder Trustee of Dhvani, a legal Trust.

Relationships between students and teachers can often be quite intimate and tightly bonded as they share common passions and interests. Students are dependent on their teachers' approval for academic and career success or opportunities. They may share personal issues, and such closeness and intimacy can blur professional and personal boundaries, creating an imbalance in teacher-student power dynamics.

In many cases, this power dynamics can lead the teacher to take advantage of the impressionable student, trapping them in the sexual harassment cycle.

In many cases where the student isn't emotionally attached, the teacher can use the authoritarian card or the "tit for tat" tactic, putting the student in a compromising position.

In the case of workplace harassment, too, it is the chaotic imbalance between the employer and the employee that is the responsible factor. The employer plays the authoritarian role. The employee is dependent on the employer for their career boost and other professional opportunities. As with the case of sexual harassment in education, an emotional attachment between an employer and employee is not necessary. The employer can easily pull out the authoritarian card to hurt their employee, jeopardising their life.

During such distressing times, the importance of the POSH act and the significance of the presence of an Internal Complaints Committee to receive and handle complaints of harassment is realised. These were brilliantly discussed by Ms Ashwini Obulesh. Overall, the seminar was informative and enlightening. It was an imperative discussion that helped raise awareness of the concepts of harassment and the assistance available to support people.

The POSH Act mandates every company to constitute an Internal Complaints Committee (ICC) to receive and handle complaints of harassment in a prescribed manner which includes confidentiality and is done within a time frame. The Act is a sort of mechanism for redressing complaints and safeguards against false or malicious charges and specified penalties for employers who aren't compliant with the provisions of the Act.

If a prima facie case of professional misconduct exists, the Act insists on a complete investigation of the situation. The workplace concept includes both organised and unorganised sectors, corporate and private as well, extending its protection over women from all industries. Therefore, the Act tries to ensure a safe working environment for women.



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## MIGRATION AND ISSUES AROUND VULNERABLE GROUP RIGHTS



ADV. RUTH THOMAS  
(Resource Person)

On 24th February 2022, in the light of celebrating the 75th anniversary of Indian Independence, "Azadi ka Amrut Mahotsav" the department of Sociology organized a guest lecture on the topic, "Migration and Issues around Vulnerable Group Rights." The resource person was Miss Ruth Thomas, the Co-founder of SRT Law Associates. This event took place at 1 pm, in the admin block of Jyoti Nivas College Autonomous.

Miss Ruth Thomas spoke about migration and the human rights violation faced by migrants, especially immigrant labourers.

She discussed the meaning and types of migration, and the pros and cons of labourers migrating for jobs. The way labourers are migrated and exploited by capitalist contractors in the name of "well-paid" jobs was discussed. Immediate concerns faced by such migrant workers relate to food, shelter, healthcare, fear of getting infected or spreading the infection, loss of wages, concerns about the family, anxiety and fear, harassment and negative reactions of the local community.

She explained about bonded labourers, their problems, obligations, rights and freedoms. Bonded Labour is when a person forfeits their rights and freedoms due to the debt they owe or due to other such obligations. She also spoke about the Bonded Labour Abolition Act (1976), Interstate Migrant Workers Act (1979) and Child Protection Laws such as Child Labour and Prohibition Act (1986). The types of obligations used against bonded labourers to exploit them as human resources may be due to the succession of debt, informal or social obligations, or due to the caste or community that they belong from.

Migrants often leave their home communities due to extreme poverty and face exploitation as they search for work in unfamiliar terrain. They are commonly subject to subcontracting schemes and precarious jobs in the informal economy. They make vital economic contributions, but face a serious lack of workplace protection and social security.

All this calls for strong social protection for migrant labourers and their vulnerable groups. Despite the abolition of the zamindari system, land reforms, the Bhoodan movement, enactment of legislation (Bonded Labour Abolition Act, 1976), the establishment of Panchayati Raj, the interest shown by Social Action Groups and spirited individuals from society, lakhs of bonded labourers continue to be exploited and carry the yoke of neglect, suffering and frustration in abject silence, out of these lakhs, most of the exploited population belong from the lower castes such as Scheduled Caste and Scheduled Tribes and are usually from the most backward rural areas of India.

The rights and freedoms of every labour include:

- Freedom to work (for at least minimum wages or more)
- Freedom of choice of work
- Freedom to travel
- Freedom to buy or sell goods at market prices.

The mentioned legislative Acts and Freedoms protect the labourers and allow them to make their own choices about where they want to work, with favourable and humane conditions.

Although there are a lot of other problems of the labourers that have gone unnoticed or ignored, the judiciary is working towards sharpening the labour laws of this country to protect them better from being treated inhumanely and to improve their living and working conditions.



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