Child Sexual Abuse in Sikkim: A Sociological Study

A Dissertation Submitted

To Sikkim University



In Partial Fulfilment of the Requirement for the **Degree of Master of Philosophy**

By **Kimla Dorjee Bhutia**

Department of Sociology School of Social Sciences

February, 2019



DEPARTMENT OF SOCIOLOGY SCHOOL OF SOCIAL SCIENCES SIKKIM UNIVERSITY

Date: 07/02/2019

DECLARATION

I, Kimla Dorjee Bhutia, hereby declare that the research work embodied in the dissertation titled "Child Sexual Abuse in Sikkim: A Sociological Study" submitted to the Sikkim University in partial fulfillment of the requirement for the award of the degree of Master of Philosophy, is my original work. Any content or any part of this dissertation has not been submitted for any degree of this university or any other university.

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37-02. Head

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CERTIFICATE

This is to certify that the dissertation entitled "Child Sexual Abuse in Sikkim: A Sociological Study" submitted to the Sikkim University in partial fulfillment of the requirement for the award of the degree of Master of Philosophy in the Department of Sociology, embodies the result of *bona fide* research work carried out by Kimla Dorjee Bhutia under my guidance and supervision. No part of the dissertation has been submitted for any other degree, diploma, associate-ship or fellowship.

All the assistance and help received during the course of the investigation have been duly acknowledged by him.

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Kimla Dorjee Bhutia

List of Abbreviations:

CAN: Child Abuse and Neglect

CRC: Conventions on the Rights of the Child

CSA: Child Sexual Abuse

GPU: Gram Panchayat Unit

IPC: Indian Penal Code

LPG: Liberalization Privatization and Globalization

MGNREGA: Mahatma Gandhi National Rural Employment Guarantee Act

POCSO: Protection of Children from Sexual Offences

SDR: Sikkim Development Report

SHDR: Sikkim Human Development Report

SWC: State Commission for Women

UN: United Nations

UNCRC: United Nations Convention on the Rights of the Child

WHO: World Health Organization

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CHAPTER-I

Introduction

1.1 Background of the Study:

The moment a child is born, the governing principles are driven by categories of class, caste, gender, region, religion automatically gets attached to the child. From day one every event that occurs in one's life plays an important role to shape her/his future. Generally, childhood memories bring a smile on one's face, but unfortunately, this is not the case for everyone as many children have different experiences, some even experience abuse during their early childhood days. Child abuse has been traced in art, literature, and science in various parts of the world for a long time. Child abuse or maltreatment involves all types of physical abuse, sexual abuse, emotional abuse and neglect (Krug, et.al., 2002: 59) Today child sexual assault is recognized as one of the more significant problems of the modern world. (Barbaree, and Marshall, 2006: 1).Child sexual abuse is a dreadful reality – a reality whose definition and scope and the concept are socially constructed phenomena (Bolen, 2002: 11). Therefore, to comprehend child sexual abuse and society's reaction, it is imperative to understand the socio-cultural perspective within which it is identified and conceptualized (ibid2002: 11). There can never be an ultimate explanation of child sexual abuse because the way we view, define and understand it, changes across time and place. Consequently, how it affects people and what should be done about it also remains a considerable matter for social argument and public discussion. Having said this it cannot be overlooked that, there is some consensus globally that, child sexual abuse is largely related with negative psychological and social consequences (Warner, 2009: 16). Sexual abuse is usually a concealed felony; there are no figures which reveal the actual number of cases that happen each year. Statistics covers merely the cases which are revealed or reported to police or child protection agencies. Child sexual abuse is such a controversial issue that it has no clear cut risk markers, unlike, other abuse. There are no single clear reasons for such kind of offense. Ebbe and Das state that its core causes, namely poverty, and inequality of power, have not been adequately addressed. They further add that the phenomenon of 'globalization' has indeed intensified this problem (Ebbe & Das, 2010: 16).

Even though abuse of children is against the law in almost every country in the world, yet it exists everywhere. Few practices are denounced by custom and tradition, while some are limited by law. The genesis of criminal abuse of children is intrinsic in the social systems of all societies and some of these causes are inevitable. Every government has sweated to combat this offense through various means; unfortunately, all these involvement are far from satisfactory to deal with this problem proficiently (ibid: 2010:43).

1.2 History of Childhood:

The foremost step in defining child sexual abuse is to study the transitional period from childhood to adulthood which is inevitably connected with human sexuality and the apparent ability to develop informed consent to sexual relations. Many have assumed a common definition of childhood, but in reality, definitions vary across cultures and over time (Davidson, 2008: 1). The Greek and Roman civilizations period are regarded as a period of great enlightenment. The status of children during these times was hardly fortunate. Great thinkers such as Plato and Aristotle wrote of the importance of education and politics in great length, yet they also defended practices that would seem unthinkable today. Like infanticide, killings of newborns were common and viewed as an appropriate way to deal with illegitimate, unhealthy or simply unwanted babies (Briener, 1990; Langer, 1974; cited in Vasta, Haith, Miller 199: 5). During these periods of history, severe punishment and the sexual exploitation of children were neither uncommon nor considered wrong or cruel. For example, the Romans bought and sold children for various purposes, like domestic work and services in brothels for the sexual pleasure of adults (Mounteer, 1987; cited in Vasta et al., 199: 5).

Philippe Aries argued that in medieval Europe 'the idea of childhood' did not exist (Thane, 2009:4-5). In medieval society, such modern consciousness of childhood was lacking. He argued that it was only in the 13th century, and most particularly in the sixteenth and seventeenth centuries, a new consciousness began to emerge, regarding the specific nature of childhood at least among the prosperous middle and upper strata of society. By the eighteenth century, childhood and adult leisure became increasingly commercialized (ibid: 4-5). Hence, the creation of childhood is seen as a relatively recent development of the last four hundred years, it is difficult to explain just when the stage of adulthood is attained since the criteria for measuring this particular plateau do not appear to be very constant over time (Springhall, 2009: 42). Irrespective of what children really are – we cannot discern about them unless we look at them through particular cultural and historical frames or discourses which structure that reality (Reavey & Warner, 2003: 37).

Sociological theory embodies the established concept of society and its necessary influence into the consciousness of the members of the society (especially children) a process termed socialization. The course of influence is obvious in the sense that 'the the individuals are shaped by the society' (James, Jenks & Prout, 2009: 83). But for a long time, sociology neglected the topic of childhood as it was studied only under the broad umbrella of 'sociology of the family.' Now there is a new approach in the

understanding of childhood, which is social constructionism - an approach that can be found in the works of Jenks (1982b), Stainton – Rogers et al. (19898) and James and Prout (1990b). According to Social Constructionist theory, to understand childhood or any phenomena one must suspend the belief in what we know, the conjecture about the reality and fundamental powers of a social structure or in other words taken for granted meanings. With this approach, childhood is variable and intentional. They are more likely of the view that natural and social forces do not form children rather they dwell in their own world of sense that they create through their interactions with the adults (ibid: 85, 86).

In the Charter of the United Nations of 1945, lies the foundation of freedom and justice and peace in the world recognizing the innate dignity for all members and equal and complete rights for every individual. In the Universal Declaration of Human Rights and in the International Covenants on Human Rights- it is stated and accepted that each person is allowed to all constitutional rights and freedoms set forth in that respect, without any kind of distinction, such as race, color, sex, language, religion, political or another opinion, national or social origin, property, birth or another status according to the United Nations. It also declared that childhood is permitted to special care and support (Goldson &Munice, 2015: 3).

There are different opinions regarding the age below which a person should be regarded as a child. The criterion for defining the age of a child varies across different countries. However, United Nations Conventions on the Right of the Child, which came into force on 2nd September 1990 under Article 1 defines "child as a person below the age of eighteen unless the laws of a selected country set the legal status for adulthood younger. The Committee on the Rights of the Child, the monitoring body

for the Convention, has encouraged States to review the age of majority if it is set below eighteen and to extend the amount of protection for all children underneath eighteen"(Weiss and Daws, 2007).

1.3 Definition of Abuse:

There is a myriad definition of abuse globally; it is complex to comprehend the exact understanding of abuse (Gelles, 1973: 1). Therefore, one must take into consideration, the differing principles and prospect for parenting behavior in a series of background around the world for any global approach to child abuse. Those that are acceptable parenting practices in one culture may not be the same everywhere. However, the societal norm segregates the limitations of tolerable corrections of a child and physical, emotional, psychological and mental injury to the child. In conventional societies, the boundaries of conduct norm are set by customs and traditions while in more advanced industrialized countries, instead of conduct norms, laws are used to explain and control behaviors and attitudes. As a result, the explanation of maltreatment of women and children is not alike in all countries (Ebbe and Das, 2010: 4). In general, abuse could be perpetrated based on several factors like environmental, human or situational. Whatever may be the reason to commit any form of abuse is purely unacceptable because of its negative consequences on the victim (Smith, 2008: 10). Alice Flanagan defines child abuse as "any non-accidental injury or an act or omission by the child's parent, caretaker or guardian which results in some injury or an imminent risk of serious harm or substantial risk of death, impairment of health, or loss of impairment of function to the child". He also distinguishes between active abuse, which includes sexual or physical abuse (non-accidental injury), and passive abuse, which includes neglect (acts of omission). The most general forms of abuse are physical abuse, emotional abuse, sexual abuse and neglect" (Moffatt, 2003: 46).

Sexual abuse is appearing as one of the most important forms of child abuse (Finkelhor, 1982: 95). Its definitions vary widely from place to place. Sexual abuse is a non-consensual relationship, one where there is a clue of an effort to exercise control over the other, to disgrace or please sexual urges of the executor (Smith, 2008: 10).C. Henry Kempe explains sexual behavior of children within their societal and cultural conditions and comments that: sexual maltreatment is the involvement of needy developmentally young children and youth in sexual activities who cannot fully perceive, to which they are unable to give informed consent, and which violate the social taboos of way of life and are not in favor of the law (Good Year Smith, 1993). Edward L Rowan broadly defined sexual assault as unwanted sexual contact with another person (Rowan, 2006: 15). Sexual assault on a child is more narrowly defined, and the definition varies from one jurisdiction to another. The bottom line is a child cannot consent to a sexual relationship with a more powerful older person. Sexual experimentation between younger peers does exist, but sexual contact between children and an adult man or woman is wrong because violation of a social norm does not certainly equate with harm to the child (ibid). While the debate continues for the accurate definition of child sexual abuse, a majority of the people and country would now consider that child sexual abuse is unacceptable, exploitative and damaging (Nelson, 1997: 3). Child sexual abuse is not a new incident. It may be comforting to consider that child sexual abuse was not prevalent earlier, but it did exist. It was simply not tagged as such. But official reports on sexual abuse appeared at an alarming rate in the late 1970s, then reports of others form of abuse. So, does it mean that sexual abuse of children was ignored in the past? No, it was not neglected, but it was accepted as a trouble only by few segments of the population which had no reliability in the eyes of policymakers and many professionals (Finkelhor, 1982: 96).

The History of Childhood (1974) is a classical analysis of childhoods in previous historical era where DeMause express that:

The history of childhood could be a nightmare from what we have solely begun to awaken. The further one traces the history, the lower the level of child care and the more likely children are to be killed, abandoned, beaten, terrorized, and sexually abused (p.1).

The above proclamation highlights the fact that sexual exploitation of children is not a new occurrence – but only its recognition (Bolen, 2002: 27). Now, with the growing number of cases, child sexual abuse has gained an increasing amount of spotlight in the media.

1.4 Global Scenario of Child Sexual Abuse

Sexual abuse and other forms of violence against children goes back to prehistoric civilizations. Records of the degree and consequence of brutality against children symbolizes that this is a very considerable and grave global problem. It takes place in every country in the world in diverse manifestation and settings and is often intensely rooted in cultural, economic, and social practices (Shlonsky et. al., 2009: 29). At the end of the twentieth century, the problem of child sexual abuse and exploitation had begun to feature on the United Nations global agenda (Buck, 2011: 266). The first international concern over the children caught the attention when a non-governmental organization in the United Kingdom "Save the Children International Union" adopted a five-point Declaration of the Rights of the Child. After an elaborate discussion and extensive research, the working group on child welfare ultimately came to the consensus on the final version of the Convention on the Right of the Child for the

United Nations General Assembly on 20th November 1989 (Chowdhury et al., 2010: 162).

It was anticipated that 73 million boys and 150 million girls under the age of 18 years had faced diverse forms of sexual violence by the World Health Organization in 2002. In the year 2009, a meta-analysis was carried out where - 65 studies in 22 countries was analyzed and estimated an 'overall international figure' where the key findings of the study indicated that the highest prevalence rate of Child Sexual Abuse was seen in Africa (34.4%) followed by Europe, America, and Asia with the prevalence rate of 9.2%, 10.1% and 23.9% respectively (http://www.who.int/topics/child_abuse/en). The International Labor Organization report compiled in the year 2000 declared that 1.8 million children were forced into prostitution and pornography and 1.2 million were victims of trafficking, while only 2.4% of the world's children are legally protected from corporal punishment in all settings (Singh, et.al.,2014: 18).

It is projected that half a million prostitutes in Thailand are less than 16 years of age, 40% younger than eleven years. There are nearly as many in India with an even younger higher percentage. Philippines in South East Asia and Sri Lanka trades thousands of child prostitute. Brazil leads South America in child prostitution with perhaps as many as half a million children, boys and girls, selling sex. Colombia and Benin also have paved the way for such practice (Rowan, 2006: 28).

1.5 National Scenario of Child Sexual Abuse

19% of children population in the world belongs from India. According to the 2001 Census, a number of 440 million individuals are below eighteen years in our country, and they comprise forty two percent of India's total population, i.e., four out of every ten persons (Singh, et.al., 2014: 19). The magnitude of crime against children in India is on the rise. Sexual assault against children is indicated by the increasing number of rape cases registered. A total of 48,338 child rape cases were recorded from 2001 to 2011which have been constantly increasing. There was an increase of 336% of child rape cases from 2001 (2,113 cases) to 2011 (7,112 cases) in India. But this is just the tip of the iceberg as a majority of the cases of child rape goes unreported while children continue to become victims of other forms of sexual attack also. To provide children with every opportunity for their development, ensuring their rights are respected, and welfare is protected, to ensure they live a life free from fear and that they grow in peace, India signed the Convention on the Rights of the Child (CRC) on 11th December 1992 thereby, accepting the need for basic Human Rights of children (Chowdhury et al., 2010: 162).

The following data shows the crime committed against children in different states and Union Territories as per the National Crime Record Bureau Report.

Table No. 1.1 Crimes against Children in India (States and UTs).

SI.	State/	2014	2015	2016	Percentage	Rank Based	Midyear	The rate of	Rank
No	UT				State	on	projected	Total	Base
					Share to	Incidence/%	Children	Cognizable	on
					All India	share 2016	Population+	Crimes	Crime
					(2016)		(in Lakhs)	2016	Rate
							2016		
1	2	3	4	5	6	7	8	9	10

STATES:

									24.0
125.	· /								
		9665	9983	8614	8.1		1		68.4
36	Puducherry	38	56	71	0.1	33	4.7	15.1	28
35	Lakshadweep	1	2	5	0.0	36	0.2	25.0	16
34	Delhi UT	9350	9489	8178	7.6	4	56.0	146.0	1
55	Damman& Diu	/	28	51	0.0	54	0.9	34.4	10
<u>32</u> 33	Damman&	7	28	31	0.0	35	0.9	34.4	
32	D&N Haveli	11	35	222	0.2	35	1.3	16.2	27
30 31	A & N Island Chandigarh	50 208	102 271	222	0.1	25	1.4	61.4 55.5	2 3
	ON TERRITOR		102	86	0.1	31	1 4	61 /	2
22.4		130 0	+107	70344 2	71.7				4307.0
-	West Bengal al States 79		4963 4189	7004 98344	6.5 91.9	5	273.1	23.8	4389.6
28 29	Uttarakhand Wast Bangal	489 4909			0.6	20 5	38.5 293.7	17.6	26 18
27 28	Uttar Pradesh	14835 489	11420 635	16079 676	15.0	1	885.8	18.2	
26	Tripura	369	255	274	0.3	22	12.4	22.1	21 24
25	Telangana	1930	2697	2909	2.7	14	111.7	26.0	15
24	Tamil Nadu	2354	2617	2856	2.7	16	202.0	14.1	29
23	Sikkim Tamil Nadu	93 2254	64	110	0.1	30	2.0	55.0	4
22	Rajasthan	3880	3689	4034	3.8	8	285.4	14.1	30
21	Punjab	1762	1836	1843	1.7	18	87.7	21.0	23
20	Odisha	2196	2562	3286	3.1	12	140.4	23.4	19
19	Nagaland	25	61	78	0.1	32	6.7	11.6	33
18	Mizoram	178	186	188	0.2	27	3.7	50.8	5
17	Meghalaya	213	257	240	0.2	23	10.0	24.0	17
16	Manipur	137	110	134	0.1	28	9.6	14.0	31
15	Maharashtra	8115	13921	14559	13.6	2	378.5	38.5	9
1.7	Pradesh	0117	10001	14550	10.5	-	070 5	20.7	
14	Madhya	15085	12859	13746	12.9	3	300.8	45.7	7
13	Kerala	2391	2384	2879	2.7	15	93.4	30.8	13
12	Karnataka	3416	3961	4455	4.2	7	195.9	22.7	20
11	Jharkhand	423	406	717	0.7	19	131.5	5.5	35
10	Jammu & Kashmir	211	308	222	0.2	26	45.0	4.9	36
9	Himachal Pradesh	467	477	467	0.4	21	21.6	21.6	22
8	Haryana	2540	3262	3099	2.9	13	92.8	33.4	11
7	Gujarat	3219	3623	3637	3.4	11	206.8	17.6	25
6	Goa	330	242	230	0.2	24	5.2	44.2	8
5	Chattisgarh	4358	4469	4746	4.4	6	100.5	47.2	6
4	Bihar	2255	1917	3932	3.7	10	447.8	8.8	34
2	Pradesh Assam	134	2835	3964	3.7	9	118.9	33.3	14
2	Andhra Pradesh Arunachal	2059 134	1992 181	1847 133	1.7 0.1	1.7 29	4.7	11.8 28.3	32 14

Source: "Crime in India 2016 Statistics National Crime Record Bureau Ministry of Home Affairs" 'Pp

186'(http://ncrb.gov.in/StatPublications/CII/CII2016/pdfs/Crime%20Statistics%20-%202016.pdf)

(assessed on 3rd December 2018)

Table 1.1 - On the basis of rank-based crime from the year 2014 - 2016, the highest figure of cases under 'Crime against Children' were reported in Uttar Pradesh, Maharashtra and Madhya Pradesh with 15.3%, 13.6%, and 13.1% respectively. In comparison to city wise, the utmost numbers of cases of crime against children were reported in Delhi, Mumbai, and Bengaluru accounting for 39.6%, 16.9% and 7.0% of total such cases respectively. In the northeast states of India, as per the population the table shows that Sikkim stood 1st, followed by Mizoram 2nd and Assam 3rd respectively.

The offenses against children are scantily tackled by the legislation. Records of sexual offenses are neither particularly given nor are they dealt with severely, due to which offenders are tried under more relaxed and non- specific provisions of the Indian Penal Code (IPC). When it comes to sexual abuse of male children, there are no particular laws for dealing with it. Comprehensive legislation was endeavored in the past to gear all offenses against children. However, they could not come up with an agreement and it therefore it was decided to focus, as a primary step, on special legislation to deal with all forms of sexual offenses against children. Therefore, formulation of the **Protection of Children from Sexual Offences** Bill or **POCSO Act** to tackle the matter of child sexual abuse including pornography is a major step taken during the Eleventh Five Year Plan. This bill was introduced in the Rajya Sabha on 23rd March 2011(Ministry of Women and Child Development: Report of the Working Group on Child Rights – For the 12th Five Year Plan 2012-2017: 22).

Table 1.2. Statistics of crimes against children under Protection of Children fromSexual Offences Act (POCSO)

State /UT	Protectio	n of C	Children fro	m Sexua	l Offeno	ces Act (PC	DCSO) 1	/w Sec	tion 376,		
	354, 509	354, 509 IPC									
	Protecti	ion of	Children	c 4 & 6 of	Sexual	Assa	ult of				
	from S	Sexual	Offences	POCSO) Act)	/ Section	Childr	ren (Se	ction 8		
	Act (To	tal)		376 IPC			& 10 of POCSO Act)				
								/ Section 354 IPC			
	Ι	V	R	Ι	V	R	Ι	V	R		
	39	40	41	39A	40A	41A	39B	40B	41B		
	State /UT	354, 509 Protecti from S Act (To	354, 509 IPC Protection of from Sexual Act (Total) I V	354, 509 IPC Protection of Children from Sexual Offences Act (Total) I V R	354, 509 IPC Protection of Children Child H from Sexual Offences POCSO Act (Total) 376 IPO I V R I V R	354, 509 IPC Protection of Children Child Rape (See from Sexual Offences POCSO Act) Act (Total) 376 IPC I V R I V R	354, 509 IPC Protection of Children Child Rape (Sec 4 & 6 of from Sexual Offences POCSO Act) / Section Act (Total) 376 IPC I V R I V R	354, 509 IPC Protection of Children Child Rape (Sec 4 & 6 of Sexual from Sexual Offences POCSO Act) / Section Act (Total) 376 IPC & 10 o / Section I V R I V	354, 509 IPC Protection of Children Child Rape (Sec 4 & 6 of from Sexual Assating from Sexual Offences POCSO Act) / Section Act (Total) 376 IPC I V R I V R I V		

			1					1		1
1	Andhra Pradesh	830	834	5.3	459	463	2.9	237	237	1.5
2	Arunchal Pradesh	59	60	12.6	49	50	10.5	8	8	1.7
3	Assam	821	821	6.9	586	586	4.9	159	159	1.3
4	Bihar	233	233	0.5	170	170	0.4	26	26	0.1
5	Chattisgarh	1570	1572	15.6	984	984	9.8	473	475	4.7
6	Goa	75	75	14.4	40	40	7.7	29	29	5.6
7	Gujarat	1408	1020	11	532	532	5.7	346	346	3.7
8	Haryana	1020	1020	11	532	532	5.7	346	346	3.7
9	Himachal Pradesh	205	209	9.5	146	150	6.8	54	54	2.5
10	Jammu & Kashmir	25	25	0.6	21	21	0.5	2	2	0
11	Jharkhand	348	348	2.6	205	205	1.6	81	81	0.6
12	Karnataka	1565	1602	8	1136	1165	5.8	264	267	1.3
13	Kerala	1848	1891	19.8	957	963	10.2	517	532	5.5
14	Madhya Pradesh	4717	4732	15.7	2467	2479	8.1	2106	2109	6.8
15	Maharashtra	4815	4885	12.7	2292	2333	6.1	2370	2396	6.3
16	Manipur	43	44	4.5	39	40	4	4	4	0.4
17	Meghalaya	151	152	15.1	122	123	12.2	26	26	2.6
18	Mizoram	167	184	45	99	105	26.7	62	71	16.7
19	Nagaland	27	29	4	21	22	3.1	5	6	0.7
20	Odisha	1928	1928	13.7	1258	1258	9	396	396	2.8
21	Punjab	596	599	6.8	410	411	4.7	172	174	2
22	Rajasthan	1479	1481	5.2	858	858	3	359	359	1.3
23	Sikkim	92	101	45.3	66	72	32.5	22	25	10.8
24	Tamil Nadu	1583	1628	7.8	1169	1188	5.8	211	234	1
25	Telangana	1158	1159	10.4	690	690	6.2	189	189	1.7
26	Tripura	156	156	12.6	108	108	8.7	48	48	3.9

27	Uttar Pradesh	4954	4954	5.6	2115	2115	2.4	2652	2652	3
28	Uttarakhand	218	219	5.7	91	91	2.4	35	36	0.9
29	West Bengal	2132	2140	7.3	718	719	2.4	374	381	1.3
	Total States	34223	34495	7.8	18862	19000	4.3	11437	11532	2.6
Union	Territories									
30	A & N Island	49	50	36	1	1	0.7	0	0	0
31	Chandigarh	51	51	12.8	41	41	10.3	10	10	2.5
32	D & N Haveli	11	11	8.7	9	9	7.1	0	0	0
33	Daman & Diu	10	10	11	8	8	8.8	0	0	0
34	Delhi UT	1620	1639	28.9	813	828	14.5	766	769	13.7
35	Lakshadweep	5	5	27.8	2	2	11.1	0	0	0
36	Puducherry	53	60	11.4	29	31	6.2	13	18	2.8
	Total UT(s)	1799	1826	26.3	903	920	13.2	789	797	11.5
	Total (ALL INDIA)	36022	36321	8.1	19765	19920	4.4	12226	12329	2.7

Source: "Crime in India 2016 Statistics National Crime Record Bureau Ministry of Home Affairs" 'Pp 192' (http://ncrb.gov.in/StatPublications/CII/CII2016/pdfs/Crime%20Statistics%20-%202016.pdf).

The main crime heads under 'Crime Against Children' during 2016 were kidnapping and abduction (67.7%) followed by cases under the Protection of Children from Sexual Offences Act (24.4%) The above table represents the statistics of crimes against children under Protection of Children from Sexual Offenses Act (POCSO). In the year 2015, crime rate under Sexual Harassment case was 0.8 at all India level under this head with highest in Mizoram (5.7) and Delhi (4.8). Also in the same year, in 2015 the crime rate under Protection of Children from Sexual Offences Act was 3.3 at all India level under this head with highest in **Mizoram** (30.7 each) followed by **Sikkim** (26.6). 45.3% POCSO cases, 32.5% child rape cases and 10.8% Sexual Assault cases were reported in Sikkim from the year 2014- 2016 as per the National Crime Records Bureau, Ministry of Home Affairs. Sikkim counts as the second highest state in violence against children particularly child sexual offense as there is massive awareness among the people. The authorities and police officials have taken utmost care to reach the people even in the remote rural areas with the help of Panchayats to create awareness among the various stakeholders of the society including children. As such even the slightest case of harassment is reported without any hesitation.

1.6 Contextualizing the Problem in Sikkim

Sikkim, an erstwhile Himalayan kingdom till its merger as the 22nd state of Indian Union on 16th May 1975, shares its border with Tibet (China) in the north and northeast, Bhutan in the east, and Nepal in the west confirming its continuity of the great Himalayan belt. The second smallest state (after Goa) comprise an area of 7096 sq km. The population of the state as per the 2011 census report is 6,10,577. With a sex ratio of 889 women per thousand men, 47% of the total populations comprises of female population. The age composition of the population as per 2011 census shows 10.5% of the total population in 0-6 age group, and 19-60 age group basically comprises the working population (Statistical Journal, 2013, DESME).

The tiny state is known to the world as a mystique Himalayan picturesque representing peace and tranquility. Sikkim is considered as the 'blessed land' both religiously as well as by its people. This landlocked state of India has many unfathomed beliefs, traditional knowledge and numerous pristine landscapes. The early form of governance was monarchical. The consecration of first Bhutia king Phuntshok Namgyal in 1642 led to the establishment of Namgyal dynasty which ruled for almost three hundred years (Gupta, 1992: 9-11). After its merger with India and establishment of a democratic form of government, the state witnessed many socio-cultural and economic changes along with the political transformation. Sikkim is a multi-ethnic and multilingual state with a mixed bowl of culture. Ethnically the state

is inhabited predominantly by three ethnic groups namely the Bhutias, the Lepchas and the Nepalis. Sikkim's merger in 1975 and the political transformation have led to massive structural changes in the state. Various policies and programmes of the central and the state have focused on the all-round development of the state. However the state could not remain unaffected from the post 90's phase of LPG (Liberalization, Privatization, and Globalization). Today Sikkim is renowned for its tourism industry, organic farming, and important cross-border strategic positioning. The literacy rate has improved considerably over the last few decades. The literacy rate of Sikkim in 1981 was 34% which increased to 82% in 2011 (HDR, 2014). The state has also ensured several benefits and substantial improvements in the health sector. At the economic front, there has been a striking escalation in incomes over the past decade which has added to the increase in the Human Development Index which is evident in the fourfold increase in the real per capita incomes from Rs 15,953 in 2001-02 to Rs 69, 202 in 2011-12 (HDR, 2014: 2015). However, despite the all-round development of the state, Sikkim encounters many social challenges and emerging issues like suicide, alcoholism, drug addiction, domestic violence, child sexual offense etc which cannot be overlooked.¹

¹Published project report on Suicide in Sikkim submitted to the DESME, Government of Sikkim by Sachdeva and Thapa (2017)

1.7 Review of Literature

Throughout the years, research in the field of sexual harassment has extended and turned out to be progressively interdisciplinary. It is beyond the realm of imagination to expect to research each snippet of data identifying with the topic of sexual maltreatment; still, an attempt has been made to gather critical data identifying with the theme to give a figure of the existent scholastic works concerning child sexual maltreatment in the overall population.

For quite a while, there existed charitable groups and different gatherings worried about children's prosperity who have supported the protection of children. Nonetheless, the issue did not gain broad consideration by the medicinal professional or the general population, until 1962, with the circulation of an original work, the Battered Child Syndrome, by Kempe et al. The battered child disorder is depicted as a clinical condition where young children received serious physical maltreatment, by and large from a parent or foster parent. The condition has likewise been expressed as "unrecognized trauma" by radiologist's orthopedists' pediatricians and social service workers. Kempe placed mental factors as prime significance in the pathogenesis of the disorder yet says that our insight into this factor is limited. While Kempe caught the physical situation of abused children and its mental effect, the investigation did not reflect on the social parts of maltreatment.

Over the years, research in the field of sexual abuse has expanded and become increasingly interdisciplinary. It is not possible to review every piece of information relating to the topic of child sexual abuse; still, an attempt has been made to collect important information relating to the topic to provide an overview of the major academic works concerning child sexual abuse in the general population. In his article 'The Social Construction of Child Abuse,' Richard J. Gelles (1974) contends that research on child abuse has generally centered on rate, causes, counteractive action, and treatment and how it has neglected on one feature of maltreatment, i.e., abuse is social deviance and it is the result of social labeling. Utilizing the viewpoint of labeling theory, Richard suggests that reasons for maltreatment are the result of social definitions applied by gatekeepers charged with recognizing children harmed by their caretakers.

David Finkelhor's (1982) article 'Sexual Abuse: A Sociological Perspective' gives information about the contemporary social changes like rising divorce rates, sexual revolution and the disintegration of external controls on conducts have put more children at risk but it has also provoked the problems of child sexual abuse not only in the United States but worldwide.

Rebecca M. Bolen's (2002) book 'Child Sexual Abuse – Its Scope and Our Failure' is the consequence of an intensive review of the expert writing on Child Sexual Abuse that has happened over an almost 10 year period. The book draws out the inconsistencies between our experimental learning base and our expert reaction to child sexual maltreatment while endeavoring to offer some clarification for the frequently significant contrasts.

The book is divided into three areas. In the principal segment, Bolen reviews the authentic setting inside which early hypotheses of child sexual maltreatment speculations were produced. In the second segment, the author reviews the experimental learning base which characterizes the extent of the issue of child sexual maltreatment, the pervasiveness, and occurrence of child sexual abuse, extra-familial and intra-familial abuse, factors related with the danger of maltreatment and of

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culpable and non offending gatekeepers. The last section of the book deals with the scope and problems of child sexual abuse as demonstrated in the empirical knowledge base- compared to that of professional response to child sexual abuse. This comparison provided remarkable proof that society's reaction to sexual exploitation of children is fading profoundly. The author found that the reason for such a complete system failure was due to the fact that systematic response is grounded in the historical and often myth bound conceptualization of child sexual abuse instead of within the empirical literature.

Paula Reavey and Sam Warner (2003) in 'New Feminist Stories of Child Sexual Abuse – Sexual Scripts and Dangerous Dialogues' discuss women and Child Sexual Abuse. The book provides an insight into the ways in which women and child sexual abuse are addressed. The authors have tried to assemble the taken for granted truths, daring to ask questions concerning the constructed nature of child sexual abuse, how it is produced rather than merely drawn within the ways in which we tend to talk about it. They argued that child sexual abuse is a matter of translation, debate, and politics and not simply a taken for granted fact.

David Howe (2005) '*Child Abuse and Neglect*' provides a deep understanding of how children's minds form in the context of an early caregiving relationship is critical to understanding child maltreatment and its consequences for longer-term care. He presents a number of key ideas that are enriching our understanding of parent- infant relationships and children's psychosocial development. He examines attachment in the context of this busy and buzzing field of research, theory and ideas. He takes a multi-disciplinary perspective on development and attachment, to offer further refinements to the traditional ways of classifying child abuse and neglect.

Julia C. Davidson (2008) '*Child Sexual Abuse*' critically evaluates the growth of guiding principle and legislative measures to manage sex offenders. He has argued that legislation has developed in a reactionary way in the backdrop of reaction and response to media and public anxiety concerning the punishment and control of sex offenders, and therefore the perceived threat of such offenders within the community.

Lisa Fontes (2008) '*Child Abuse and Culture: Working with Diverse Families*' in the UK provides a factual glimpse of the significance of culture in understanding the constructions of child maltreatment. Children and families identified and served by the child welfare system are racial, ethnically, and culturally diverse.

Steven M. Cox, Mallen, Hanser and Conrad (2008) (6th edition) '*Juvenile Justice: A Guide to Theory, Policy, and Practice*' address how the juvenile justice network has undergone dramatic and nearly constant change. The pace of this change has been rapid and confusing sometimes. As both practitioners in the juvenile justice network and instructors in criminology, criminal justice, and sociology courses, they remain convinced that a basic understanding of the interrelationship among notions of causation, procedural requirements, and professional practice is a must if one is to understand, let alone practice in, the juvenile justice network. With these concerns in mind, they attempted to write a text that is reader-friendly and comprehensive yet concise.

Sam Warner (2009) 'Understanding the Effects of Child Sexual Abuse' draws on feminism and post-structuralism to critically examine the current condition of women, girls and child sexual abuse. He has ruled the feature of some of the unusual ways of perceptive to build up practical approach that facilitates, rather than express disapproval of, abused women and girls, and which offer hope rather than despair. Barry Goldson and John Munice (2009) in the 3-volume set of original readings from academic texts and official documents have revealed how and why young people have been the subject of adult concern, censure, and intervention. This collection not only addresses persistent concerns over 'out of control' youth, but it also offers critical analyses of the apparent hardening of adult reaction and official intervention in many jurisdictions in the 21st century.

Michael Salter (2013) in 'Organized Sexual Abuse' deals with the relationship between sexual abuse and organized abuse; the different array of organized abuse case; the historical and cultural context to organized abuse; questions over the veracity of testimony; the contexts in which the sexually abusive groups expand and function; the responsibility of religion and ritual in subcultures of multi-perpetrator sexual abuse; as well as the experience of adults and children with histories of organized abuse in the criminal justice system and health system. This book provides a definitive analysis that will be of immense value to those with a professional and academic interest in this area.

Although Child Sexual Abuse is a major concern in India, there is a scarcity of research that has particularly examined Child Sexual Abuse in Indian context:

In 2007, the Ministry of Women and Child Development published the "Study on Child Abuse: India where they sampled 12447 children, 2324 young adults and 2449 stakeholders across 13 states. It studied the different forms of child abuse: Physical Abuse, Sexual Abuse, and Emotional Abuse and Girl Child Neglect in five categories of children - children in a family environment, children in school, children at work, children on the street and children in institutions. The key findings of the study included: 53.22% of children were the victims of sexual abuse. Amongst them, 52.94% were boys and 47.06% girls. From the study places like Andhra Pradesh, Assam, Bihar, and Delhi accounted the maximum percentage of sexual abuse among both boys and girls, as well as the highest incidence of sexual assaults. 21.90% of child respondents experienced brutal forms of sexual abuse, 5.69% had been sexually assaulted, and 50.76% reported other forms of sexual abuse. Among the five categories of groups - Children on the street, at work and in institutional care experienced the highest incidence of sexual assault. It was also reported that 50% of abusers are known to the child or are in a position of trust and responsibility and most children had not reported the matter to anyone (www.prayasonline.org).

Dabir and Mohua 's article 'Child Abuse: Confronting Reality' in 2007 is the review of the study on Child Abuse: India 2007 conducted by the Ministry of Women and Child Development. The authors found that the figures cited in the study were overestimated. The study had focused only on the most in danger groups of children and had not used a sample that is the representative of the total child population. The findings of the study are important official figures; therefore, the authors highlight the consequences of such misreporting which will generate fear, alarm or disbelief. However, despite the overestimation of the incidence of child sexual abuse, the authors state that child sexual abuse is quite high and the issue needs special attention.

Samvada, an organization in Bangalore in 1996 took a survey on child sexual abuse conducted by Ratnam et.al is now considered a landmark in work. It was conducted among 348 girl students from eleven schools and colleges, which provided astonishing data like: (a) 83% of the girls had been subject to eve-teasing, 13% of these had been vocally and visually sexually harassed when they were less than ten years old

(b) 47% had been molested, 15% of these when they were less than ten tears old: they were used for masturbation, mostly by male relatives

(c) 15% had been seriously sexually abused as children, 31% of them when they were less than 10 years old: they had been raped, forced into oral sex or penetrated with foreign objects and 75% of the abusers were adult family members

(d) 50% of these sexually abused children cases involved family members and close relatives, which occurred at home.

Geetanjali Gangoli's 1996 article, 'The Right to Protection from Sexual Assault: The Indian Anti Rape Campaign' postulates that in India, rape and child sexual abuse are among the most talked about yet 'unknown' parts of the social and legal life in India. The author portrays how the 'Indian Women's Movement (IWM) widespread movement on rape culminated in a legal amendment in 1983. The author reveals how the dialogue pertaining to rape is about women's sexuality in the legal arena, in Indian feminist practice and how it overlaps between them. Gangoli, sketches the history of the IWM campaign and examines the language of law and certain case judgments and finally explores the current debate and stands within the IWM on the issue.

Carson.et.al (2013) in 'Sexual Abuse of Children and Youth in India: An Anthropological Perspective' discusses the characteristics and frequency of child abuse and neglect in India from an anthropological perspective with an importance on the sexual abuse of children and youth. The author presents existing research findings pertaining to child sexual abuse in India and the socio-cultural and familial factors that make children and youth at risk for child sexual abuse are also examined. The authors also highlight the significance of neighborhood and community investment and involvement in the prevention of Child Sexual Abuse.

Hunny Matiyani (2011) carried out her research work 'Sexual Abuse of Children: A Sociological Study in Delhi Metropolis' an unpublished PhD thesis submitted to Guru Gobind Singh- Indraprastha University. The author reached an outcome of the research on the fact that sexual abuse of children in India is a large problem without an easy solution. The author focused on the point that the whole event should be dealt at the right time in an suitable way so that a child victim can be without difficulty rehabilitated and can benefit from life like any ordinary person.

Studies conducted by Pandey, (2007); 2005; Baruah, 2003 highlighted that in India poverty, joblessness, lack of education, social isolation, distorted family relationship, weakening familial relationship, negative parenting style are some of the reasons for increasing Child sexual abuse. Mehta (1979 cited in Matiyani 2011) identified that motive behind kidnapping of children was mainly prostitution, selling, sexual gratification, unemployment, extreme poverty, broken homes, anti-social surroundings, ignorance and illiteracy.

1.8 Theoretical Framework

There are many theories related to explaining the cause and incidence of sexual abuse. Some of the major theoretical approaches which are directly or indirectly related to child sexual abuse are discussed below:

1.8.1. The Psychoanalytic Approach:

One of the earliest proposed clarifications for the event of sexual maltreatment was Freud's psychoanalytic theory derived from his clinical work with female clients who uncovered sexual maltreatment, frequently on account of their fathers. Freud was the first to hypothesize that the beginning of mania lay in early sexual injuries, which he called "infantile sexual scenes" or "sexual intercourse." to speculate that the "childish sexual scenes" or "sex." In other words, the trauma of childhood sexual abuse resulted in later psychic damage which later came to be known as the seduction theory. The thought that fathers were explicitly mishandling their daughters caused such furious reaction in conservative nineteenth century Vienna that Freud was taunted and avoided by his friends. Seduction Theory was so severely received that Freud never again transparently referred to it. He later rejected his patient's disclosure as the dreams of hysterical women who made up stories (Matiyani, 2011:138).

Freud hurled off the reports of his clients in dismay, yet he couldn't deny the horrible impacts or psychic damage he had observed. At that point, he created great speculations of psychosexual improvement in which the hypothetical construct of the 'Oedipus Complex' are focal.

According to him, the concept is craving for sexual involvement with the parent of the contrary sex (boys to their mothers and girls to their fathers), which created a feeling of rivalry in the midst of the parent of a similar sex. He expected that in early advancement, around the age of five, youngsters wish to have their mother's affection. Therefore, desire makes them dislike and even unwittingly wish the passing of their father (Ahmed, 2012: 64). Freud contended that it is the absence of ability to effectively resolve this psycho-sexual phase of advancement that mounts up to the psychic harm he saw in his clients who had reported childhood sexual maltreatment. In other words, he developed a complex hypothetical framework to discredit the reality of childhood sexual abuse and incest. In this way on Freud's seduction view, it is as conceded and safeguarded that incest is neurotogenic. The incestuous demonstration has no effect at the time of its event, as the newborn child is not able to perceive sexual importance. The event winds up horribly only in time and by relationship with developed sexuality (Rappe, 2004: 175).

The same hypothetical system likewise serves to clarify the conduct of offenders in 'proven' instances of sexual assault or incest. For sexual assault, the theory expresses that offenders conduct is the result of nervousness because of the inability to determine the Oedipus complex which gives rise to sentiments of sexual deficiency and the need to be explicitly sexually dominant.

In summary, the psychoanalytic model attempts to reject the reality of childhood sexual abuse and incest and in proven case holds the blame determinedly on the child or the mother. Psychoanalysis and its criticism is a broadly discussed and controversial topic for a variety of reasons. The main cause for its disrepute is because the very science of psychoanalysis developed by Freud is considered to be flawed and narrowed. Today there is a growing accord that the therapeutic value of the technique is constrained, and such Freud's life work is defective by methodological anomalies (Barry, 96). Freud's theories particularly the ones relating to aspects of sexual behavior may be seen limited in its approach. Freud's 'fantasy theory' has been seriously undermined as research evidence has discovered that childhood sexual

assault and incest is true and indeed are prevalent. The psychoanalytic plan may have informative power for father/daughter incest, yet it neglects to illustrate different kinds of intra and extra-familial child sexual maltreatment, for example, father/son, mother/daughter, sibling abuse, uncle or grandparent incest or sexual assaults committed by neighbors, educators, priests or family companions. It is a serious disadvantage since father/daughter incest, represents just a single third of all child sexual maltreatment.

1.8.2. The Family Dysfunction Approach:

This methodology centers on the nuclear family dysfunctional compared to the psychoanalytic model which focus on the person's mind as the reason for the root of the sexual assault. The dysfunctional family approach was first planned during the 1940s as a result of family psychiatry, and the impact of great Freudian hypothesis on this methodology cannot be disregarded. It is a notion that has been popular in clarifying the etiology of a few disorders with the essential premise that disorder emerges from neurotic family dynamics. Family dysfunction theory has turned out to be the most widely held clarifications for the indication of incest. Its treatment strategies had been adopted by several government and constitutional authorities in Australia, the U.S. and the U.K. conflicting degrees of family pathology. In a dysfunctional family, incest is exercised as a tool to reduce tension and maintain balance within the family while ensuring that the family's pathology is kept a secret. In this view, incest is viewed as a general side effect of family maladjustment and it proposes that all individuals from the family are responsible for making it happen despite the fact that clearly uninvolved, specifically, the mother. Behind this methodology is an arrangement of family standards which are utilized as a benchmark for clashing degrees of family pathology. A family in which incest is going on is

viewed to be dysfunctional as it doesn't conform to socially approve objectives or qualities and ordinary family hierarchies dependent on age and sex which have been demolished. In a broken family, incest is practiced as a device to diminish tension and keep up equalization inside the family while guaranteeing that the family's pathology is kept a mystery (Matiyani, 2011:141).

From this view the mother is seen to have failed basically due to the following reasons:

Firstly, she is seen as a dysfunctional wife who does not fulfill her assigned role as sexual provider for the husband or her nurturing role as mother and protector of her child. She does this by withdrawing herself either emotionally or physically from her children by working outside of the home, pursuing outside interests and activities, or through illness, hospitalization, escaping into depression, or by being emotionally and sexually cold.

Secondly, this view presupposes that the mother's loss to provide satisfactory nurturing means the love-starved and seductive child turns to and accepts the sexual advances of the sex-starved father as an alternative for the mother's love.

Thirdly, both the father and mother are seen as dysfunctional adults who look for a role exchange and collapse of generational boundaries with the child cast in the role of pleasing the sexual needs of the father and also assuming a protective role towards the mother. The mother supposedly manipulates the incestuous relationship by placing massive responsibilities on the child such as housework, child-care and wifely duties towards her father.

What we see in this framework is, once again, the collusive mother and it is this conspiracy which is seen to be the keystone of family pathology. It is argued by many family dysfunction theorists that consciously or unconsciously the mother knows that

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incest is taking place, even when confronted by her daughter but she chooses to deny it, by failing to take any preventative action or by blaming the daughter for the incest. Thus, in this view, the mother is the real abuser in an incestuous family.

The family dysfunction model, despite its wide acceptance, suffers severe limitations. Firstly, like the psychoanalytic model, it does little to illuminate the power for other forms of intra or extra-familial sexual abuse and therefore fails to account for twothirds of all child sexual abuse.

Secondly, as this approach consider incest simply as a symptom of pathological family relationships which serves as a functional system to keep the family together, it draws away from the painful and often disastrous effects of incest on the child. The approach has implications for treatment intervention as the child's experience is not only curtailed but more alarmingly, denied. The remedial focus is on restoring 'normal' family relationships, and abusive sexual activity is seen as less important.

Thirdly, this approach shifts the responsibility from the abuser to at best, the entire family, and at worst but most often, to the mother. This approach disproves who the abuser is and ignores the fact that the abuser chooses to react to family dynamics by sexually abusing his child. This view also suggests that fathers have the right to be sexually serviced by females. It is argued that the husband gets puzzled when a daughter contributes to household duties because he is used to enforcing his sexual demands on who so ever does the housework as he doesn't notice who it is.

Fourthly, there is no proof for the collusive mother who chooses to disregard incest. On the contrary, research has revealed that 73% of mothers do act when incest is unveiled, and 60% take instant preventive action which is in straight contrast to what family dysfunction theory claims to be the case.

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To summarize, this approach has thrown a little to our understanding of why sexual abuse occurs and not much regarding prevention other than the significance of suitable age and inter-generational limitations.

1.8.3. Psychological Approaches:

Psychological approaches have constantly focused on the abuser rather than on the victim or the family in terms of sexual assault. Psychologists have concentrated on two dimensions:

1. Cassifying a personality profile of sex offenders and

2. On separating the inspiration of abusers.

The quest for a character profile of sex offenders has led to starting the survival of rigid and stable personality traits that are conceived of a sex offender. A series of studies of varied population samples was conducted using different research techniques, and perhaps unsurprisingly, the results have been contradictory and inconclusive. Some of the personality characteristics that have been constantly identified included traits like; social introversion, feelings of masculine inadequacy and the need to exercise a high level of dominance and control in family relationships. The latter trait is particularly true of incest offenders. Abusers have also been found to be highly skillful at explanation and validation and displacing responsibility and blame onto others rather than the self. The incapability of researchers to consistently define particular characteristics traits as indicative of sex offenders has nevertheless contributed to our knowledge of sexual abuse. The vast amount of demographic and stereotypes about who commits sexual abuse. It has become clear that abusers do not belong to a particular box of presupposition but rather come from all social

backgrounds and are not confined to socially or economically deprived families. Besides, now it has become clear that such people do not necessarily suffer from any mental illnesses nor do they necessarily have other criminal tendencies. The sex offender is often an otherwise law-abiding 'guy next door' type.

Regarding motivations for abuse, there was a common finding, that alcohol or alcoholism contributes to a reduction in internal inhibitions to commit sex offenses and incest. Another common problem was found to be the poor impulse control. Regarding child sexual abuse offenders, a division has been drawn between the fixated and the regressive abuser. The fixated abuser has been conditioned from childhood and adolescence to be primarily sexually attracted to younger children. While the regressive abuser, abuses in response to stress this aggravates existing feelings of inadequacy and impairs normal impulse control thereby allowing abuse to occur.

The psychologist's shift in emphasis from victim and family to abuser is perhaps more helpful for understanding why sexual abuse occurs.

Nevertheless, this approach also has several limitations not least of which is that much of the evidence is contradictory and inconclusive.

1.8.4. The Feminist Approach: Sociological Theory

The many limitations of previous approaches meant that considerable reinterpretation of the causes for sexual assault was needed. With the emergence of the women's movement in the 1960s and '70s, people began to tell of their experiences of sexual assault, and so a more accurate identification of the problem became possible. This victim-centered awareness prompted research and investigation in an attempt to address the key issues of sexual assault. In particular,

• Why is it men who rape?

• Why is it women and children who are primarily the victims of sexually abusive behaviors?

The feminist approach is a sociological analysis which over the past three decades has focused on two important and previously largely ignored aspects of sexual assault.

- The unequal power relationships between men and women and adults and children;
- The abuser's responsibility for initiating and maintaining sexual assault.

In examining differential power relationships within society and the family, this approach argues that the adequate explanation of the motivation for, and incidence of, sexual assault is found in the complex interplay between existing social structures, conventional attitudes, and socialization, in particular, the differential gender socialization of males and females in patriarchal society. A fundamental contribution offered by the feminist approach is that it does not focus exclusively on incestuous abuse within the family. In interpreting sexual abuse as a sexual power relationship rooted in differential gender socialization and male power in patriarchal society, it can broaden its focus to include the dynamics of extra-familial as well as intra-familial sexual and incestuous abuse, all of which rely on males exerting their sexual power over women.

The research has overwhelmingly demonstrated that sexual abuse is not a problem of individual pathology occurring between 'pathological men and 'seductive women and children.' Instead, it shows that sexual assault is an extension of the current legal, social, economic and political systems in which we live which manifest and reinforce male dominance over women and children. The manifestations of male power relationships are well documented. In the areas of education, employment, health, income security, law, and decision making, women and children come out second best. Unequal power relationships between men, women, and children are embedded in social organizations like the family where they become internalized by individuals. Masculine dominance over females is further linked to the patriarchal nature of heterosexual relationships. In a culture where men are socialized to view women as a means of satisfying their emotional, sexual and daily needs, a similar objectification of children is only a step away. The messages that females receive through such power structures and female socialization serve to emphasize women's powerlessness, passivity and their role as victim. When internalized these messages generate submissive, compliant and self-effacing behaviors which offer little or no protection against sexual abuse.

Examinations of male power within the family show that abusers tend to see their wives and children as property which they can exploit in any way they wish, including sexually. Incest is thus seen as a just one expression of 'normal' male/female relations in a patriarchal society.

Analysis of reported findings of perceived masculine inadequacy and social isolation of incestuous fathers has led to speculations that this prompts abusers to enforce patriarchal rule within the family where it is 'socially acceptable' for them to be in charge. Within the family, the abuser can reconstruct traditional patriarchal domination in which, using threat, physical violence or coercion, he is not only obeyed but serviced by his wife and children.

Differential gender socialization, in particular, male sexual socialization, is manifested and reinforced through the media, school curricula, sex-stereotyped expectations and role definitions, and gender-specific child-rearing practices. Male sexual socialization is a major factor in abusive behavior, particularly child abuse. Sexuality contains culturally molded components which include values, feelings, and attitudes, as well as biological drives, which account for stereotypical gender roles in the expression of sexuality. Finkelhor argues four distinct features of masculine sexual socialization predispose men toward sexually abusing women and children.

1. Firstly, men are socialized to express their dependency or intimacy needs through sex and have not always been encouraged to act as nurturers.

2. Secondly, men tend to have sex as a form of reconfirmation when their ego has encountered any rebuff.

3. Thirdly, many men experience sexual arousal outside of the context of a relationship but are more specifically aroused and stimulated by the genitals of their preferred sexual object. Whether these belong to an adult or a child may become largely irrelevant.

4. Finally, men are socialized to desire sexual partners who are younger and smaller than themselves.

Impaired nurturing and diminished capacity for affection, along with putative masculine identity, restricts the forming of genuine relationships while encouraging sexual contact only with compliant, submissive women who have inferior status. Also, as male gender identity is more dependent on the sexual success the sexually inadequate male may prefer a child as a sexual partner to bolster an inadequate adult ego. Such socialization makes male sexual exploitative behavior towards women and children increasingly comprehensible.

Included in this approach is the analysis of the role of pornography in perpetuating and legitimizing sexual abuse and in particular child sexual abuse. The virulence of child pornography and the increase of child sex rings demonstrate that not only do men exert their sexual power over children, more fundamentally they find them erotically desirable. Such analysis provides powerful evidence against the notion that

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child sexual abuse is a problem of parenting. It is instead a function of masculine socialization.

It is this social context which both creates and is reinforced by sexual assault and abuse and in which sexual abuse plays an important role in maintaining the status quo. In this view, rape is seen as a social rather than a natural fact. It is produced by a certain kind of society and not by immutable human nature, and it is argued that the attempt to treat rape and sexual abuse as a natural and inevitable part of human behavior, through defining psychological structures or developing elaborate theories, is a way to avoid having to do anything about it. But if we view it as a social fact, it can be eliminated through social change.

The feminist approach to sexual abuse comes closer than any other approach to providing explanations for and suggesting responses to the range of abusive behaviors. It has several advantages not least of which is it takes account of the social structure of society and differential gender socialization. It also attributes responsibility to the abuser rather than the mother or the victim. Nevertheless, the feminist perspective does have limitations. Although feminist theory acknowledges and validates the survivors' feelings about the abuse with concomitant psychological impacts, it is essentially a sociological approach which tends to focus on social structure and socialization. As such it minimizes psychological factors and motivations that contribute to abuse although it is assumed as a result of socialization. Furthermore, in emphasizing that all females are vulnerable to sexual abuse, feminist analysis can be construed as dismissive of a survivor's individual experiencing. Some survivors are unable to identify with other women, and this presents another barrier for healing. Associated with this is the assumption that all females are vulnerable, socialized to be compliant and paralyzed to offer any resistance. While this is true for many women and children, it is not true for all and investigating how resistance is achieved may enhance our understanding of how sexual abuse can be prevented or diminished. The assumption that all women and children are passive and compliant merely serves to reinforce negative messages which contribute to powerlessness and may increase survivor's existential anxiety. (https://www.secasa.com.au/pages/theories-on-why-sexual-abuse-happens/).

1.8.5. Finkelhor's Four Preconditions Model:

For the present study, we have used both conceptual models and theoretical framework for understanding the nature of Child sexual abuse.

Finkelhor's (1984) Four Preconditions Model is widely used for understanding child sexual abuse offenders. He moved beyond the notion that child sexual abuse only occurs as father-daughter incest or men who are strangers molest a multitude of children. The four preconditions are:

- Motivation to sexually abuse
- Overcoming internal inhibitors (for instance, concerns that their thoughts and behavior are wrong).
- Overcoming external inhibitors (for example, finding a child in their vicinity whom they can sexually abuse) and
- Overcoming the resistance of the child.

According to this theory, all these preconditions are fulfilled for child sexual abuse to be possible and to occur.

Finkelhor argued that there are three components to the motivation to sexually abuse:

- Sexual contacts with the child satisfy an emotional need;
- The child is a source of sexual arousal;
- Alternative sexual partners are not available.

However, he states that these are not preconditions and they don't necessarily have to occur, or it can overlap with one another.

About overcoming the internal inhibitors, this precondition is crucial, as without it the perpetrator will not commit any act of abuse, as they must be inhibited by social taboos or fear of hurting the child.

The third and fourth preconditions move the explanation for offending beyond the perpetrator to account for their external environment. External inhibitors include bystanders around to protect the child (e.g., the child's mother, other family members, teachers, etc.), or if the environment is not conducive to abuse a child. The final barrier to committing the act is the resistance of the child: if the child is emotionally insecure, needy or without support network, then the child molester can break through a child's barrier more easily than the child who is more resilient to their advances.

Finkelhor noted that these preconditions operate more on a sociological level and not only on an individual level. Social factors and characteristics can act as motivators or inhibitors to child sexual abuse perpetration.

Preconditions	Individual factors	Social/cultural factors			
Motivation to Sexually Abuse	 Arrested emotional development Need to feel powerful and controlling Re-enactment of childhood to undo hurt Biological abnormality Fear of adult women Traumatic sexual experience with adult Inadequate social skills Marital problems 	 The masculine requirement to be dominant and powerful in relationships The erotic portrayal of children in advertising Male tendency to sexualize all emotional needs Repressive norms about masturbation and extramarital sex 			
Overcoming internal inhibitors	 Alcohol Psychosis Impulse disorder Senility Failure of incest inhibition mechanism in family dynamics 	 Social tolerance of sexual interest in children Weak criminal sanctions against children An ideology of patriarchal prerogatives for fathers Social tolerance of deviance committed while intoxicated Child pornography Male inability to identify with needs of children 			
Overcoming external inhibitors	 Mother is absent or ill Mother is not close to or protective of a child Mother is dominated or abused by father Social isolation of family Unusual opportunities to be alone with a child Lack of supervision of the child Unusual sleeping or rooming conditions 	 Lack of social support for mothers Barriers to women's equality Erosion of social networks The ideology of family sanctity 			
Overcoming the resistance of the child	 The child is emotionally insecure about deprived The child lacks knowledge about sexual abuse A situation or unusual trust between child and offender Coercion 	 No availability of sex education for children Social powerlessness of children 			

Finkelhor's model demonstrates the importance of looking beyond the individual victim or perpetrator when assessing where primary prevention programme is to be introduced and how other seemingly unconnected societal pressures and gaps can lead to an environment where a child can be sexually victimized (Quadara et al., 2015: 30 -31).

1.9. Rationale of the Study:

Sikkim's merger in 1975 and the political transformation have led to a massive structural transformation in the state. There has been an immense expansion of administrative and bureaucratic structure, and the state has focused, on considerable investment for all-round development, under various policies and programmes of the central and state government². Simultaneously, change in traditional institutions and practices, and the introduction of modern institutions have resulted in the precariousness of the Sikkimese society. This conflicting situation has a huge impact on the various sphere of people's life. On the one hand, the various developmental initiatives, of the state are visible in socio-economic transformation, which is manifested in various developmental indicators like health, education, transportation, etc. Further, the opening of the society to the globalized market resulted in the accessibility, affordability, and availability of goods and commodities, information, technology, and media to the larger population. On the other hand, changes in various structural factors have also led to marginalization, deprivation, and disparity of some section of the population (e.g., unemployment, poverty, illiteracy, etc.). Recently Sikkimese society has also been witnessing widespread issues like alcoholism, drug abuse, and a significant increase in the incidents of child sexual abuse. Sikkim saw a spurt of incidence of crime against children with 45.8% - Report by Ministry of Women and Child Development 2007). The alarming situation of Child Sexual Abuse propelled the Government of India to come up with an Act called "Protection of Children against Sexual Offence" (POCSO) in 2012 to protect children from offenses of sexual assault, sexual harassment, and pornography and provide for the establishment of Special Courts for the trial of such offences. Child sexual offense which has caught the attention of the Sikkimese society recently is a burning phenomenon which needs to be put into proper perspective. After the introduction of the POCSO act in 2012 by Government of India, Sikkim became the first state in the northeast to implement it. After the implementation of this act, Sikkim saw a gradual swell in the amount of cases. The first year of the implementation of this act did not witness any reported cases. But a year later the cases started registering from almost all districts of Sikkim.

Table 1.4 Cases registered under POCSO in various districts of Sikkim from the year 2012 – 2017

Years	EAST	WEST	NORTH	SOUTH
2012	Nil	Nil	Nil	Nil
2013	5	3	Nil	1
2014	14	11	2	11
2015	17	7	Nil	5
2016	41	19	9	24
2017	36	09	2	4

Source: Crime Branch of Sikkim, Gangtok

The present research maps the various structural transformations taking place at the societal level leading to child sexual abuse. There is a dearth of study in this area in the context of Sikkim; therefore, it is imperative at the moment to critically engage in the issue. The intention of the study was to explore the nature of the child sexual abuse in Sikkim. The study also aimed to understand the perception of different stakeholders like teacher's parent's panchayats members etc. and to explore the social

variables related to the issue. The study focused on the impact of sexual abuse on the victim and family members of abused children in Sikkim. The study aimed to come out with recommendations and strategies beneficial concerning the issue of child sexual abuse.

1.10. Objectives of the Study:

- To study the profile, nature of abuse and to understand major social factors behind the abuse.
- To study the perceptions of the people at the societal and Institutional Context.
- To find out measures taken by the state and stakeholders to provide support to the abused child.

1.11. Research Questions:

- What is the nature and social factors causing child sexual abuse in Sikkim?
- How do people perceive this issue at the societal and institutional context?
- What are the measures undertaken by the state and stakeholders to check child abuse?

1.12. Methodology:

Research design

The present study is an exploratory research. It was conducted on an issue where there is limited or no earlier research. There is scarcely any nationwide study on this subject matter excluding the study carried out by the Ministry of Women and Child Development in 2007 which was more of a survey. Thus, to carry out this study, an exploratory research design was implemented.

The study employed both qualitative and quantitative research method. According to the data gathered from Crime Branch of Sikkim, Gangtok, the total number of reported cases in Sikkim was 220, out of which, a large amount of cases were reported from the South District of Sikkim and hence, this was selected as the field for the current study.

Sampling Design:

For the current study, the Stratified Random Sampling method, Purposive Sampling method was adopted to give full justice to the study. Primary data was collected from the field survey using an interview schedule where the victims, stakeholders, and officials in the state government were interviewed. The tools used for the study were Focused group interaction, semi-structured interview for stakeholders and unstructured interview for the abused victim. The in-depth interviews with the victim, victim's family or close relatives were conducted recollecting the events before and post incident. The study used secondary sources (both published and unpublished) documents, police report, and a survey to understand the nature of child sexual abuse. Field and Sample Size:

For the present study, the field was South district of Sikkim - Namchi. The district is the smallest in the geographical area but the second largest in population. The district is located at the latitude $27\square$ 10' N, and longitude $88\square$ 22' E. The total geographical area of the districts is 750 sq. Km and lies at an altitude between 400m to 2000m. This district is surrounded by East district, West district, North district, and Darjeeling district of West Bengal in east, west, north, and south respectively. According to 2011 Census, the district has a population of 146,850 with males comprising of 76,670 population and females comprising of 70,180. The sex ratio is 914 females per 1000 males with a literacy rate of $82.06\%^3$.For the comprehensive analysis of the interrelationship; the study included both urban and rural areas. For the rural sample, two Gram Panchayats Unit (GPUs) was selected, i.e., Bomtar comprising a population of 994 and Mikkhola comprising a population of 687^4 . For the urban area, Namchi town was selected. The respondents were randomly chosen from the selected study area.

1.13. Scope of the Study:

The proposed study will possibly provide a better and broader understanding of the phenomenon of child sexual abuse as there is limited research work on the said topic in the context of the society of Sikkim. The study highlights the structural transformation of Sikkimese society over the years. It will also help us to understand the impact of sexual abuse on victims and family members. It will help to throw light on the social factors, the perception of stakeholders; so the research will be able to draw recommendation to club child sexual abuse and frame the intervention program to prevent it from happening in society.

³The above data was retrieved from (http://www.sikkim.nic.in.msme-di)

⁴(www.census2011.co.in)

CHAPTER-2

Historical Overview of Sikkim

2.1: INTRODUCTION

Sikkim in Tibetan language is referred as '*Demajong*' or '*Denjong*' meaning the 'hidden valley of rice', in Lepcha language it is referred as '*Nye-ma-el*' meaning 'heaven', in Nepali language it is referred as '*Indrakil*' meaning 'the garden of Lord Indra' and in Limboo language it is referred to as '*Sukhim*' meaning 'new happy home' (Rao, 1978: 1). It is a multi-racial, state inhabited by three main communities out of which the Lepchas constitute 14 percent, Bhutias 16 percent and Nepalese 70 percent of the total population (Das,1983: 6; Lama,1994: 77, 245). When the first census was conducted in Sikkim in 1981, the Lepchas constituted 5,762 people, Bhutias were 4,894, Limbus were 3,356 and Nepalese comprised of 16,000. Thus, the Nepalese in Sikkim have outnumbered the original inhabitants of Sikkim that are the Bhutias and Lepchas concerning population (Rao, 1978: 3).

The civilization of Sikkim poses quite a historical puzzle. For the reconstruction of the early history of the land, only a few sources are available in the form of mere oral, folk stories, travel diaries, etc. (Kharel, Bhutia &Subba, 2013: 72). The earliest publication on the history and population of Sikkim is found in Risley's 'Gazetteer of Sikhim' (1928/1993) (Gurung, 2011: 6). The book gives a comprehensive description of the origin of the Namgyal Dynasty.

The modern history of Sikkim begins from the year 1642 with the consecration of Phuntsog Namgyal – son of Guru Tashi by three revered lamas: Lhatsun Chenpo, Nga – Dag Lama and Khatog Lama who conferred on him the title of Dharma Raja or Chogyal at Yuksom. The boundaries of Sikkim at that time stretched as far from Limbuwan in the west, Chumbi valley and parts of western Bhutan; and westward up to Titaliya including Dorjeling (now Darjeeling). However, the kingdom faced several intrusions from its neighboring ally, i.e., Bhutan and Nepal. The frequent invasions (the Anglo Gurkha War), the signing of a different treaty like the treaty of Sugauli, signed between Nepal and the East India Company, treaty of Titaliya signed between East India Company and Sikkim, led Sikkim to enter a new phase in its history. Awadesh Coomar Sinha (1975) in his book 'Politics of Sikkim A Sociological Study' gives a brief description on the joining of Sikkim with the Indian Union analyzing the power structure of Sikkim, the social foundation of the political institutions, the characteristics and role of the elite and the bearing of these phenomena on the efforts of nation-building and search for political identity. His study bears three major themes of inquiry such as

i) the socio-religious and ethnic forces which lay the foundation for the polity of Sikkim.

ii) the elite and their role performance and

iii) the viability of nation-building efforts and Sikkim's quest for her identity.

The analysis of these themes gives a clear picture of the Sikkimese political system which underwent a strenuous process of transition.

2.2 Ethnic Composition:

The climatic and geographical condition of the country was such that it restricted the population movement and made it complex for communication for the Sikkimese. Their typical population settlement pattern and unique economic system have helped Sikkimese to preserve their cultural individuality to a great extent (Sinha, 1975: 5).

Lepchas:

Lepchas was locally known as 'Bonpo Shamanists' (those who follow bon religion and shamanism),

'Rong-pa' (ravine folk) or *'Rong'* (dwellers of the valley) or Rongkup, meaning 'children of the snowy peaks' are considered to be earliest inhabitants of Sikkim (Grover, 1974:5; Sinha,1975:5; Rao, 1978: 2). They consider that their home has been the legendary kingdom of Mayel, in the surrounding area of Mount Khangchendzonga. Most Lepcha clan asserts to have mythical connections with particular mountain peaks and lakes which they worship as their deity (Cultural Affairs & Heritage Department - Government of Sikkim: 31). It is said that they migrated from the east along the foothills from the direction of Assam and Burma (Coelho, 1970: 3). They are known for their gentle, calm and indolent disposition (Rao, 1978:3).

"They have their language known as 'Rongring' with its script, 'Mutanchi Rong Aming.' Lepchas are expert weavers, cane craftsmen, and good archers". They come from slash and burn agriculturist and hunter-gatherers background (Cultural Affairs & Heritage Department - Government of Sikkim: 32).

The Lepchas and Bhutias were said to have an old tradition of polyandry. The conversion of Lepchas to Lamaism paved the way for social intercourse at the highest level with the Bhutia aristocracy around the monasteries. They (Lepchas) entered into a ritual bond of blood brotherhood with the new Bhutia rulers, and a new class of the Kazis emerged in Sikkim. In the meantime, the Christian missionaries of various denominations worked their way among the Sikkimese Lepchas. In spite of their conversion to Lamaism or Christianity, the core of their cultural life has remained

animistic, as they retained tribal practices in their Lamaist and Christian ways of life (Sinha 1975: 5-6).

In the earlier period, the Lepchas survived mostly on hunting, fishing, and forests product for food. H.H. Risley in the Gazetteer of Sikkim (1894) states that: "The Lepchas find innumerable things to eat in the jungles in the shape of fruits, leaves, piths of stems, roots and flower buds" (Cultural Affairs & Heritage Department - Government of Sikkim: 35).

Bhutias:

The Bhutia tribe, also known as Lhopo, which means 'the dwellers of the southward,' or Denzongpa, which means people from Denzong or the valley of fruition is one of the foremost inhabitants of Sikkim (Cultural Affairs & Heritage Department -Government of Sikkim: 15). The Bhutias or Khambas were of Tibeto-Chinese origin who migrated in 1640 to northern parts of Sikkim from Kham-Mina-Andong in Tibet as grazers, herdsmen, traders and missionary Lamas (monks) in search of rice fields, pastures, markets and possible converts to Lamaismor Buddhism(Sinha, 1975:6; Rao, 1978: 3). The Bhutias have their language called Lhokey, and they are Buddhist by religion. Their daily lives revolve around monasteries and monks. With the consolidation of political power and establishment of religious hegemony after 1642/1646 not only did the settlement pattern changed but social stratification too began to appear in the form of Royal family, Lamas, Kazis, and the commoners. The Lamas (spiritual leaders), who often belonged to the noble families of Tibet were the custodian of the important monasteries of Sikkim like Dubdi, Pemiongchi, Tashiding, etc., besides exercising significant influence, as a consultant o the Chogyal, in the political-administrative affairs of the State. The monasteries were in possession of huge landed property over which the Lamas enjoyed both revenue and administrative

control. The Kazis, on the other~, were landlords /zamindars mostly belonging to the Bhutia-Lepcha groups, who enjoyed immense economic and political power in a feudal bureaucratic and economic set up under the Chogyal. Within their territorial jurisdiction, they also exercised the power of adjudication.

The social intercourse between the Bhutias and Lepchas was facilitated by four factors: the Lepchas (*animists or nature worshippers*) conversion to Buddhism, intermarriage between the two communities, presence of a class structure rather than caste structure, i.e. the institution of *Kazi* and finally, the ritual bond of blood-brotherhood concluded between the Bhutia patriarch, KhyeBhumsa from Kham region of Tibet and Lepcha Chief, The-Kong-Thek at KhabiLongtsok in North Sikkim (Sinha, 1975: 5-6,10,12,43).

Nepalis:

The Nepalis a heterogeneous community were the last group to migrate to Sikkim. They migrated to Sikkim since 1788 from Nepal, Darjeeling, Kalimpong, and Kurseong as laborers, cultivators, marginal workers and petty traders in search of a better standard of living and income soon rising to an important position in business and administration (Kazi, 2009: 91). The Sikkimese Nepali communities are a Hindu society and follow the caste system with their Hindu tradition and customs (Cultural Affairs & Heritage Department - Government of Sikkim: 45).Others, including the 'Sherpas,' the 'Tamangs' were mainly concentrated in the extreme west of Sikkim. Also there is another group known as the 'Tsong' originally settlers from the Tsangpo valley in Tibet in what is now the Limbuwana district of Nepal, which was one time a part of western Sikkim. Some of them settled in Sikkim later (Coelho, 1970: 3). Unlike the Hindu society in India with its rigid caste system, the Nepalese society in Sikkim allows inter-caste marriages. Though all the tribes and communities in Sikkim have their dialects, yet they all speak Nepali. Nepali as a Lingua Franca, identical style of life and common religion form the string of uniformity that lies through the cultural corpus and holds the Nepalese Hindus together in Sikkim (Sinha, 1975: 8).

Apart from the three main communities in Sikkim that are the Bhutias, Lepchas, and Nepalese, a small group of the business community has migrated to Sikkim. They are mostly of two major caste groups that are the Marwaris of Rajasthan (*including Agarwal, Maheswaris and Oswals*) and Baniyas of Bihar and UP (Kazi, 2009: 67).

2.3 Society in Early Sikkim:

Sikkim's social structure is based on social status ascribed by or inherited through tribal affiliations. The socio-political condition of the early inhabitants of Sikkim was that of the tribal stage of food production and tribal chieftainship until the concluding part of the Nineteenth century. Some say, before the advent of the British, the economy of Sikkim had been purely in a primitive stage. The practice of trade was irregularly carried on between different sections of the community by barter (i.e., exchange in kind) till the late 19th century (Dewan. 2012: 83). Majority of the inhabitants was dependent on agriculture for their living. Rugged topography and poor soil conditions limited the development of agriculture.

A traditional society maybe characterized by a simple stratification and there maybe only one class to dominate the entire spectrum of society but society in Sikkim was comprised of a complex and heterogeneous organization of social forces where power was exercised through a variety of political institutions. A small group of elites identified themselves with the ethnic, religious and social forces occupied positions of leadership power and influence and claimed their right to exercise, legitimately or otherwise, the authority to enforce and to maintain their roles of command. Such distribution of roles of command, exercised by the elite determined the structure, formation, and development of the larger society in Sikkim. The socio-political system was largely feudal because of which there appears to be limited accountability of the elite, but they occupied strategic positions in bodies responsible for shaping the destiny of the community. These strategic elites controlled the dynamics of political changes and are recognized as the prime movers of society. They were confronted with the task of fostering the development of their society which was not only feudal but fragmented (Sinha, 1975: xi-xii). The socio-economic condition of the general people in Sikkim was extremely unfortunate. Thus, deep-seated hatred and rivalry came to exist among the majority of the Nepalese population inclusive of Limboos and common Lepchas against the minority of ruling Bhutias combined in an uneasy alliance with the high caste Kazis or Lepchas (Bhadra, 1992:74-80).

Buddhist social structure was basically based on the three-tier system consisting of the clergy, the aristocracy, and the commoners. Family life was organized around the institution of polyandry, and their approach to social relationships within their community was egalitarian. In contrast, the Nepalese Hindu's had their caste structure based on social distance and ritual hierarchy. The Nepalese organized by the concept of pollution and untouchability and basically practiced monogamy. This innate sentiment of the Nepalese ritual superiority over the "polyandrous and the beef-eating Lamaist" gave the Nepalese a sense of ritual solidarity among the Nepalese against the Bhutias (Joshi, 2004: 95). J.R. Subba (2016) in his book 'History Culture and Customs of Sikkim' provides an insight into the history of its existence as the Himalayan Kingdom and its disintegration in various phases, ethnicity, culture and customs of the people of Sikkim.

2.4. Religious Institution:

It is not surprising that Tibetan Buddhism has deeply imprinted itself in the land and particularly amongst the Bhutias, given its historical and cultural links between Sikkim and Tibet. Social life revolves around the monastery where monks play a crucial role in giving direction to existence and meaning in daily work (Bedi, 1989: 14). Mahayana Buddhism which was followed by the Bhutias and the Lepchas became the State religion of Sikkim, but people of Sikkim had the full freedom of worship. (Rao, 1978:2; Das, 1983:9). The Tibetan language was accorded an official status while the majority of the population spoke Nepali language (Das, 1983: 9). The monks held a good number of civil posts. Eventually there evolved a priest- client relationship between the clergy and the ruler (Sinha, 1975: 40).

The Nepalese immigrants in Sikkim are predominantly Hindus. Over the years, there have been three parallel systems of the sacred specialists among the Nepalese viz.,: the Shamans, the Hindu Brahmanical Priests and the lamas who have who have evolved a system of near coexistence (ibid.1975:40). The Buddhist monasteries coexisted with Hindu temples. With the coming up of Britisher's during the late eighteenth century, their missionaries converted few into Christianity which later spread to other parts of Sikkim and its people.

2.5 Cultural Aspects

The existence of culturally diverse groups within Sikkim hindered the kingdom's cohesiveness. For instance, the lack of common racial background was the cause for the disunity of the Sikkimese people. The term Sikkimese indicates a resident of Sikkim and has no linguistic or ethnological proposition. Disturbed by the large influx of the Nepalese, the palace prohibited them from settling in the valleys of North, and they did not carry with them the status of a citizen. It was only due to the Sikkim

Subject's Regulation legislation of 1961; it provided citizenship to these inhabitants of Nepalese descent. The provision was subjected to criticism and heated discussion and further provoked disharmony amongst the three distinct races, i.e., the Lepchas, the Bhutias, and the Nepalese. The racial distinction thus embodies a 'centrifugal force' working to divide the Sikkimese people. However, despite these disparate racial groups, the religious factors and a common feeling of national consciousness have held a certain degree of historical and cultural unity (Joshi, 2004: 66 - 67). The immigrants from Nepal and their historical background are supplemented with never ending facts and hence the actual truth to come to the definite point is slippery. But with the evidence of infiltration, there is an impact in the society. There is an incorporation of culture in Sikkim with the inclusion and combination of different communities (Gurung, 2017: 41 -42).

2.6. Gender and Social Structure:

Social and gender relations are the result of an unpredictable scope of variables relying upon the social, cultural and historical conditions. In spite of the fact that it is connected to religion and ethnic identity and yet, are emphatically affected by outside influence on the communities. As conventional social orders are faced with new impacts and symbols of progress, in this way social and all the more especially, gender relations are regularly reinterpreted and renegotiated (Gurung, 2017). Gender representations are not homogeneous in any community; rather there are discontinuities and difference. Depending on the situation, individual women and men behave differently in their lives and activities and articulate how they selectively hold, abide, resist or disregard gender ideologies. Such individual activities and practices show how the greater forces of change are marked at the local level through individual lives. However, when theoretical views of society presuppose a uniform

and rigid social order that frames an idealized situation often informed principally by male perspective, then the significance of individual choice and action is often disregarded (Gurung 2017 as cited in Watkins 1996). When we examine the role and position of women in Sikkim it is no different from what generally, women in other part of the world constituted. The social structure of Sikkim was largely feudal and patriarchic in nature. Women had little or no say at the decision making and control process. They did not have much command over vital resources like land. The inheritance rights belonged only to sons. Women had less control over their own labor, as their wages depended on the male dominated perception of women not ready to do as much work as men (Giri, 2012: 16). During early days, education was the luxury vested only to women from influential background while majority of the women were subjected in the fields or handicrafts. Women and children were seen and treated as the property of their male counterparts.

2.7. Marriage:

In the History of Human Marriage, *Edward Westermarck* defines marriage as "the more or less durable connection between male and female lasting beyond the mere act of propagation till after the birth of offspring". Though marriage as an institution is universal, it varies in its form. The patterns of marriage vary from community to community distinguished by each culture, language, social customs and traditions.

Early Marriage: In Sikkim, during earlier days marriage took place quite early among women in rural and urban areas. At the core of early marriage in Sikkim, was the system of ⁵ *bhagaune pratha*'. Due to the stern caste system existing in Nepali society, this kind of marriage system probably evolved. There was a strict prohibition of caste exogamy for both the higher and lower castes. Therefore, left to face with the

⁵system of socially sanctioned elopement.

social outcast and sometimes even severe punishments for inter-caste marriage, *bhagaune pratha* evolved as an instrument for social acknowledgement. Another reason for such a system of marriage might be due to the high levels of expenses in traditional marriage ceremonies. Unfortunately, this practice of elopement became increasingly casual so much so that young boys and girls who avoid going to school or bear any family accountability often eloped. Almost every family/home suffered from this phenomenon of untimely marriage⁶. The menace of early marriage practice is reflected in the table below.

Age at Marriage	1989				1997			
(yrs)	Rural (%)		Urban (%)		Rural (%)		Urban (%)	
	Women	Men	Women	Men	Women	Men	Women	Men
14	4.0	1.3	9.30	0.54	4.75	1.87	8.81	1.91
15-17	28.1	5.7	29.50	4.6	20.90	5.95	26.35	6.09
(32.1)	(7.0)	(38.80)	(5.14)	(25.65)	(7.82)	(35.16)	(8.00)	
18-20	34.2	23.1	36.00	21.7	34.90	22.18	35.38	(33.77)
(66.3)	(30.1)	(74.80)	(26.84)	(60.55)	(28.00)	(70.54)	25.77	
21-25	19.9	30.0	19.70	42.30	23.57	35.78	20.27	38.75
26-30	10.2	26.7	4.10	22.2	8.11	20.13	4.88	17.90
31+	2.4	10.5	0.35	4.9	3.19	10.35	1.23	6.94
7	1	1	1	1	1	1	1	1

Table 2.1: The Age of Marriage among Men and Women in Sikkim

In 1989, in rural Sikkim, 32% of girls got married which implies that 66% of the girls married by the year they reached 20. Marriage for females mostly took place between 14-20 years and for males, between 18-25 years. In urban areas, almost 39% got married before they attained 17 years and another 36% by the time, they attained 20

⁶(http://medind.nic.in/haa)

⁷Sources: Chutani and Gyatso (1993); Chutani and Gyatso (1998).

year which slightly improved in 1997. The high rate at which young girls got into marriage continued to grip Sikkim with almost 71% of the women getting married before they reached 20 years of age (Drall,2013:22).

In Sikkim, traditional marriage customs are as diverse as the communities. Some general features are more or less applicable to all the communities in the state. The general norm found in Sikkim is that it is largely a patriarchal society with patrilocal residence and patrilineal descent. We can find a strong clan organization of each community due to which marriage is endogamous at the clan level and exogamous at the sub-clan level. In Sikkim marriage by negotiation is the common practice. However, there are high incidences of marriage by other means like elopement, marriage by service, marriage by courtship, marriage by capture, etc. Bride price also prevails both in cash and kind. We also find the traditional practice of customs of marrying the wife of a deceased elder brother, i.e., Junior levirate and Junior sororate, i.e., the custom of marrying the husband of the deceased elder sister and Polyandrous form of marriage in many communities (Rai. 2013: 138). The Bhutias, especially the Lachung-pas and Lachen-pas of North Sikkim, generally practiced a polyandrous form of marriage, i.e. the system of sharing one common wife by all the brothers. The polyandry system came down to Sikkim from Tibet along with Tibetan settlers there. But these days educated urbanized Sikkimese Bhutias have started to abandon this system due to modern influences and take one spouse only at a time. The Lepchas, on the other hand, are generally polygamous, though polyandry is not very unacceptable to them.

2.8. Political System:

The political arrangement of Sikkim was similar to typical Himalayan theocratic feudalism parallel to the Tibetan lamaist pattern which implies the ruler isn't just the

secular head of the state yet, additionally he was also an incarnate lama with the duty to manage the subjects by the percepts of the 'Chhos' – the Dharma. Since 1642, the fundamental doctrine of the Lamaist policy in Sikkim held the view that 'Chhos' was the recognized religion and the rulers (rGyalpo) were influential in maintaining the doctrine justifying the appellation the, "Chos-rgyal" (Chogyal). In an ideological sense, the traditional Tibetan government was a mixture of clerical and lay elements in the sense that there could not be an absolute separation between spiritual and temporal estates. Besides, the monks held a good number of civil posts. The ethnic complexity together with the British suppression made the Sikkimese ruling class to implement many Non-Tibetan elements into the political system. The most obvious sresult of this assimilation was the evolution of Kazis and the Newars both as landlords and the appointment of Non-Tibetans as lay civil servants (Sinha, 1975: 10-11).

2.8 Education in Sikkim during the pre-literate days:

The socio-cultural status of a country is known mostly by its system of education. It is the yardstick of development of a country. Located at the deeper regions of the Great Himalayas, Sikkim could still keep pace with the educational development of its neighboring countries like Tibet, Nepal, and Bhutan. Education in Sikkim during those days was mostly confined to the study of scriptures and religious philosophy in the various monasteries, until late in the nineteenth century (Subba, 2016: 167). In the early years, the formal system of education was missing. Illiteracy was rampant, and the general mass had little or no access to learning reading and writing. Only those at the top places like great lamas and the rulers could make use of the scripts. Reading and writing were particularly confined within the particular class. At the end of the

19th century, the Christian missionaries made some efforts to impart formal education in some parts of Sikkim (Dewan. 2012: 105, 107).

2.9.1. Monasticism and Lamaism:

The foothold of Lamaism in Sikkim dated from the period of Lhatsun Chembo's entrance about the middle of the 17th century when Lamaism became a powerful hierarchical institution. Gradually Lamaism or Tibetan Buddhism became the state religion of Sikkim and accepted by the majority of the people. With its growth, innumerable monasteries were built throughout the land (Joshi, 2004:13). During the early literate days, one can hardly question the contribution and potentialities of the monasteries to their education and culture. It has ever been the abode of Buddhist culture in Sikkim. In fact, monasteries were a source of incidental education to the other community as well, like the Nepalese of the Hindu faith, who have lived together for over a century with the Bhutias and Lepchas. The Nepalese have so much assimilated with them that they have added some new cultural elements to their own by absorbing from the Buddhist socio-cultural milieu in the process of socialization and acculturation. The formal educational role of the monastery towards the general public was insignificant. It simply provided to the need for spiritual edifice of the followers of Buddhism in a narrow sense. Mass education thus, using the indigenous formal institution was not facilitated through monasteries (Dewan. 2012: 131, 157 -158).

The traditional education system of Sikkim was life centered, practical and experience based. There is a famous Nepali saying "⁸parigunike ham, haolo joti mang" which reflected the general mindset about education. Growing children till attainment of

⁸ What is the use of reading and writing as ultimately you have to plough the field'.

adolescence implied acquiring hands-on knowledge of things, ceremonies, and functions. The family was the central point of almost all educational activities with key roles being played by women (Sikkim Development Report, 2008: 73). Thus, the wheel of the early education in Sikkim was very closely linked with the family society and religious ceremony with the ideas of preservation and conservation of social values and family discipline. Given the nature of the family system in Sikkim, i.e., patriarchal system, the father as the head of the family was the decision maker, and mother was the center of the household. The mother or senior women was assigned with the responsibility of training girls while the father instructed and guided the boys in practical works. From the beginning, the children's behavior would get modified under the approval and disapproval of the family or social members. They were given to develop the practical sense of what to adopt and what not to and what to abstain. The children worked closely with the family in the house and the fields and through this way they were preparing themselves for further life and understanding fully about coping with the prevailing situation and crisis, adjusting and making a distinction between good and bad or between harmful and useful things (Dewan. 2012: 115, 116).

Also due to the coexistence of three major ethnic groups; Lepcha, Bhutia, and Nepali communities – all these elements of different races were getting assimilated in the process of living together exchanging and sharing not only arts and crafts, economic activities and mode of living but also intimately sharing factual knowledge, ideas and beliefs of each other. As a result of developing a system of learning together from each other's way, a sort of common compact culture came to be formed. By the end of the nineteenth century, the acculturation of the ethnic communities of Sikkim was

virtually complete and reached a high degree of assimilation. Social norms held supreme values as the effect of living together and learning together (ibid. 2012 115).

2.10. SIKKIM AFTER POST MERGER:

The Post merger era brought a painful process of conversion to identify itself as one of the Indian states. Traditional Sikkim with its age-old culture began to be perceived more and more as a Nepalese speaking state of which the Nepalese Sikkimese had become a part, somewhat akin to other linguistic states. Theprocess of merger was painful, especially for the ethnic minorities, but the economic advantages and larger role in the national context made Sikkim's transition a smooth one. Sikkim has reliably pursued a policy of indigenous cultural plurality while putting their confidence in the constitution of India. The evolution of the vast corpus of Sikkimese culture has been a established, difficult and explicit phenomenon. It was found that in Sikkim the traditional mysticism is bounded up with a social rigidity (Lama, 1994: 12, Das, 1994: 89).

After its merger with the Indian Union, all the resources in the state have been designated as 'public goods' under the direct control and utilization of the state. The change can be traced in the steady rise in social services, large state expenditures for public welfare, utilization of public goods in the state for its development and effective administration and enforcement of law and order. As cited by Datta (1991), allocation and distribution of the state resources and rewards were carried out in a democratic way which is entirely meant for the state's citizen (Datta, 1991: 97-98). After that, within year or two the 'service' and 'business' sectors expanded rapidly creating vast avenues for the people. In this regard the state required a largeworkforce. Thus an influx of most skilled and better-educated people from other

parts of India took place to operate the easily available positions because of the insufficiency of local people. The influx led to the expansion of the business sectors and market economy attracting both the businessmen and money from other parts of the country (Lama, 1994: Datta, 1994: 79). The state achieved tremendously regarding infrastructure development, socio-economic development, literacy development, etc. (Subba, 2007:68).

2.11. Globalization and Cultural Practices:

Globalization in simple terms refers to a process of spread or adoption of a given activity or phenomenon from specific micro locations to macro levels, approaching wider (global) situations. Before the new changes are brought about by globalization process, the involved change variable having its own associated socio-economic (cultural) and natural, environmental guiding (support) conditions or support system tends to displace or alter the existing conditions. In most of the Himalayan countries, the process of globalization accentuated during the colonial rule and particularly during the post colonial period. Globalization stimulated some great opportunities through product, resource, service flows, flow of information, knowledge, experience, expertise, technological innovations in different sectors, social sector activities including education and human capacity building, helping and slowly de marginalizing of poor and marginal sections of the society, market facilities, improved trade channels and price support etc. However, in most cases development patterns and practices designed for plains were extended to mountain areas without reorienting them to mountain conditions which generally ignored the micro perspective and grassroots level realities leading to several consequences for mountain areas (Chambers 1990).

Jodha (2005) makes reference to the negative side effects of economic globalization in mountain areas. The key issue while tending to the effects and outcomes of globalization is – external concerns are given importance when dealing with local perceptions and practices. Global perspectives are forced at the miniature scale level through various instruments like commodity trading and associated resource use, reforming of property rights and access to assets, dissembling of existing regulatory provisions and their requirement system and so forth. These instruments are stimulated by market essentials that are insensitive to social and environmental concerns. Looking at the Socio Economic aspects, such mechanisms enhanced unequal upland low land economic links, disfavoring mountain areas and people, increased population pressure, inequities contributing to decline of communities, collective stakes, in local resources, collective risk sharing arrangements, increased poverty, unemployment and outmigration rising urban rural gaps, growth of individual centered rather than group centered development interventions, emerging social tensions, marginalizing traditional practices etc.

2.12. Demographic Developments:

Sikkim underwent several reformations in its economy and demography after joining mainstream India. The following ⁹table indicates the transition in demography and sex ratio of Sikkim over the years.

⁹Source: District Census Handbook 1971, 1981, 1991 and Primary Census Abstract 2001, 2011, Census of India.

Year	Total Population	Rural Population	Urban Population
1951	1,37,725	1,34,981	2,744
1961	1,62,189	1,55,341	6,848
1971	2,0,9843	1,90,175	19,668
1981	3,16,385	2,64,301	51,084
1991	4,06,457	3,69,473	37,006
2001	5,40,851	4,80,981	59,870
2011	607,688	455,962	151,726

¹⁰Table 2.2 Demographic Profile of Sikkim

From the above table, we can say that the growth pattern in the first half of the century was very slow; in the second half we can see a swelling trend in the population growth. The maximum growth of population is noticed during 1981that was double the growth rate of the country, which indicates that the maximum inmigration of the people from outside took place after Sikkim became the 22nd State of the Indian Union in 1975. Overall, the state has witnessed a very high growth rate. It visibly reflects that immigration and in-migration from diverse parts of the country and to a large extent from across the borders has been a common feature in Sikkim. Therefore, in migration has been the most important factor responsible for the change in the demographic scenario of the state after 1975.

¹⁰ The population figures indicated in the above table does not take into account the floating population and the tourist inflow to the state.

¹¹ Table 2.3 Distribution of Population, Decadal Growth Rate, Sex-Ratio, and

Population Density

State/District	Population 2011			Percent	tage	Sex Ratio		Population	
				decadal		(Number of		density per	
				growth rate of		females per		sq.km	
				Population		1000 males)		_	
	Persons	Males	Females	1991-	2001-	2001	2011	2001	2011
				01	11				
2	3	4	5	6	7	8	9	10	11
SIKKIM	607,688	321661	286027	33.07	12.36	875	889	76	86
North	433 54	245 13	188 41	31.34	5.67	752	769	10	10
District									
West	136 299	702 25	660 74	25.57	10.59	929	941	106	117
District									
South	146 742	766 63	700 79	33.39	11.57	927	914	175	196
District									
East District	281 293	150	131 033	37.32	14.80	844	872	256	295
		260							

In the last decade (2001-2011) the total population of Sikkim grew by 12.36 %. Another essential element of the demographic trend found in Sikkim is that till 2001 the sex ratio was moving lower than the national average. Between 1991 and 2001, the sex ratio knocked down in Sikkim from 878 to 875, the lowest about the other north-eastern states. And in 1991, there were 878 women per 1000 men, as compared to 933 at the national level. This declining trend clearly shows that people were becoming more conscious of their living standards, which may primarily be due to the shifting of their occupation from primary to secondary sectors. Other factors involving, development of the transport and communication, exposure to new ideas, increasing educational expenses etc. are responsible for it.

¹¹Source: <u>http://www.censusindia.gov.in/2011-prov-results/prov_data_products_sikkim.html</u>

	Po	Population 0 – 6 years				
	Total	Male	Female			
West District	14,957	7,669	7,288	950		
South District	15,070	7,737	7,333	948		
East District	26,571	13,651	12,920	946		
North District	4,479	2,361	2,118	897		
Sikkim	61,077	31,418	29,659	944		

Table 2.4 Child Population and Child Sex Ratios in Sikkim:

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The above table shows the population of children from 0-6 years across the districts. Interestingly, the child sex ratio (0-6) for 2011 at 944 is higher than the overall sex ratio and is also higher than the national average of 914. It is found that the child sex ratio in rural areas (952) is higher than in urban areas where it is 917 (Sikkim Human Development Report, 2014). Such changes in urban class people maybe due to the widespread availability of contraceptive techniques, improvement in the health sector, increasing the cost of education, cost of marriages, and development of a wage economy are some examples for the decline in child sex ratio especially in urban areas.

2.13. Education in Sikkim (after post merger):

Since 1975, following the merger of Sikkim with the Indian Union, the state government gradually in assistance with the central government has been taking necessary measures to make Sikkim one of the modern and developed states of India. The educational facilities, schools and teachers have increased remarkably in the postmerger society of Sikkim. The education sector has been receiving high priority in the state. Literacy rates among the population aged seven years and above have also gone up steadily; moving from 17% in 1971 to nearly 57% in 1991. The rise in female literacy rate during the same period witnessed an impressive growth from 8.9% to

¹²Census of India 2011

over 46%. In between 1981 and 1991, it may be noted that Sikkim recorded the second highest improvement (15.31% points) in literacy rates among the northeastern ¹³states. The rank reflects the achievements of the state in the field of education. Gross Enrolment Ratio (GER) in Sikkim has gone up to almost 24% with 26% for males and 20% for females in 2007 – 08, higher than all India average of 14%. The all India figure for males and females stands at 16% and 11% respectively. Sikkim ranked second in GER among northeastern states¹⁴. The state government's responsibility to the universalization of elementary education as well as the change in societal attitudes towards education has brought numerous positive improvements, which can be seen from the overall rise in literacy rates and the narrowing gender gaps in literacy (Sikkim Human Development Report, 2014).

 Table 2.5 Population in the Age Group 0-6, Number of Literates and Literacy

 Rates for State and Districts: 2011¹⁵

SI.	State/Di	Total	Populat	ion	Pop	oulatio	n in		Number		Lite	eracy r	ate ¹⁷
No.	strict				Age	Group	0-6	I	Literate	s ¹⁶			
1	2	3	4	5	6	7	8	9	10	11	12	13	14
	Sikkim	6076	3216	2860	610	314	296	4492	2533	1959	82.2	87.	76.
		88	61	27	77	18	59	94	64	30	0	30	43
1	North	4335	2451	1884	447	236	211	3008	1839	1169	77.3	83.	69.
	District	4	3	1	9	1	8	4	2	2	9	03	92
2	West	1362	7022	6607	149	766	728	9548	5308	4239	78.6	84.	72.
	District	99	5	4	57	9	8	1	4	7	9	86	12
3	South	1467	7666	7007	150	773	733	1080	6000	4804	82.0	87.	76.
	District	42	3	9	70	7	3	54	7	7	7	06	58
4	East	2812	1502	1310	265	136	129	2156	1218	9379	84.6	89.	79.
	District	93	60	33	71	51	20	75	81	4	7	22	41

In 2001, the literacy rate in Sikkim stood at 68.81% of which male literacy stands at 77.38 and female literacy stood at 59.63%. Today literacy rate in Sikkim has seen an

¹³Arunachal Pradesh ranked the first with an increment of 16.11 percentage points.

¹⁴Mizoram ranked first which had a GER of almost 26%

¹⁵Source: Census of India 2011 Data

¹⁶Literates exclude children in the age group 0-6 years that were by definition treated as illiterate in the Census of India 2011.

¹⁷Literacy rate is the percentage of literates to total population aged 7 years and above

Literacy Rate= Number of Literates/(Population of age 7+)*100.

upward trend and is 82.20 percent as per 2011 population census of that male literacy stands at 87.29% while female literacy stands 76.43%. In actual numbers, total literates in Sikkim stands at 449,294 where males were 253,364 and females were 195,930.An analysis of the educational level reveals that the growth rate of literacy rate was very slow in the pre-merger period than the post-merger period. Some of the important causes of low literacy were poverty, socio-economic backwardness of the people, and inadequate educational facilities for the common people, priority to monastic education by the feudal rulers, etc. On the contrary, in the post-merger period, the rapid growth of literacy is mainly due to development of primary schools, free education policy of the government, mid-day meal to the primary students, encouragement to female education, establishments of private schools, development of transports and communication facilities, etc.

2.14. The position of Women in Sikkim after Post Merger:

Women in Sikkim are said to enjoy greater autonomy than in many other parts of the country. After its merger with the Indian Union, the government of Sikkim, (especially after the coming up of SDF¹⁸ party) has presented different plans and programmes for enhancing the status of women and empowering them. An increase in the advocacy of human rights, women's rights and children's rights has challenged the age old practice and traditions like child marriage, polygamous marriage, as it was found illogical, impractical, unjust and hazardous for the children and women (Chandra, 2011: 230). The state has continuously strived towards the all-round development, wellbeing, and empowerment of women within the framework of a democratic policies and programmes intended at women's advancement in different spheres. For instance: the state government made a stipulation of 30% reservation for

¹⁸In 1994 Sikkim Democratic Front came to power.

women in posts and services to be filled by direct recruitment under the state government and public sector undertaking. The state has also reserved 50% of seats for women in all Panchayats. The percentage of women in panchayats increased from 19 36 % in 2005 to 42% in 2010-11 has gone up to 52% after the 2012 election. In June 2008, the Sikkim Assembly passed two bills: (a) Sikkim Municipalities Second Amendment Bill which provides for 33% reservation to women in municipal bodies in the state and (b) the Sikkim Succession Bill²⁰ which provides legislation for equal property rights to daughters, wives, and even divorced and abandoned wives. The continuous effort of the government and the civil society on their committed path for the empowerment of women in the last 20 years has been quite successful (Drall, 2013: 17-19). Traditionally, Sikkimese society has not confined women's participation in monetary exercises. Today, aside from assuming a functioning job in agricultural activities, women today add to other economic activities like trade and business. Rural women are fully occupied in agriculture, and allied activities including small farm agriculture, food processing, gathering, poultry farming, animal husbandry, etc. women have additionally profited in more noteworthy employment opportunities with the emergence of developmental projects and the expansion of the private sectors. Now we find women are also undertaking entrepreneurial roles. At the same time, women in rural areas are enthusiastically participating in employment provided by ²¹MGNREGA and in Self Help groups. To uphold and protect the rights and legal entitlements of women, the state established the State Commission for

¹⁹Sikkim Human Development Report 2014

 $^{^{20}}$ However, a Sikkimese woman married to non – Sikkimese or who has acquired foreign citizenship will not be entitled to enjoy the benefits under this act.

²¹ Mahatma Gandhi National Rural Employment Guarantee Act is an Indian labour law and social security measure that aims to guarantee the 'right to work'. Aimed to enhance livelihood security in rural areas by providing at least 100 days of wage employment in a financial year to every household whose adult members volunteer to do unskilled work. It began in Sikkim from Feb 2006 in North district, and was later extended to South and East Districts in April 2007, and in April 2008 to the entire state.

Women (SCW) as a statutory body under the State Commission for Women Act, 2001. The Act aimed at providing immediate result to the victims of domestic violence by linking protection officers and voluntary organizations as service providers. It began implementing the Protection of Women from Domestic Violence Act in 2007. The introduction of the Act made women conscious of their rights; they started to think beyond the walls of their home. The state government also executed and enforced the Prohibition of Child Marriage Act, 2006 to prohibit early marriage among boys and girls. Following the Supreme Court's Vishaka Guidelines, the state government has made it mandatory to set up compliant cells against sexual harassment in all governmental departments and institutions as well as in private organizations (Sikkim Human Development Report, 2014:53, 58).

Despite the social and economic progress India has achieved during the past 60 yearsand which further continues to grow more rapidly, there is one irregularity that spoils the general optimism; the position of women and the future for India's female child looks bleak (Larsen,2011:1). As per the report by National Crime Record Bureau 2016 the highest crime rate against women is found in Uttar Pradesh, and the state with the least crime rate against women is Nagaland. Mizoram and Sikkim occupied the second and third place respectively regarding the lowest crime rate against women. However, it does not mean that there is no incidence of violence against women in Sikkim. In the past, the position of women has been increasingly influenced by patriarchy, culture and tradition due to which women's space was restricted within the four walls of the house. It is further aggravated by the persistent gender discrimination and equally supported by social stratification which placed women at the lowest end of the society. The difference now is that today crimes are reported, unlike earlier times where it was hushed inside the walls of a room. Now due to changes brought about in the mindset of people due to modernization, education, contact with the outside world – today the voices of the repressed are heard and vocal.

2.15. The Social Structure of Sikkim:

Traditionally society was characterized by three strata: the clergy, the nobles and aristocrats; and commoners. Among the clergy, the monks were chosen from the high born Bhutias and Lepchas. In Sikkim, they usually did not teach the laity nor did they preach to the commoners. Besides, the monk could work in the secular fields as well. These monks were used as envoys, mediators, and settlers of different state affairs, and held important positions in internal administration and they also appointed to the state council. They were very much powerful both in the court and in the public life. In the present-day new class structure was emerging in Sikkim and characterized broadly by four distinct strata: Agrarian class, Business class, Wage-earning working class and the new class.

The Agrarian class structure may be defined as hierarchically organized landowning group depending on their size of landholding and comprises of the landlord's cum big landowners and medium-sized land-owning farmers. The landless agricultural laborers may be better classified as belonging to the wage-earning working class because they worked in the agricultural fields for their daily wages. The Business class is economically independent, and they own property or capital. In the past leadership of Sikkim was rested with ruling aristocrats, kinship-based upon inheritance and the lamas. But now things have changed, with the growth of modern education the leadership of state passed to modern educated people. They are participating in politics. It may be said that the emergence of abroad educated middle class cutting across the boundaries of caste, ethnicity, language, and religion

After 1975 economic condition changed faster due to planned economic development. Change is inevitable, it is a complex process. With the collapse of colonial empires in the middle of the last century, there was a keen push for development and change in the emerging free nations (Sachchidananda, 2012: 77).

CHAPTER III

CHILD SEXUAL ABUSE: A PROFILE

3.1 Introduction

When we examine how a society takes care of its children, we are looking into the heart of a nation (Lindsey, 2004: 1). How we envisage, classify, talk about and act about child sexual abuse varies according to history, geography, culture, law, and social policy. As such, to comprehend child sexual abuse, it is imperative to be specific about the various issues that shape it, where we speak from and what we speak about (Warner, 2009:3). Turning back the historical pages of the Bible, the stories of child abuse includes not only sexual and physical abuse but also killing of children. As such the killing of children or infanticide has been demonstrated to exist not only today but throughout history. In the middle ages, it was a common practice for children to be 'rented' to other adults by their parents as servants of service. These child servants much like the African American slaves were at the mercy of their masters during the nineteenth century and in many instances, these children servants were sexually abused or physically abused (Sanger, 1898: McCabe, 2003: 3, 4, 5). With the advent of Industrial Revolution, much of the hard labor was performed by the hands of children as they were considered to be a source of cheap labor which led to establishing another form of child abuse. With the enactment of Child Labour Laws in the late 1890s, it was only then, when children began to be viewed as more than just laborers. Till then there was no concept of a child being an individual in need of protection, especially from a loved one. Thus, there was not any legal support system to guarantee the rights of children (ibid. 2003: 5).

The idea of a dramatic rise in Child abuse is a myth. Due to the increased attention publicly and professionally towards child abuse and neglect, one may conclude that child abuse is a new social problem which is increasing day by day. However, Child abuse is neither new nor has it been increasing drastically. Rather, Gelles state that it would be more accurate to say that child abusers and abused children were among the "missing persons" of official statistics and social problems before the 1960s rather than being absent from the social scene. Before 1960s child abuse received minimal public attention and thereof the myth of a drastic increase in child abuse was perhaps attributed to this fact (Gelles, 1976:135). The concept of child abuse is not a simple and unitary phenomenon but covers a wide scope of acts which can be recognized from one another both conceptually and operationally. It is utilized as a sweeping term, to cover a wide scope of abuse of children including physical injury, abandonment, neglect, exploitation and sexual abuse (Mahajan &Madhurima, 1995: Matiyani, 2011: 40).

3.2 Definitions of Abuse:

Kempe (1962) defined abuse as a Battered Child Syndrome, a clinical condition in young children, who have received serious physical abuse, generally from a parent or foster parent.

Gil defined Child abuse to mean an occurrence where a caretaker injures a child not by accident, but in anger, or deliberately (Gelles, 1976:135).

The World Health Organization (WHO) has defined "Child Abuse as a violation of basic human rights of a child, constituting all forms of physical, emotional ill-treatment, sexual harm, neglect or negligent treatment, maltreatment commercial or other exploitation resulting in actual harm or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power" (Saini, 2013: 302).

The above definition covers four broad range of abuse, and they are:

- Physical abuse
- Emotional abuse
- Neglect and
- Sexual Abuse

(Krug, Dahlberg, Mercy, Zwi, Lozano, et al., 2002: 59).

a) Physical Abuse:

Flanagan identifies physical abuse as bruises/belts, burn, fractures abdominal injuries, lacerations or abrasions, damage to the central nervous system. The motive behind abuse maybe intentional or unintentional. For instance, parents may physically abuse their children while disciplining them or they may do it intentionally out of thoughtlessness, cruelty, rage or while intoxicated (Moffatt, 2003:46).

b) Emotional Abuse:

The Department of Health guidelines defined emotional abuse as the persistent emotional ill-treatment of a child to cause severe and persistent adverse effects on the child's emotional development. Emotional abuse involves making a child feel worthless or unloved, inappropriate expectations placed on the child, exploitation or corruption of children, causing the child to feel frightened frequently, etc (Sanderson, 2004:34).

c) Neglect:

The world report on violence against children states that neglect is an important contributor to death and illness in young children. Neglect means the inability of parents or caretakers to meet a child's play and emotional needs even when they have the means of knowledge and access to service to fulfill so, or failure to guard him or her from exposure to danger. Research in neglect on sex differences particularly in India suggests that girls suffer relatively more neglect than boys throughout early childhood (Pinherio, 2006:77).

d) Sexual Abuse:

The World Health Organization defined Sexual abuse as "the participation of a child in sexual activity that he or she does not fully understand and is unable to give informed consent to, or for which the child is not developmentally ready, or else that violate the laws or social taboos of society (Singh.et al.2014:430)". Sexual violence alludes to any sexual demonstration attempt to obtain a sexual act, undesirable sexual remark or advances, or acts to traffic or generally directed against a person's sexuality utilizing coercion, by any individual regardless of their relationship to the victim, in any setting, including but not restricted to home and work (W.H.O). Sexual abuse involves anything from voyeurism, exhibitionism, pornography, and prostitution to masturbation, oral stimulation, and penetration with objects, buggery, and rape (Turton, 2008).

3.3. Causes of Child Abuse:

Generally, whenever we talk about Child abuse, the first thing that comes to our mind is the notion that those parents or person who abuses children are mentally sick. Undoubtedly this is the single most persistent myths - a psychopathological approach, to child abuse which may fulfill some social function. However, Gelles (2017), states that regarding child abuse, a social psychological approach does not entirely dispense with the psychological level of analysis. He states that there are some personal problems which are related for causing such abuse; however, this psychological factor occurs out of the social experience. Some of the social factors include unemployment, isolation, and unwanted pregnancy. Contrary to some statement Child abuse is unevenly distributed across the social structure but rather is more frequent in the lower regions of the social ladder (Gelles, 2017:138).

These factors are linked together into a casual model of child abuse by postulating that child abuse arises out of two main factors, i.e., Structural Stress and Cultural Norm. It can be said that the association between low income, education and occupational status and child abuse and the finding that abuse occurs more frequently in larger families shows that a central causal factor in child abuse is the inadequate resources available to the parent, who is in charge with the responsibility to raise and care for the child. The other factor is the cultural norm concerning force and violence towards children (ibid, 2017:138). For instance, there is a strong belief that parents have the right to be in charge and control their children are connected with child abuse (Belsky, 1993: Loseke, 2004:44).

3.4 Child Sexual Abuse: Issues and Concerns

C. Henry Kempe was one of the first physicians and researcher to bring into notice the matter of Child Sexual Abuse as a serious medical, developmental and social problem. He also highlighted the significance of investigating child abuse and neglect (CAN) from a cross-cultural and international perspective. Since then, interest in Child Sexual Abuse both practically and scientifically has expanded exponentially (Kempe, 2013: Carson, Foster, Tripathi. 2013: 151).

One of the first complexities met in connection with Child Sexual Abuse is how to define acts that are so diverse. Child Sexual Abuse has taken a generic meaning that envelops a huge series of activities from the minor to the pathologically violent. When one says the word 'sexual abuse' all of us have an understanding, a personal interpretation that appears to fit the description, but one of the problems about child protection is a general lack of consensus about definitions of sexual abuse (Turton, 2008: 7). Knowledge and opinion about Child Sexual Abuse differ extremely, often reflecting cultural attitudes, many of which are further reinforced by society and media. Child sexual abuse is a social construction influenced heavily by the culture and the historical times in which it occurs making it hard to establish a universally agreed definition (Sanderson, 2004:13).

While individual countries may have different perceptions and definitions of what constitutes a child, especially regarding the legal age of sexual consent and what constitutes child sexual abuse, some definition needs to be arrived at to ensure a mutual understanding (ibid.2004:42). Child sexual abuse is a social construct where society condemns the sexual contact between child and adult is wrong. It is an abuse of power (Rowan, 2006:4).

3.5. Socialization of Children: Indian Context

Socialization is the process by which people obtain the manners and attitude of the social world i.e., the culture in which they live (Arnett, 1995: 618). In the collective culture of India, the family takes a innermost stage in arranging the social and personal lives of the people (Tripathi, 2014:19).

Normally, values are considered, a style of individual and cultural integration. It is typically viewed as enduring beliefs regarding what is desirable and undesirable and acting as principles to direct and verify the path of behavior on a long run basis. Values are promoted through the processes of socialization and acculturation.

It gets its centrality from a socio-philosophic convention with roots deep within the past. Dimensions of family expert and upbringing of infants and youngsters by the guardians can be discovered in ancient Indian writings and sagas, for example, the Mahabharata, Ramayana and Manu Smriti which present examples with beliefs of duty and affection for the kids towards their folks. These legends additionally portray the samskaras (sacred and ritualistic ceremonies) given by guardians to their developing youngsters amid different phases of life. Samskaras, are envisioned to depict the youth stage and give a sign of the main characteristics for each stage (ibid: 2014:19, as cited in Kakar, 1978; Saraswathi and Pai, 1997).

Human culture is sorted out around the security and prosperity of females and youngsters. India's 'culturally idealized family', which mirrors noticeable quality to the aggregate interests, is male-oriented, both regarding its structure and values and subsequently, has a predominately patriarchal centric family setup (as cited in Liddle, 2007; Seymour, 1999)

The particular content of the socialization and its learning relies upon the place, circumstance, and setting and differs according to the social class, rank, religion, and

so forth of an individual (Kohlberg, 1969). Thus, socialization assumes an important role in the advancement of gender identity and doing gender.

When we talk about social interaction, a standout amongst the most critical social structures that compose it is status. A status is a class or position which an individual occupies, that will decide the manner in which the person will be characterized and treated in the public eye. Every society categorizes its members by status and positions these statuses in some manner making an arrangement of social stratification. Individuals in low social strata in this way deal with discrimination, preferences, predispositions, and stigma. There is no known society where the status of the female is reliably positioned higher than that of males. The family, guardians and other senior individuals from the family play an indispensable job in making a child mindful of his/her status in the society.

Socialization puts the child within the socio-cultural setting or edge of the status attributed to him/her. In India, the cultural values, traditions, ceremonies, and customs play a significant role in creating mindfulness for the statuses. With the birth of a child, the absolute first inquiry that is raised is – if it's a boy or a girl? The procedure of gender construction starts right at that moment and different agencies of socialization begin the development of gender, the family being the first. Primary Socialization, probably the most critical part of the socialization procedure, happens amid early stages, typically inside the family (Haralambos & Heald, 2014:5) Once the newborn is categorized as male or female, gender is used to organize and decipher additional information about that individual and to shape desires for practices. Despite the fact that both male and female form an association of human society and both are fundamental for one another, however, girls are viewed as a trouble to the family. The girl child is viewed as a lesser child in our society. She keeps on being neglected at all

measurements and abuse against her is wild in all strata of society paying little respect to class, rank and money related condition.

3.6 The Socio-Economic Profile of the Respondents:

The social role of an individual and his involvement in society is based on his socioeconomic background. Karl Manheim considered the social atmosphere as an essential aspect in framing the personality of an individual. In social sciences, researches are of empirical nature and it is based on the insight of the respondent's socio-economic condition. People belonging to the different socio-economic background are likely to perceive various social issues differently. The factors affecting the socioeconomic conditions are necessary to understand because they influence the respondent's perception of issues. Hence, it is crucial to explain the social profile of the respondents, since it has a fundamental bearing on the outlook, behavior, and activities of an individual.

The information on the background of the respondents includes a social profile of age; sex, education, occupation, income, marital status, type of family, locality, etc.

For better understanding, the respondents were divided into three categories-Victims, Perpetrators, and Various Stakeholders.

Table No. 3.1 Categories of Respondents

Category	Sample
I- Child Victims	10
II- Perpetrators	15
III- Various Stake Holders	50
Total	75

Source: Fieldwork, July to October 2018

Child sexual abuse is a sexual act forced on a child who is deficient in emotional, maturational and cognitive development. The capacity to draw a kid into a sexual relationship is based upon the overwhelming position of the grown-up older adolescent perpetrator, which is in sharp contrast to the kid's age, reliance, and subordinate position. Authority and power empower the culprit, implicitly or specifically to force the child into sexual compliance (Sgroi 1982). Therefore the age of a child is one of an important variable associated with child sexual abuse.

Table 3.2 (Category	I -	Age	Group	of	Victims:
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Age	No of respondents	Percentage (%)
0-5	1	10
5-10	2	20
10-15	4	40
15-18	3	30
Total	10	100%

Source: Fieldwork, July to October 2018

In the present study, the highest percentage of child sexual abuse 40% was reported in the age group of 10–15 years while 30% in the age group of 15 -18 years, 20% from the age group of 5-10 years and 10% in the age group of 0-5 years. From the above table, one can draw the inference that the most unsafe age group for victims was found to be 10-18 years in this case.

Childhood is viewed as a development period with high vulnerability to physical and psychological risk (Khaled El-Sayed Aboul-Hagag 2012). In response to an anonymous questionnaire survey by David Finkelhor in 1980 in a population of 796 normal college students, it was found that 19% of women and 9% of the men had been sexually victimized in the course of their childhood (Finkelhor, 1980: 265-273). Research shows that Females are five times more likely to be abused than males (Sedlack, et al., 2010).

3.3: Sex of the Victims

Sex	Frequency	Percentage (%)
Male	1	10
Female	9	90
Total	10	100

Source: Fieldwork, July to October 2018

Table 3.3 reveals that there is higher prevalence rate reported among females in the study i.e., 90% which enable us to infer that most victims of child sexual abuse are females, although it does not mean males are not the victims. The male victim constituted 10%. Abused boys are less likely to reveal or be identified, so they are under represented among cases. However, it should not be overlooked.

 Table 3.4 Type of Family of the Victim:

Family	No of Respondents	Percentage (%)
Nuclear	7	70
Joint	3	30
Orphan	0	0
Total	10	100

Source: Fieldwork, July to October 2018

The table 3.4 exhibits the distribution of respondents according to the family type. It shows that 70% of total victim belonged to nuclear family while 30 % were residing in a joint family. When children live in a Nuclear family, they are alienated from the grandparent's love and affection and supervision when both the parents are working. The analysis shows that the joint family system has been disintegrating to a greater extent. The concept of living in a joint family or extended family system has been destroyed due to the economic crisis, education, and some other reasons. In a nuclear family there is smaller number of members to deal with children, and therefore less attention is paid on the kids and in the huge family, it implies several members to be dealt with, and thus the attention splits. Hence, both things concurrently increase the risk of getting victimized because of the absence of proper attention and care.

Child abuse is the result of a set of interrelated familial, social, psychological, and economic factors (Hagag et.al, 2012: 89). One of the major setbacks that help in the rise of such an issue is the lack of education. In developed countries, almost all kids between the ages of 7 and 14 attend schools In the poorest nations, just a minority have the luxury to go to schools (Wintersberger, 1999:19). Dreadfully few children and young people receive anything approaching adequate preparation for a protected and fulfilling grown-up sexual life. Open talk of sexual issues with trusted adults is usually missing at the exact time when it is generally required which in turn is intensified by the inescapable, confusing and conflicting (and overwhelmingly negative) messages received by children about sexuality and gender. In turn, these may add to creating and sustaining vulnerability to coercion misuse and abuse (Gordon, 2009:175). Education is therefore essential so as to review this equalization.

Table 3.5: Educational level of Victims:
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Level of Education	No of respondents	Percentage (%)
Illiterate	2	20
Primary Level	2	20
Secondary Level	4	40
Senior Secondary	2	20
Total	10	100

Source: Fieldwork, July to October 2018.

Table 3.5 represents the distribution of respondents, according to their educational standard. The table shows that 20% of the victims were illiterate or left studies in between due to personal circumstances, 20% were literate up to a primary level only while 40% of the children were studying at the secondary level and rest 20% at the senior secondary level at the time of interview. During the interview with the respondents, it was found that the schools lacked sex education class due to which the respondents feel the authorities were partially responsible for what happened to them.

The number of incidents of child sexual abuse differs from place to place. It is necessary to know the locality of the respondents to find out the nature and forms of child sexual abuse they faced in the study area.

Locality	No of Respondents	Percentage (%)
Rural	7	70
Urban	3	30
Total	10	100

Table 3.6 – Locality of the Victims

Source: Fieldwork, July to October 2018

The table reveals that highest numbers of victims, i.e., 70% resided in a rural area and 30% in urban area. Hence, the victims who were living in rural areas were more vulnerable as compared to those living in urban areas. This may be due to the difference in culture, education and social levels between rural and urban areas ((Hagag et.al, 2012: 89). However, it does not indicate that the victims in urban areas are out of harm's way. In the present research it was found that the parents and children from urban areas were more aware of the ongoing issues of child sexual abuse than those from the rural background. Rural areas are more of an integrated and close-knit society, therefore, the parents of children in rural areas did not hesitate to keep their child in their neighbor's place for a night or two if they had to leave their place for some reasons.

Table 3.7 Family	Income of the	e Victims
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Income Category	Respondents Income	Percentage (%)
0-1500	0	0
1500-3000	2	20
3000-4500	2	20
4500-6000	3	30
6000-7500	2	20
7500-9000	1	10
9000 above	0	0
Total	10	100%

Source: Fieldwork, July to October 2018

The annual income of the parents decides the importance accorded to the quality of education and standard of living in a civilized and protected way, including exposures to various forms of abuse. The table 3.7, indicates that 30 % of victim belonged from a family whose income range was in between Rs. four thousand five hundred –Rs. Six thousand per annum. 20% of victims' family income was in the range of Rs. fifteen hundred to Rs. three thousand and Rs three thousand – Rs four thousand five hundred respectively, other 20% of the victims belonged in the family income of Rs. Six thousand to Rs. seven thousand five hundred per month while 1% of the victim belonged to a family whose income ranged from Rs seven thousand five hundred – Rs nine thousand. Children belonging to the lower socio-economic status are at higher risk (Singh et.al. 2014: 430-435). In a study conducted by Finkelhor in 1984, it was found that income and social status were related to the likelihood of abuse. College girls from lower-income families reported two-thirds higher frequency of abuse than girls from middle socioeconomic backgrounds (Hodson and Skeen (1987). The present study likewise uncovers that the economic condition of the victim is delicate, and somewhere the weak economic condition exposes the victims and makes them a potential and obvious target for the sex offenders because the offenders believe that they can easily manipulate and oppress them with money or power. However, this does not mean that victim from the good economic background is in vulnerable; in fact; abuse is common across different socioeconomic scale.

victim/accused relation	Frequency	Percentage (%)
Known	8	80
Unknown	2	20
Total	10	100

Source: Fieldwork, July to October 2018

The notion that child sexual perpetrators fit into a stereotypical box is no longer true. Gone are the days when people assumed the perpetrators as old dirty looking stranger man in ragged clothes? It is not only the stranger's children have to fear. Most of the victims know and trust their abusers. Most child abusers were men and came from all age groups, races, and socio-economic classes. The table displays the fact that most of the victim, i.e., 80% were known to the accused and 20% of the victims were unknown to the accused.

Relationship	Frequency	Percentage (%)
Father	1	10
Step Father	1	10
Neighbor	5	50
Relatives	2	20
Stranger	1	10
Total	10	100

Table 3.9: If known, the relationship with the accused

Source: Field Work - July to October 2018

In a study by Finkelhor (1979) it was observed that 40 % of the offender's abuse children to whom they are interconnected in some way. Table 3.9 shows that 50% of the accused were neighbors of the victim while 20% of the accused were properly related with the victim and the rest 10% were a father, stepfather, and strangers. Thus, the study highlights, that there is existence of both intra familial abuse and extra familial abuse and 90% of the time, the child is familiar with the person or persons who sexually abuse him or her.

Category II: Perpetrators Profile

Age	Respondents	Percentage (%)
10-15	0	0
15-20	2	13.3
20-25	1	6.7
25-30	1	6.7
30-35	2	13.3
35-40	2	13.3
40-45	5	33.3
45-50	1	13.3
50 above	1	13.3
Total	15	100

Table 3.10 Age Group of the Perpetrators

Source: Fieldwork, July to October 2018

The table, shows that 33.3% of the convicts belonged to the category of 40-45 years of age and 13.3% belonged to the category of 15-20, 30-35, 35-40, 45-50, and above 50 years of age, the least, i.e., 6.7% belonged to the category of 20-25 and 25-30 years of age.

Contrary to the assumption that young people commit sexual crimes against children, the study shows that a serious threat to children comes from those that are above 30 years old, particularly in the case of south Sikkim, it was 40-45 years age group which we generally believe to be wise and matured people as compared to youth.

There is a general misconception that all child sexual offenders are men. However, females can and also indulge in sexually abusing children.

Sex	Frequency	Percentage (%)
Male	14	93.3
Female	1	6.7
Total	15	100

Table 3.11 Sex of the Perpetrators:

Source: Fieldwork, July to October 2018

It was found that among the total perpetrators interviewed, 93.3 % were men while women constituted 6.7%. Table 3.11 indicates that compared to women, men are more likely to commit the offense. According to Faller (1987) the reason for a

smaller number of female perpetrators is that victimization by a woman may go unreported because the abuse is disguised as child care.

Hodson and Skeen (1987) state that the child offender is usually a young adult who has a sexual attraction towards children and youngsters almost solely his entire life or who turns to children as the result of stress in his adult sexual or marital relationships (as cited in Groth & Birnbaum, 1978).

 Table 3.12 Marital Status of the Perpetrators:

Marital Status	Frequency	Percentage (%)
Unmarried	5	33.3
Married	8	53.3
Divorced	1	13.3
Widower	1	13.3
Total	15	100

Source: Fieldwork, July to October 2018

The table shows that 53.3% of the perpetrators were married while 33.3% of them were unmarried at the time of interview. The respondents also included divorcees and widowers which constituted 13.3% of them respectively.

During the interview, three of the perpetrators revealed that their relationship with their respective partner was unpleasant. They were of the view that their partners were not sexually intimate due to reasons like health and adultery which frustrated them. According to one of the perpetators,

"My wife was unfaithful to me. She was having an affair with a younger guy. We used to quarrel every time. This frustrated me and I got into the habit of drinking alcohol. One night I was quite drunk and on my way, I saw my neighbor's daughter. She smiled at me. I was so furious at my wife for having an affair with someone, that I lost my sense of what was good or bad. I called the kid aside and talked to her about few things and suddenly I lost myself in the blood of revenge and lust says Rajesh (name changed) who is now facing his time in the prison." This study mentions that a maximum number of convicts belonged to the nuclear family and this may be a plausible reason for falling into this crime as most of them hailed from the damaged and broken family environment. The family values were poor, there was less bonding between the family members.

 Table 3.13 Type of Family of the Perpetrators:

Family	Respondents	Percentage (%)
Nuclear	10	66.7
Joint	5	33.3
Orphan	0	0
Total	15	100

Source: Fieldwork, July to October 2018

The table 3.13 shows that a maximum number of perpetrators interviewed, i.e., 66.7% lived in a nuclear family at the time of the abuse, while 33.3% lived in a joint family.

Education is the most dominant weapon one can use to transform the world. It molds our thought process and makes us think rationally, sensibly, rightly and operate in a way that is acceptable by the society. A good education suppresses delinquent tendencies and supports pro-social tendencies in a very soul. Thus, education has such power of reworking a fresh born bud into a full-blown flower which is valuable for the social order, and this is substantiated by the study.

Table 3.14 Educational Level of the Perpetrators:

Educational level	Frequency	Percentage (%)
Illiterate	5	33.3
Primary	4	26.7
Secondary	3	20
Senior Secondary	1	6.7
Graduate	2	13.3
Post Graduate	0	0
Total		100

Source: Fieldwork, July to October 2018

Table 3.14, highlights that majority of the perpetrators interviewed, i.e., 33.3% were illiterate. 26.7% of the respondents have primary level education, 20% with secondary

level education while 6.7% and 13.3 with graduate and a postgraduate higher level of education respectively.

The dynamics of the crimes today must be reported by the perceptive of historical, demographic, socio-economic and cultural contexts of the places where they take place. These particular contexts may help elucidate why crime flourishes at certain places and not in others. Another equally important thing to consider is that we live in a globalized world in which some local crime conditions may be interlinked to regional and global threats. The locality of the family plays a significant role in shaping the behavior of a particular person.

Table 3.15 Locality of the Perpetrators

Locality	Frequency	Percentage (%)
Rural	10	66.7
Urban	5	33.3
Total	15	100

Source: Fieldwork, July to October 2018

The present study substantiates the above statement as a highest number of perpetrators, i.e. 66.7 % comes from a rural background and 33.3% from urban areas.

 Table 3.16 Family Income of the Perpetrators:

Income	Frequency	Percentage (%)
Unemployed	3	20
1500-3000	0	0
3000-4500	0	0
4500-6000	4	26.7
6000-7500	5	33.3
7500-9000	2	13.3
9000 above	1	6.7
Total	15	100

Source: Fieldwork, July to October 2018

The table shows that 33.3 % of the perpetrators interviewed were earning between Rs. Six thousand to Rs. Seven thousand five hundred, 26.7 % were earning between Rs. Four thousand five hundred to Rs. Six thousand, 13.3 % were earning between Rs.

Seven thousand five hundred– Rs Nine thousand and 6.7 % were earning above Rs. Nine thousand/- and 20% were unemployed at the time of the abuse.

Category III: Various Stakeholders:

Age Group	Frequency	Percentage (%)
10-20	0	0
20-30	13	26
30-40	19	38
40-50	14	28
50-60	4	8
60 Above	0	0
Total	50	100%

Table 3.17 Age Group of Various Stakeholders

Source: Fieldwork, July to October 2018

The table 3.17 provides an insight into the age wise distribution of the 50 respondents. The respondents belong in the age group of 20-60 years reflecting various dynamics of the population. The available data shows that mass of the respondents i.e., 38% are in the age group of 30-40 followed by 28% belonging to the age groups 40-50; 26% belonging to the age group of 20-30 and 8% belonged to 50-60 years of age. People in the age range of 30- 40 years are the most active when it comes to community work and decision making programmes. They are the backbone of the society supporting and maintaining the pillars of responsibilities and functioning.

Table 3.18 Sex of the stakeholders

Sex	Frequency	Percentage (%)
Male	27	54
Female	23	46
Total	50	100

Source: Fieldwork, July to October 2018

Table 3.18 depicts that 54% of the stakeholders were men while 46% of the stakeholders constituted female. The table provides us with the information that men are more open to discussion on issues pertaining to a societal problem and participate in decision making than female members.

Education is considered a very important factor in present-day society. Education brings not only simple changes rather it fetches absolute transformation in the attitude of the individuals and helps in modernizing values. Education has a grand impact on an individual's status in the society. The various stakeholders represented different dynamics of society.

Educational	Frequency	Percentage (%)
Qualifications		
Illiterate	1	2
Primary	2	4
Secondary	10	20
Senior Secondary	3	6
Graduate	20	40
Post Graduate	10	20
Others	4	8
Total	50	100

 Table 3.19 Educational Level of the Respondents:

Source: Fieldwork, July to August 2018

The educational level of various stakeholders has been classified into different categories which are shown in the table. The distribution of the respondents in the above table clearly indicates that half of the respondents that is 40 percent were educated up to the graduate level; succeeded by 20 percent of the respondents who fell in the educational category of post-graduation; 20 percent of the respondents up to the secondary level; 8 percent held PhD's; 6 percent fell into the category of Senior Secondary level and 4 percent had primary education while 2 percent were illiterates.

The occupational details of various stakeholders are categorized into homemakers, agriculturists, social workers, advocates and government employees (including government servants, municipal employees, teachers, panchayats, etc).

Sikkim was the third highest richest state in India. After the merger, there was a huge paradigm shift in the occupation of the people of Sikkim which can be seen from the table as most of the respondents were a government employee. In fact, the state government employee forms the second largest group of the total working population in the state, the first being the farmers (Gazetteer of Sikkim.2013:155). Regardless of the booming economy, one cannot overlook how the structural shift in the society manifested in questionable consequences like suicides, alcohol and drug abuse, child sexual abuse, adultery etc (Gahatraj. 2019). After Sikkim joined the Indian Union in 1975, the economy of the state started booming.

 Table 3.20 Occupational background of the Respondents

Occupation	Frequency	Percentage (%)
Homemakers	5	10
Agriculturists	3	6
Social Worker	5	10
Advocates	10	20
Government Employees	27	54
Total	50	100

Source: Fieldwork from July to October 2018

The table illustrates that majority of the respondents i.e., 54% were employed in various government sectors on either regular or ad-hoc and muster roll basis, followed by 20% who are advocates, practicing law in private and government firms. A small portion of the respondents consists of homemakers and social workers (10% each) followed by 6% of agriculturalists.

Income is the most important variable in determining socio-economic status of an individual. The income of an individual also influences the quality of life. In the present-day materialistic world economic condition of an individual or the family plays an important role in getting higher education or achieving social status.

Income Category	Frequency	Percentage (%)
1000-10000	9	18
10000-20000	18	36
20000-30000	14	28
30000-40000	3	6
40000-50000	3	6
Above 50000	3	6
Total	50	100

 Table 3.21 Income of the Perpetrators

Source: Fieldwork, July to October 2018

In the present study, the respondents have been divided into different categories relating to their income. The distribution of the respondents in this regard is presented in the form of a table given. The table 3.21 reveals that more than half of the respondents that is 36 percent belonged to the income category of up to Rs.10000 - Rs.20000; succeeded by 28 percent of the respondents who fall in the category of Rs.20000–Rs30000; while 6 percent belonged in the category of Rs. 30000-Rs40000, Rs.40000-Rs50000 and Rs.50000 above respectively. Lastly, 18 percent of the respondents belonged to the category of Rs.1000-Rs10000 as some of them were housewives, farmers, and single parent.

3.7. Field Query and Interview Schedule Measures:

Taking note of the major concern an in-depth inventory /interview schedule was formulated covering: a) the victim and the family b) perpetrators c) various stakeholders d) approach towards the issue e) recommendations and strategies of the people.

The questions in the interview schedule were largely close- ended with multiple choices. Few sections were kept open-ended since various responses were expected from the respondents. Where ever required, the scope for adding up new categories of responses from the respondents was kept back to capture the exceptional experiences.

Interview Setting:

The study involved in-depth case profiles of 15 perpetrators and 10 victims who were selected based on the report filed in the police station. Each perpetrator in the study was met 2-3 times; observed and interviewed on salient aspects of inquiry and most of the victim was met in the presence of one or two family members and NGO personnel. This provided rich insight into the specific life situations of sexually abused children and provided a glimpse of the perpetrator's reasons and causes of the act. The data in the section is supported by qualitative narratives of the victims and the perpetrators to highlight the existing issue. The names of the victims and the perpetrators have been changed, to maintain confidentiality.

3.8. Case Studies

3.8.1. Case 1: The Helpless Cry

In a small village in South Sikkim, at the outskirts of Namchi town, Sudha, aged 13 years old and her parents lived in a rented apartment of 2 rooms- 1 single bedroom and 1 kitchen. Sudha's parents were both laborers. She studied in a government school in 6th standard. Life was not so easy, and survival was difficult. While her parents were away at work, Sudha attended school during the day time, and by evening she came home and prepared for nights meal. Sometimes her parents used to come late due to the nature of their work. The owner of the house Mr. Subhas was a frequent visitor. By virtue of his position as a landlord, the family treated him with respect and humility. Mr. Subhas used to bring liquor at their place and offer it to Sudha's parents. Tired from the manual labor at day's work both the parents enjoyed the free drink as a part of their refreshment. This was a frequent activity of Sudha's parents and the landlord. Initially, Mr. Subha used to pass lewd comment to Sudha in a mocking manner. Subdued by his position as the landlord her parents used to ignore

such remarks. Sudha, on the other hand, found it terrifying and she tried distancing herself from Subhas. But the culprit did not give up. He used to bring food items and liquor to her parents and pass his time conversing with them. Slowly it became a normal routine in their lives. Then it started with Subhas trying to touch her and tease her in front of her parents. In Sikkimese culture it is normal for an elderly person to make a child sit on his/her lap, to kiss a child on her face. It is viewed as a gesture of love and care. But Subhas had a different intention. Eventually, he started kissing Sudha on her cheeks in front of her parents and tried to put up an act as he cared for her as his own. Her parents would pass out after drinking and Subhas used to make his move. One night after her parents were totally passed after consuming alcohol, Subhas went towards Sudha who was sleeping on the floor, he closed her mouth and started exploiting her sexually. Sudha did not disclose this to anyone out of fear and obligations towards her parents. The culprit got free the first time, so he took it as a sign of victory. Thus, the abuse continued. Whenever the culprit got his chance, he would come over to her place and sexually exploit her. The situation was getting worse for Sudha. In order to protect herself one day, she called her friend Reema to stay over thinking she would be safe. But that night too, after drinking and letting her parents pass out, the culprit approached her. Though her friend was sleeping right next to her, he closed her mouth and raped her. Sudha's friend who was in deep sleep heard some noise and woke up to see Subhas in an uncompromising position with her friend. Reema could not contemplate what was happening so she chose to stay quiet and turn her head. The next day both carried on as nothing happened. On her way to school, Reema tried to ask her what Subhas uncle was doing to her. After a bit of persuasion, Sudha disclosed her pain to Reema. Reema persuaded her to talk to her parents. Sudha was a bit hesitant, but Reema promised her to be there for her that

evening when she would tell her parents. But that evening, Sudha could not do as promised out of fear of Subhas. So Reema told one of the ladies in the neighborhood, about what was Sudha was facing. Thankfully the lady believed the girls and contacted the police right away. The police caught the culprit and arrested him on a charge of rape and POCSO as the victim was a child.

Here it shows how socio-economic factor played a vital role in such issue. The landlord took advantage of their economic condition and tried to buy his time with the victim by bringing her parent's gifts and making them feel obligated towards him. Another important factor in Sexual abuse of children is the element of social stigma and fear attached to it. There is a culture of silence and shame that swirls around cases of sexual violence against children. Naturally, the idea of shame is the single largest reason in perpetuating sexual violence against India's children (Lal, 2nd May 2007).

3.8.2. Case No 2: The Alcoholic Father

Nima aged 11 years old lived with her family which included her mother, father, and grandmother in a suburb area of South Sikkim. Her father a carpenter was a chronic alcoholic. He used to spend most of his earning on his drinking habits. Tenzing used to come home drunk and harass his wife . This was the daily scenario of the family. At home, Nima used to see her father beating her mother. Mentally Nima became very nervous and fragile. Tired with her husband's behavior Mrs Tenzing used to visit his in-laws and take his wife back home. But old habits are hard to die. With Tenzing spending half of his income on his drinking habit it was difficult to sustain with whatever little he brought home. So Mrs. Tenzing took up the maid job in other houses. This was perhaps the beginning of the major adversary which was soon to occur. Mrs. Tenzing was kept away most of the time due to the nature of her work.

She was called for help whenever there were any programmes going on in other people's house or any function in society. With Mrs. Tenzing away for work, now Nima started to take care of the household activity and started to attend to her father's need like making tea, serving him food. In Sikkimese culture, still, today children sleep with their parents till they attain an age of maturity and understanding. Nima used to sleep with her parents like any normal thing.

One day, her father came back home drunk. Nima was sleeping on their bed. Mrs. Tenzing was away for some social gathering at her native place. Tenzing saw his child sleeping, so he quietly tucked in beside her. After a while, Nima felt like someone was rubbing her from her back. Half asleep she saw it was her father. She didn't notice anything unusual. She went back to sleep again. But the rubbing and touching continued. She woke up to find that her father was undressing her. Panicked and shocked, Nima could not utter any word. As she had witnessed the abuse faced by her mother in the hands of her father. Fear ran through her body. Tenzing undressed the child and started fondling her. Tears ran through her cheeks, but she kept quiet and she became the victim of her own father that night. The next day Tenzing asked her to keep her voice down and not to tell anyone about what had happened. Nima woke up with pain and shame. This act continued for twice or thrice whenever her mother was away. The third time, the girl confronted with her grandmother saying she was having severe stomach pain. After examining her, the grandmother asked her where the pain is. Nima kept quiet. The grandmother now thought something serious had happened, so she relentlessly asked her granddaughter to tell her what happened. After much persuasion, she narrated her story to her grandmother. She was utterly shocked and shaken; she hurriedly took her granddaughter to a hospital where the nurse found out that she had been raped.

The facilitating factor from the point of view of the victim and her family shows how alcohol or alcoholism contributes to a reduction in internal inhibitions to commit sex offenses and/or incest. Alcohol use has traditionally been prevalent among the population in Sikkim. Consumption of alcohol, could be correlated with the climatic and geographical location of the State. Symbolically, alcohol is of great importance for the people of all community. Alcoholic beverages are also used as a powerful and multipurpose tool for recognizing, describing, building and influencing cultural systems, values, interpersonal relationships, behavioral norms and expectations (Sundas, 2007: 187). Also, the wide availability of alcohol in Sikkim is also one of an important factor for the increased number of abusers. In terms of child sexual abuse offenders, a distinction has been drawn between the fixated and the regressive abuser. The fixated abuser has been conditioned from childhood and adolescence to be primarily sexually attracted to younger children. While the regressive abuser, abuses in response to stress, this worsens existing feelings of inadequacy and damages normal impulse control thereby allowing abuse to occur. After inquiring Tenzing's family history, it was found that his father was also a regular alcoholic consumer. So naturally, he inherited this habit from his father. Tenzing did not have a proper education. In interpreting sexual abuse as a sexual power relationship rooted in differential gender socialization and male power in patriarchal society, it can broaden its focus on males exerting their sexual power over women. Examinations of male power within the family show that abusers tend to see their wives and children as property which they can exploit in any way they wish, including sexually. Incest is thus seen as a just one expression of 'normal' male/female relations in a patriarchal society.

3.8.3.Case **3**: The Curious Cat

In a small village in South Sikkim, there was a joint family where a bubbly little girl named Sita lived. Their economic condition was favorable as compared to others. Growing up in a joint family with her two own brothers and cousins (mostly boys), Sita also adapted some of the boyish traits. She liked going to play with her brothers. In fact, she used to spend most of her time with her brothers. They used to go out in the forest, play hide and seek, cricket, racing bicycle etc. Sita always felt the need to be accepted in the group. She wanted her presence to be felt and her absence to be missed. She was wild yet grounded. The elders especially her grandfather and her father were a staunch patriarch. Since her early childhood days, Sita's parent asked her to avoid one thing i.e., getting too friendly with the opposite sex at school. She was innocent and naive in that regard. During holidays the family used to watch television together, and anytime if there was any sexual scene or episode, the elders used to switch off the television or change the channel. Sometimes when the remote's battery did not work the programme in the television continued so the elders in the family used to ask the children to go to play. Sita was curious about what the boy on the television was doing to the girl. She could not understand what they were playing or crying about but she knew it must be something which should not be disclosed to the elders. Therefore, when she and her siblings used to play, Sita would ask her cousin brother to lie on top of her and brush her up and down. They thought it was the game the elder played. One day her cousins, Karan and Sagar had come back from the hostel. Karan was studying at high school. He was loved and pampered in his family especially by his grandfather as he was the eldest grandson. All his needs and wishes were fulfilled. When he was sent to boarding school for his studies, he was exposed to the outside world. There he met wrong companies of other boys and he started deviating. He soon started drinking and smoking occasionally at a young age. He started bunking his classes and disobeying his teachers and warden. Due to his deviant behavior, he was expelled from the school. He was not interested in studying so his parents could do little to make up his mind. Sita was excited upon their arrival as they had been away from home for quite some time. She was excited to play cricket with them, go out in the jungle play hide and seek just like old times. That night when her mother was arranging their bed Sita asked her mother if she could sleep with her cousins. Her mother naturally agreed because it was normal for the family to let the kids sleep together. That night Sita happily slept between her cousin brothers Karan and Sagar. But Karan had a different intention. At the peak of the midnight, Karan slowly pulled Sita's pants and started fondling her. After some time Sita woke up half asleep because she felt something pulling her. When she opened her eyes, she saw her brother Karan pulling her towards his side and trying to do something to her. Dismayed and frightened on what was happening she kept quiet. She felt sick and nervous. When the fondling started to grow, Sita pretended to cough to wake her cousin Sagar who was sleeping right next to her. Karan was alarmed so he stopped pursuing the act. The next morning, Sita woke up feeling dirty, betrayed and guilty. Karan was in the illusion that Sita didn't know what he did to her and Sita went out to act like nothing ever happened. She never reported this to her family member or to anyone before the researcher met her. She shared her story with the researcher when she found that the researcher was studying the subject on this topic through her friend whom the researcher had interviewed. Sita was 9 years old when she was molested by her cousin. It's been 7 years after the incident has passed, but the scar remains. She says she cannot overcome the guilt inside her. She feels like people especially boys

look at her with lust. She thinks it is her fault because she was curious to know about certain things which her parents had always avoided.

From the point of view of the victim and her family, it shows that son preference over female is prevalent in Sikkim too. Also, socialization plays an important role in our life. Sita's grandfather was a patriarch, who always overlooked the ill behavior of his grandson which led other male members in the family to follow his footprint and ideology. Despite Karan's deviant behavior, he was welcomed and loved in the family. Even if his parents used to beat him up for his mischief's, his grandparents protected him and shielded him from getting punishment. This blinded Karan with the belief that whatever he does cannot be condemned. When Karan was sent to boarding school, he was surrounded by the type of people who were involved in deviant behaviors. This was also one of the facilitating factors. The other factor one can find here is the lack of communicating openly about sex within the family members especially with the adult members. In Finkelhor's (1984a) risk assessment study, one of the most powerful reasons of victimization was the level of sexual repressiveness of the mother. His study reveals that daughters of highly oppressive mothers who scolded or punished daughters for looking at sexual pictures or asking sexual questions and masturbating were more likely to be molested than the daughters of mothers whose attitudes toward sexuality were less restrictive.

3.8.4. Case 4: Love went wrong

This is a story of a 43 years old man named Bahadur. He lived in a small village at South Sikkim. He is the only child in his family. Both his parents used to work in the field. Their economic condition was not sound, so he had to drop his studies in between. After that Bahadur started helping his parents in the field. He married at an early age of twenty. Life was hard for him, but he managed it somehow. The added responsibilities in the family meant, he needed to work hard and earn more. Bahadur's wife had a lot of hopes in her life. But her parents married her off early. Her parents' economic condition was not good. All the life she had lived in poverty. So, she thought this marriage would give her a new beginning in life but to her dismay, her married life was not what she had expected. With Bahadur as the only earning member, she had to help her husband in the field. Life went on in harsh condition for both. Within a year of marriage, they were blessed with a baby girl. After 18 years of their marriage, Mrs. Bahadur hope and aspiration had come to a stop, she thought her life had only one purpose and that was to survive. Near their house lived a young boy named Kiran who was a driver by profession. He was full of energy and vigor. Just the kind of man she had expected to be married. Soon their friendship developed, and Mrs. Bahadur started falling for him. Kiran would give her nice gifts and allure her to his world which Mrs. Bahadur found to be quite fancy then her monotonous life. And one day they decided to elope. Mr. Bahadur was now left with their only child who was now 13 years old. He took care of the child by himself and soon she was of a marriageable age. The daughter soon married, and Bahadur was left alone. He continued living his life normally. At times he felt a void in his heart. Deep inside he was lonely.

One day he came to find out that there was an elderly couple, a migrant from Nepal who was in search for a place to live. Somehow, they met Bahadur. He soon gave them a place to live with him and even gave them a piece of land in the lease to do farming. The elderly couple along with their daughter named Sunita (who was 15 years of age) shifted to his place. Bahadur and the elderly couple formed a deep alliance after few years. They were practically like his family now. In between, he

began to develop feelings for Sunita and the feeling was mutual. Sunita's parents who were quite old and a migrant who had faced a lot of turmoil in their life had no problem with their relationship. In fact, they agreed happily to their union as Bahadur was a proper Sikkimese citizen with land holding. Sunita's parents wanted to settle their child with someone like Bahadur because they were getting old and could not migrate to places like before. Thus, it was agreed between the elders. As for Sunita, she was a teenager. She wanted to be loved. She saw Bahadur as someone who would love her and do anything for her. Despite the age gap she did not mind.

In 2012, Protection of Children against Sexual Offense, (POCSO) Act was implemented in the country, the law provided protection to children below 18 years of age. Someone in the village came to know about Sunita being pregnant and reported it to the Panchayat, who forwarded the case to police officials. Bahadur was arrested on the ground of sexual exploitation and raping a child. He now faces severe capital punishment and jail time.

In this case, Sunita was forced to migrate with her family to a new place because of poverty. Being uneducated, inexperienced village girl, she was always seeking for something stable in her life. When Bahadur provided them with a roof, she found it as an act of love and protection as they had no place to go. Another factor, in this case, was Sunita's raging hormonal changes as a teenager. She was experiencing sexual need met by Bahadur. United Nations Convention declares that any child below 18 years of age cannot fully comprehend to any sexual act happening to them. In this regard, one can say that she was not fully aware of the entire circumstances. Also, the practice of early marriage in our society is an age-old convention. And the place from where Sunita and her parents came from, girls were married at an early age in their customs and tradition. Thus, culture plays an important role in determining what is

abuse. In Western countries marrying below the age of 18 years is quite unacceptable but in Non-Western Countries particularly Asian and Arab Countries, it is quite normal to see a girl getting married before 18 years of age.

3.8.5. Case 5: Alcohol and Bad Company

Shyam a 64-year-old man is a farmer by profession. He is a widower who lives alone in a rural area of South Sikkim. He is freed from all the responsibilities of life duties. All his children are married and settled. He did not want anything more from life. It was a simple life. In his free time, he used to roam around the village and meet people. He spends his time conversing with different sections of the population in his village. At evening it was merry-making time for most of the villagers. They used to gather at one local liquor shop and drink. All was going well for Shyam. One day, while walking around the small bazar at the village, he met a few young boys, who used to meet there every day as they were mostly unemployed youths and drivers. They used to invite Shyam in their group, make fun and laugh about it. Shyam enjoyed their company as they brought new things with them. They showed Shyam the benefit of science and technology, gadgets, and talked about girls and relationship. It was as if Shyam was reliving his youth days in their company. The boys entertained him in many ways. He had been a widower for a long time, so the boys used to tease him about his sexual urges. They provoked him by showing him porn and dirty videos. Shyam had never imagined in his life that something so personal and intimate thing between a man and a woman could be a source of entertainment. At first, it was a bit awkward, but slowly he got attuned with the fact.

It was a time a festive season in the village. Everyone was in the mood of celebrating. Shyam went to the usual local shop and met the boys. They started drinking and

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teasing him. Shyam also joined them. After a few drinks, one of the boys pulled out his mobile and started watching porn. Everyone joined him, laughing and drinking. That evening Shyam had drunk quite enough to lose his consciousness. On the way, he saw his neighbor's kid sitting on the balcony of her house. Since it was a festive season, all the villagers had assembled at the local bazaar. Shyam talked to the child and asked her why she was sitting alone. The child replied saying it was getting dark, so her parents had sent her home early. The kid started running and jumping around him. He observed her closely, slowly her touch started to stimulate something sensual in him. He could no longer tolerate, on the pretext of carrying her, he took her at the backside of her house and started fondling and molesting her. The kid started to cry out loud as she was petrified. Before Shyam could succeed in his attempt, luckily a passerby heard the kid's cry and came in her rescue. Shyam was caught red-handed in his misdeed. The villagers soon gathered and got hold of him and handed him to police. He is now serving jail time and rigorous punishment. While the researcher interviewed him, he confessed he was guilty about what happened and regrets it.

In this case, the main factor was the company of the bad people of the society. The neighborhood was filled with unemployed youths, alcoholics and frustrated people and negative elements of the society. Another facilitating factor, in this case, was lack of supervision, Unlimited and unsupervised access to social media, the role of media-especially the electronic media leading to pornography, consumption of alcohol and other toxicants etc were some of the reason for such abuse.

CHAPTER-IV

ANALYSIS AND INTERPRETATION OF DATA

4.1 Introduction

Based on the objectives and the research questions, the research was intended to study the socio-economic background of the families of child victims and the perpetrators involved in sexual abuse cases. The point was to unwind and attempt to uncover the various social forces operative in the process of sexual victimization of children which helps in explaining the interchange of different variables and to study the perceptions of different stakeholders regarding child sexual abuse and the intervention of the state.

For understanding the respondents were categorized as Category-I being victims (C-I), Category-II as perpetrators (C-II), and Category-III, the various stakeholders (C-III).

Regarding their experiences as the victim of sexual abuse, the respondents of C-I faced different forms of abuse.

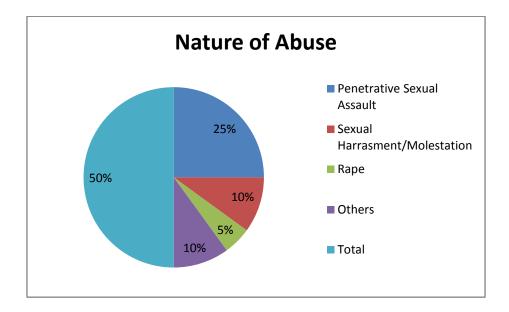


Figure 4.1 Nature of sexual abuse

Penetrative sexual assault was the most common form of sexual abuse, followed by sexual harassment or molestation, rape and others which included fondling of genitals, exposure to indecent pictures/pornography etc. Out of the 10 respondents, two have already quit schools midway due to the fear of stigma and embarrassment. Almost every one of them felt the utter need to change their location for good.

During the course of the interview, the researcher observed the victims very closely. Unlike other victims who had shut themselves and were reluctant to talk, Pooja aged 13 who had been sexually abused by her neighbor was completely the opposite. She became a rebel to outburst her emotions. She and her friends started indulging in all sort of substance abuse at that age. She cut her hands whenever she felt the rage inside her burning. She threw things and shouted and cried at the top of her lungs whenever someone tried to correct her. She was always on edge; she could not bear the thought of separation from her friend. Society labeled her as a deviant child and some of them even felt that it was her fault for what happened to her. When the researcher involved her in the conversation, Pooja started opening up, "I don't care what they say about me, I'm going to run away someday from here and never come back to this hell. I know you must be wondering why I am such a bad girl. But I guess I am - that is why such a thing happened to me. You know miss, I see monsters in daylight." When probed further on the topic on monsters, asking her what she meant by that. She replied "Paila mero bajey boju ley banneyko thiyo, rati bhoot awcha banera, tarah bhoot tah ujyalo ma pani awdai raicha" (Earlier my grandparents used to tell me that monsters come only in the night, but it seems monsters come during the day time too). According to another victim who came forward to talk about her problem mentioned, " My neighbor always called me on the pretext of giving sweets and after

making me sit on his lap, he would start fondling me, my cheeks would turn red, I knew something was not right. I told my teacher in school, and she helped me."

Child sexual offense might be a covered illegal act, and as much as it is problematic to decide the genuine occurrence of such offense, it is much harder to remark with conviction on the attributes of the guilty parties. By and large, the culprits of sexual maltreatment are most likely to be male teenagers or grown-ups known to the child or individuals from same family units (Salter et. al. 2003:471). Till late 1990, there was a general conception that all child sexual abusers were male (Young. 1994:101). The true elements of sexual maltreatment by female culprits are dark and ill-defined. Presently, there is a developing awareness that females do manhandle youngsters explicitly, physically and emotionally. However, hardly any cases including sexual abuse of children by female guilty culprits have been represented for (Sgroi et. al. 1994: 14).

This study revealed that male perpetrators vastly outnumbered females; almost 90% of the perpetrators interviewed were males while female constituted only 10% (refer to page 90). Few case studies and narratives were collected in order to understand the perspectives of the perpetrators regarding their views on the act they committed. The method comprehends the respondent's perception giving a micro understanding of the issue. Out of the 15 respondents, three of them were in love with their respective partners. But the law states that any children below the age of 18 years have not fully entered the stage of maturity. They were involved in the physical act, which somehow came into the knowledge of the family members who reported the incidence and booked them under the POCSO Act. Some of the cases and narratives are presented to substantiate the perspective.

Kunal 24 years old, is a graduate student. He had just come back after completing his studies. The neighbor's niece (Reena) who was a school going student, had been smitten by him for a long time. He had practically known her his entire life and was well aware of her feelings towards him. After he completed his studies and returned home, he was temporarily unemployed as he was in search of a job. That period of time in his life brought him quite close with Reena. Kunal started developing feelings for Reena too. They used to go on a secretly meet without their parents knowing about it. One fine day, Reena told Kunal that her uncle and aunty had to go some place to attend a wedding and she was alone in the house. Kunal took this opportunity to spend some quality time with Reena. Suddenly one thing led to another and they both engaged in intimacy. The next day when the girl's guardian returned home, one of the renter in their place passed the information about Kunal staying over for a night when they were gone. The girl's aunt started scolding her and beating her to speak out what she did. Out of fear Renna gave the details to her aunt. Within no time there was a huge uproar in their house. The girl's uncle and aunt barged in Kunal's place and started shouting and calling people. When Kunal's parents heard what had happened they decided them to get married but Reena's guardian did not agree and filed a complaint against Kunal. Today Kunal is serving his time in the prison and waiting for the final day of his hearing.

During the interview, it was also found that most of the perpetrators had a history of alcohol and substance abuse which has already been cited in the case studies particularly Case No. 2 and Case No. 5 previously. The respondents consumed alcohol almost on a regular basis. Especially during the festival season, they professed that their consumption level double/ tripled. The respondents stated that while

intoxicated their visions of morality were clouded and were unable to comprehend what took over them.

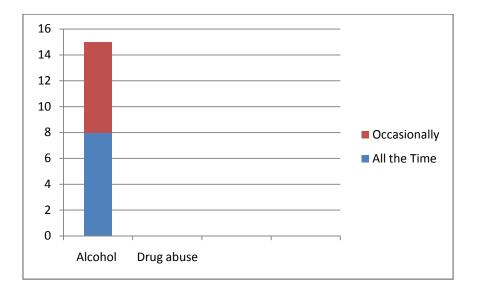


Figure 4.2 Alcohol and Substance abuse among the perpetrators:

The data obtained reveal that consumption of alcohol among the majority of the respondents is a part of their daily lives. Also, festival plays a vital role in the lives of the respondents. The use, abuse, and addiction are all based on and influenced by the socio-cultural system in which one dwells. Socio-cultural variations are at any rate as imperative as physiological and mental variations when we are attempting to comprehend the interrelations of liquor and human conduct. Methods for drinking and of reasoning about drinking are found out by people inside the setting in which they learn about them- that is, whatever else drinking might be, it is a part of culture about which patterns of belief and behavior are modeled by a combination of example, exhortation, rewards, punishments, and the many other means both formal and casual, that societies use for conveying standards, frames of mind, and qualities (Heath, 1982:426-440).

In order to comprehend how the perpetrators selected their targets, Finkelhor's (1984) Four Preconditions Model was employed this model is generally utilized for understanding child sexual abuse offenders. The four preconditions are:

- Motivation to sexually abuse
- Overcoming internal inhibitors (for instance, concerns that their thoughts and behavior are wrong). One of the ways to overcome such internal inhibitors was through the consumption of alcohol. As alcohol helps people to overcome the fear of social norms and laws and reduces the logical thinking capacity. The study found that almost all of the perpetrators had consumed alcohol when the incident occurred. This shows that there is a parallel relation between the consumption of alcohol, social and cultural factors and child sexual offenders.

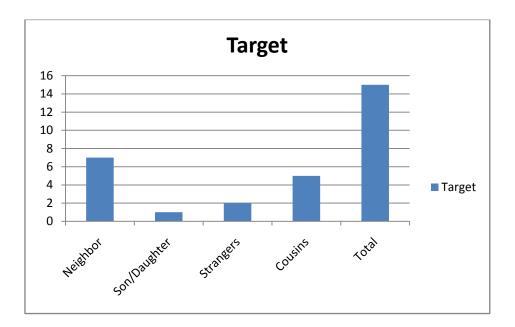


Figure 4.3. Selection of Targets

Analyzing the chart, it was found that most of their targets were their neighbors, followed by cousins, strangers, and step-son.

- Overcoming external inhibitors (for example, finding a child in their vicinity whom they can sexually abuse). The present study found how the perpetrators overcame the external inhibitors as stated by Finkelhor. Most of the targets resided near the vicinity of the perpetrators making it easier for them to target their victims.
- Overcoming the resistance of the child.

As indicated by this hypothesis, these preconditions must be satisfied for child sexual abuse to be possible and to happen. Finkelhor contended that there are three segments to the motivation to sexually abuse:

- 1. Sexual contacts with the kid fulfill an emotional need;
- 2. The child is a source of sexual arousal
- 3. Alternative sexual accomplices are not accessible

However, he states that these are not preconditions and they don't necessarily have to occur, or it can overlap with one another. In the present study, it was found that the motivations to sexually abuse the children were sometimes lack of alternative sexual accomplice. For eg. Case Study No. 5. Shyam was a widower who had no one beside him to fulfill his biological need. And the easiest target was his neighbor (a child).

About overcoming the internal inhibitors, this precondition is vital, as without it the culprit won't submit any demonstration of maltreatment, as they should be repressed by social taboos or dread of harming the kid.

The third and fourth preconditions move the clarification for offending beyond the perpetrator to account for their external environment. For eg. Tejas one of the perpetrators worked as a primary teacher before he was convicted of the crime. He was convicted of sexually molesting one of his girl students named Deepa. She belonged to a poor socio-economic background. She was an orphan, who used to live

with her grandmother. Tejas was also given the charge of maintaining hygiene and health among the students in the school. Since Deepa could not maintain proper hygiene due to her circumstances, she was often punished by Tejas as per the norms of the school. Tejas took the matter in his hand to find out the reasons for Deepa's stubborn character despite warning her several times. He soon found out that Deepa was an orphan and she had to work before and after school in the field to help her grandmother. Tejas felt sympathetic towards her and rendered to help her in her studies by providing her free tuitions. Now Deepa, was a sensitive girl, who had lost both her parents at an early age. She was emotional and scared inside. Tejas could read her mind, so gradually; he started grooming her for his ulterior motive. Gradually, he brought Deepa under his trust and care, he made his move. He was successful in exploiting her for several months, with no one being suspicious about what he was doing. Finally, Deepa opened up to one of her friends and that was an end of it. Employing the Finkelhor's model one can see how Tejas overcame the external inhibitors which were- observers around to protect the kid (e.g., the child's mom, other relatives, instructors, and so on.), or if the environment is not conducive to abuse a child. For which he offered her tuitions at his place where it would be convenient for the perpetrator. The last hindrance to committing the act is the resistance of the child in the event that the child is emotionally insecure, needy or without a support network, then the child molester can break through a child's barrier more effectively than the child who is stronger to their advances. Deepa was an easy target in that case as she was emotionally insecure and in need of love and support. Finkelhor saw that these preconditions work more on a sociological measurement and not simply on an individual dimension. Social components and qualities can go about as motivators or inhibitors to child sexual maltreatment execution.

There can never be an ultimate explanation of child sexual abuse because how we observe, define and understand it, changes across time and place. Consequently, how it affects people and what should be done about it also remains a considerable matter for social argument and public discussion (Warner, 2009: 16). Therefore, the present study discusses the viewpoints of various stakeholders regarding the issue of child sexual abuse. To understand child sexual abuse and society's response, it is imperative to understand the socio-cultural context within which it is defined and conceptualized (Bolen, 2002: 11). Perception of various stakeholders such as police personnel, parents, teachers, social service agents, homemakers, agriculturists etc who were categorized as C-III were recorded

For better understanding two sets of questionnaires were prepared; one for police personnel, lawyers, teachers, social workers, agriculturists and the other one for the parents. Based on the questionnaire prepared and the responses collected from various stakeholders, the findings of the study are as follows;

The foremost step in defining child sexual abuse as stated in chapter I- is to study the transitional period from childhood to adulthood which is inevitably connected with human sexuality and the apparent ability to develop informed consent to sexual relations. Many have assumed a common definition of childhood, but in reality, definitions vary across cultures and over time (Davidson, 2008: 1). As per the law, children below 18 years of age are considered as a child. However, the cultural context of determining who should be considered as a child differs from society to society. Interviewing various stakeholders about their understanding/perception on whom they consider a child gives us a mental picture of the social construction of childhood.

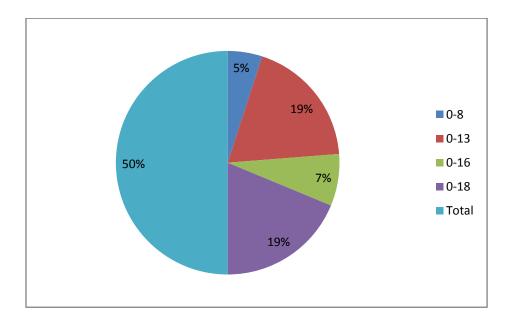


Figure 4.4. Stakeholders perception on the age of children

There was not an agreement among the respondents regarding the age of a child. 19% of respondents considered a child as someone whose age ranges from 0-18 as stated by law similarly, other 19% believed that a child remains as a child till they are 13 years of age. 7% of the respondents considered a child in the age range of 0-16 while only a few sections – 5% considered a child as someone in the age range of 0-8 years. From the above analysis, one can say that there is a different perception regarding the age of a child. Not everyone considers someone above 8 or 16 years as a child. Some of the section of the respondents said that a child remains innocent till 16 years of age. Kumari aged 35, a constable said "*Aaz kaal ko nani haru sarai chito tanderi huncha. Aathara barsa samma tah chippi sakeko huncha. Aathara barsa pugeko lai tah k nani bannu.*" (These days kids mature fast, by the time they reach 18, they are more than matured so how can one still call them a child?).

Dil Bahadur, aged 42 years, a government employee mentioned, we cannot deny what law has stated as till what age should be considered a child but I think there should be some sort of modification in considering the age of a child.

As troublesome it is to determine the actual prevalence of child sexual offense, it is even tougher to comment with certainty on the characteristics of the offenders (Davidson.2008:58).

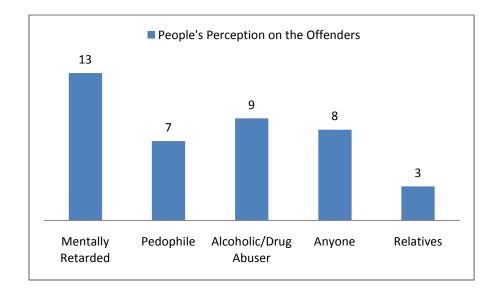


Figure 4.5 Stakeholders perception of the offenders

32.5% of the respondents believe that child sexual abusers are those who are mentally sick or retarded. 17.5% were of the view that such abusers are pedophiles. 20% were of the view that offenders could be anyone. 22.5% suggested that they are mostly alcoholics or drug abuser and 7.5% believed that it is mostly known person to the victim who is the offenders. The data indicates the notion of the respondents that parents or person who abuses children are mentally sick. Undoubtedly this is the single most persistent myths - a psychopathological approach. Tshering Bhutia 38 years a government employee feels, that such people must have some problem in their mind. Another respondent, Bhaskar aged 32, believes that such people must have been possessed by the devil in their mind to commit such act. Mahendra, aged 27 believes that those people must have gone crazy in their mind to do such a thing. However, Gelles (2017), states that in terms of child abuse, a social psychological approach does not entirely hand out with the psychological level of analysis. In fact,

he states that there are some personal problems which are related for causing such abuse; however, this psychological factor occurs out of the social experience.

Many of the respondents felt that the perpetrators of crime were either alcoholic or Drug addicts. Seem, aged 35 years is a social worker. She has been actively participating in the day to day social activities of her village. When cases of sexual molestation or harassment were reported from her village and the nearby village she found that those culprits were either alcoholics or drug abusers. Another respondent a police women, aged 32, believed that offenders of child sexual abuse must be alcoholics or drug addicts as consumption of such drugs gives them the courage to do anything. A school teacher also felt that people who are addicted to substance abuse are most likely to commit such a crime. Only a few were of the view that offenders could be anyone. There is no clear marker for such offenders.

Most of the studies on child sexual cases state that there is no single reason for such an offense. The following diagram highlights the respondent's perception of the reasons for child sexual offense to occur.

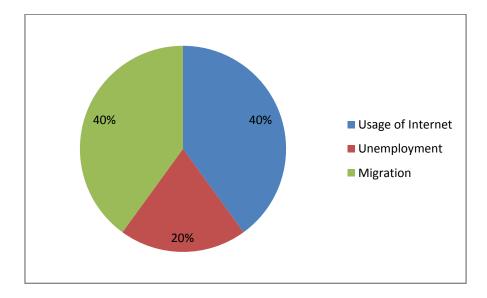


Figure 4.6. Plausible reasons of child sexual abuse according to the respondents.

Apart from the psychological factors, most of the respondents viewed other factors responsible for child sexual abuse and they were the usages of internet, unemployment, migration etc. The pie chart represents that 40% of the respondents say that the usage of the internet is one of the cause in the rise of child sexual offense. Manmaya, an agriculturists by profession, mentioned that technology is the reason for this problem "*zaba dekhi yo phone awnu thalyo, taba dekhi esto sapai bako. Keta keti haru phone mai jundi bascha, facebook hercha antah anzan manchey sita friendship garcha, ani pachari dokha khancha. Aaj kaal ko nani haru ko soshan hunu ko pachari pani yei internet ra phone ho"* (since the day gadgets particularly mobile phones became easily accessible in the market from then on trouble started. Kids these days hang so much into their mobile phones, always surfing facebook, chatting with strangers, making friends online without knowing properly who the person is and later gets betrayed. Sexual exploitation of kids is due to mobile phones and the internet).

On the other hand, 40% believe that unemployment also has something to do with child sexual abuse. Lokesh, a teacher by profession, expressed that due to unemployment people become frustrated. And if they do not get proper platform then they might do something wrong and become a deviant. 20% of the respondents believed that migration plays an important role in child sexual abuse to occur. According to the opinion of a government employee, the influx of migrants has polluted the sanctity of our society. Another respondent, aged 45 a social worker, felt that the migrants do not know the social fabric of our society. Along with them, they bring their thought process, their socialization pattern which is so different from ours. They are someone who had been brought with the mentality that girl child is a second class citizen. So that kind of mentality sometimes proves harmful for our people who have the luxury to live freely unlike theirs.

On April 21, 2018, the Indian government passed a mandate permitting capital punishment for the rape of children younger than 12 years. The POCSO Act, 2012 was enacted to protect the children from offenses of sexual assault, sexual harassment, and pornography with due regard for safeguarding the interest and well being of children. To discourage the trend of child sexual abuse by acting as a deterrent section-4, section-5, section-6, was proposed to be amended to provide the option of stringent punishment, including the death penalty for aggravated sexual assault crime on a child. However, is the death penalty effective prevention?

Stake Holders' Gender	Death Penalty Disagree / Agree		Total
Female	4	19	23
	(17.39)	(82.61)	(100)
Male	10	17	2737.04
	(37.04)	(62.96)	(100)
Both Genders	14	36	50
	(28.00)	(72.00)	(100)
Pearson Chi ² (1 d.f.)	2.3778**		
Probability Value	0.060		

Table 4.22: Respondent's perception on capital punishment

Source: Field data July to October 2018

The data from the table reveals the societal response with regard to capital punishment. The researcher categorized the respondents on the basis of gender to introspect how the two genders look at it from their perspective. 17.39% of females disagree with the death penalty. They were of the stand that death penalty to child rapists may not be the solution. While 82.61% welcomes the decision. They were of the view that the perpetrators should not be given the right to live when found guilty. In comparison to females, 37.04% of males were against the decision. They were of the view that such amendments and laws will not stop the culprits. Even after the huge uproar in the nation after the Nirbhaya incident, rape has not stopped, in fact

immediately after the nirbhaya incident there were so many rape cases. So to think the death penalty will stop the crime is just a foolish act. Again in comparison to female, only 62.96% males supported the motion on the death penalty. They believed that anyone taking advantage of the child's innocence must be hanged. In total 72% supported the capital punishment while 28% were clearly not in the favor. The analysis reveals that both the genders perceive the issue through their own lens. It was found that males were more practically oriented while females were emotionally drawn. The Chi-square value 2.3778 is statistically significant at 10%, d.f.=1. It indicates the response of male and females in death penalty whether it is effective prevention or not.

CHAPTER-V

Conclusion and Recommendations:

As discussed the major objectives of the study was to study the profile, nature of child sexual abuse and to understand the major social factors behind the abuse, also the aim was to study the perception of the people at the societal and institutional level and to find out the measures taken by the state and stakeholders to provide support to the abused victims.

There is paucity of information and adequate literature on the issue of child sexual abuse in Sikkim. In this background, this study attempted to explore the socio economic nature of child sexual abuse in Sikkim. In order to fulfil the objectives an extensive fieldwork for 5 months was conducted in two selected areas in Sikkim (ref chapter 3). There were 75 respondents including the victims, the perpetrators, and various stakeholders. They were interviewed through both structured and unstructured interview schedule and Focused Group Discussion was conducted with various stakeholders in the society.

Child sexual maltreatment is now perceived as a social issue and is being addressed in the society. The present research concentrated on the socio-economic background of the victim's family, the interplay between the various factors/reasons during the process of child sexual abuse. The observation from the field showed that child sexual abuse is not a closed crime anymore. It is a crime where society condemns the sexual contact between a child and an adult. It was found that most of the victims belonged to the weaker economic strata of the society, they were illiterates or less educated, and were residing both in rural and urban areas. The analysis of the victims revealed that alcoholism, broken family environment, young age, lack of sex education, unregulated use of technology(internet), adultery, relationship with the accused, low education-level, absence of open-communication with parents, virtual absence of mother, unattended children, preference of male child were the major facilitating factors behind their sexual abuse.

The social role of a person and his contribution to society is based on his socio economic background. The rapid increase in the number of child sexual abuse cases firstly shows that now people have become aware and started to report such crimes which earlier underwent in shadow because of the fear of stigma attached to it. Prior to the introduction of POCSO ACT (Protection of Children from Sexual Offences) child sexual abuse were treated as an attempt to rape case and cases were registered under 376 Indian Penal Code. The growing number of reported child sexual abuse cases on the one hand shows the awareness of people and the speedy justice delivered by the police department of Sikkim. Yet, the disclosure of the incidence is the most difficult for the victims due to stigma, shame, and guilt that they experience which makes the victims of child sexual abuse hesitate to come open about it particularly in rural areas. Sometimes when the parents or the family members come to know about such incidents, particularly when it is inter- familial abuse they refrain from proceeding to police or court in the name of family honour or the tendency to cover up to hide the shame in the society.

The process of globalisation also has a significant impact in the social structure of the society. It brought some positive as well as some negative effects. The impact of globalization in Sikkim is vivid. It is clearly reflected in the place and among the people. The faster means of transportation have enhanced the tourism industry in the state and the volume of movement of people has increased over the years. Gadgets and electronic media are no longer the luxury of the few but it has become a necessity

of the mass. One of the far reaching consequences of mobile phones and internet is the easy access to pornography due to which children becomes an easy target. Such forces of globalization connected people of Sikkim with the rest of the world which bears both positive as well as negative traits and as a result the slow and gradual process of social and economic integration through trade, investment and migration eventually resulted in disregard of local perceptions and practices.

The study also found the correlate between the unequal power relationships between men and women and adults and children. In examining the differential power relationship within the society and the family from a feminist perspective it is found that an adequate explanation for the motivation and incidence of sexual assault lies in the complex interplay between existing social structures, conventional attitudes and socialization particularly the gender socialization of males and females (ref- Case study No.2). Analyzing the study, it can be said that despite the theoretical facts which shows that there are little or no gender differences or inequalities in Sikkim, however the findings reveal that there manifests the male power relationships in areas of education, employment, health, income security, law and decision making where women and children come out second best. These unequal power relationships are embedded in social organizations right from the family itself where they are internalized by the individuals. Analysis of the findings shows that male power exists in almost all family and the father see their wife and children as his property. Also differential gender socialization is manifested through the media, role definitions and gender specific child rearing practices which led victims to become submissive, compliant and with a feeling of low inferior status. In recent times, there is a shift towards son preference in the Sikkimese society which was earlier impartial towards both the sexes.

State Intervention:

A national policy for children has already been adopted by the govt. of India. Similarly, the Sikkim state plan of action for children (2002-2007) a commitment to the child was formulated. Sikkim was the first states to constitute the State Commission for Protection of Child Rights (SCPCR) as directed by Section 17 of the Commissions for Protection of Child Rights Act 2005. The commission has set up a "Child Helpline" accessible by SMS and telephone which will receive the complaint made by the aggrieved child or guardian and register the complaint regarding the violation of rights of a child in a manner that records his or her identity. All complaints to the Helpline are monitored through a transparent and alert action for subsequent readdressed.

Juvenile Justice System:

The JJS is based on the cardinal principles of "protection of child rights" and "best interest of the child". The women and child development division of the department is the nodal agency in the state for the implementation of the programmes under the Juvenile Justice Act. The JJA provides a child-friendly environment to protect and safeguard children in need of care and protection and in conflict with the law. The JJA has its emphasis shifted from correctional to "rehabilitation and integration of children into social mainstream". There are two Juvenile Observation Home at Sichey, Gangtok and Namchi wherein the juvenile in conflict with the law are kept temporarily. A State Advisory Committee, Inspection Committee and the Juvenile Justice Boards, Child Welfare Committees and Special Juvenile Police Units have been constituted in each district for correctional services and to provide appropriate levels of investigation and justice system outside the regular court.

The destitute Home in Namchi is known as Manjusha home, where there are 23 children at present. 80% of the children in the shelter home from the registered POCSO cases. With the help of NGO's have held several programmes to sensitize the people, especially parents, children at the age group of 5- 18 years

To conclude, the study reveals that child sexual abuse is not a new but the least addressed issue as conceived by many. For some child sexual abuse is a social construct. Due to the sensitive nature of the topic it was difficult for the researcher to garner enough information on the issue. The victims being children, it was herculean task to illicit information from them, since they were already under a lot of trauma. However, some victims after a lot of rapport building were able to share some of their experiences as it would help others from being subjected to the same torture and pain. Nonetheless, the different stakeholders enthusiastically participated in the Focused group discuissons on the basis of which the following recommendations are made.

• Adolescents Stage: The study highlights that 40% of the victims were reported from the age group of 10–15 years, followed by 30% from the age range of 15-18. This is the adolescent period, a crucial period every individual passes through. This period is the most confusing and most poorly understood stage in life. At this stage, parents must provide the children with a secure and helpful environment, one that allows the children to open up with their parents without hesitation. Parents must help the children to understand their vulnerabilities, their sexualities, so that they may maintain a strategic distance from unavoidable circumstances of getting sexually exploited. Also extra care should be given to girl child at this stage, because it was found that they fall in the idea of love and might get manipulated quickly. Therefore, appropriate

measures and sensitization programmes and talks should be organised for adolescent's girls and boys, time and again for better understanding of the context.

- Sensitization of family members/mothers: The study indicates that serious threat of sexual abuse of children came from none other than the known person to the child as compared to strangers because 80% of the victims were abused by known person to the child (like father/relatives/cousins/neighbors etc). Hence, it is suggested that a good care and attention is essential by the family members particularly mothers if there should arise an occurrence of incest so as to guard the kids. Mothers should be sensitized and informed that escaping and not addressing the problem will further aggravate and the perpetrator needs to be booked for the wrong doing, they should be counseled that there is no stigma attached with the abuse and by addressing it they can save their child from further being victimized.
- Day Care Centers: During the interview with the perpetrators, it was found that most of their targets were found to be alone or unprotected as the victim's parents were mostly busy in work/field to cater to daily needs of survival. As such overcoming the external inhibitors was easy for the abusers. Therefore, it is recommended that a proper day run care should be established for those children who stay alone at home while their parents go for work.
- Awareness Programmes: It was found that most of the incidents occurred in rural areas. The awareness level in such areas was low, lower work participation and alcohol consumption was common which makes the situation more abusive and dangerous. It is therefore recommended that massive awareness campaign should be carried out involving the local people. Police

should patrol these areas frequently and properly. No doubt government of Sikkim has come with better schemes and policies for all section of society but government should ensure properly if the schemes they had made for such section of the population are reaching them or not.

- Support Mechanism for victims : During the course of study it was also found that there was a lack of proper facilities and support mechanisms for the sexual abuse victim. There is nothing to help the child and family to navigate through the system. There are only five rehabilitation centre all over the state. Victims of child sexual abuse have to be assured a major theme of therapy. More psychiatrist and counselors should be technically trained. Police should be equipped to deal with such cases. Government should bridge the gap of proper facilities between the rural and urban areas. With the help of clinical experts from other states and nations, government should set up a properly designed treatment programme for the victims and their family to fight the effects of abuse and to reintegrate themselves in the society without difficulty.
- Information of the POCSO Act: During an interview with the police official, it was found that sometimes the parents of the girl child misuse the POCSO Act, which has already been narrated in case studies. When a teenage girl elopes with her boyfriend who as per the definition by law is an adult, the parents/guardians of the victims file a case against the boy who himself has just turned an adult by law. The Act demands within the next 24 hours, the police must register the compliant and address the issue and throw the culprit behind the bars. In the investigation the police found that most of the time the girl and boy had both agreed to elope but the nature of the Act makes the boy the culprit. It is therefore imperative to reform the law and the judicial system.

There is a need for prosecutors who are well trained in POCSO Act, and the training should not only be about the legal procedure, but dealing sensitively in such cases in a child friendly manner for both the parties.

- Sex Education: During the course of study it was found how difficult it is for children to get adequate information on sexual abuse in such an environment where it is still considered a taboo and adults feel uncomfortable discussing about sex. It is therefore recommended for commencing sex education in our school system. Good sex education is the need of an hour to arm children with such knowledge developing positive outlook towards it.
- More in-depth studies and research must be carried out to explore and understand the socio-cultural context and to fill the research gap.

To sum up, child sexual abuse is a threat and a huge problem around the globe without any easy solutions. Though sexual exploitation of children persists worldwide, yet India's century old tradition of patriarchic values to undermine the value of women and children, corrupt and weak legal system makes it even more problematic. While there has been an increase in the reporting of such cases in Sikkim, but there is still a substantial amount of unknown facts surrounding the topic and the magnitude of the problem remains difficult to estimate.

BIBLIOGRAPHY:

- Aboul-Hagag, K. E. S., & Hamed, A. F. (2012). Prevalence and pattern of child sexual abuse reported by cross sectional study among the University students, Sohag University, Egypt. *Egyptian Journal of Forensic Sciences*, 2(3), 89-96.
- Aggrawal, Anil. (2009). Forensic and Medico-legal Aspects of Sexual Crimes & Unusual Sexual Practices. London/New York: CRC Press.
- Ahmed, S. "Sigmund Freud's psychoanalytic theory Oedipus complex: A critical study concerning D. H. Lawrence's Sons and Lovers. *International Journal of English and Literature*, 2012: 3(3) 60-70.
- Arnett, J.J. Broad and Narrow Socialization: The Family in the Context of a Cultural Theory. *Journal of Marriage and Family*. 1995:57(3) 617-628.
- Barbaree, H.E., & Marshall, W. (Eds.) (2008). *The Juvenile Sex Offender*. New York/ London: The Guilford Press.
- Bareh, H.M. (Eds.) (2001). *Encyclopedia of North East India-7, Sikkim*. New Delhi: Mittal Publications.
- Bedi, R. (1989). *SIKKIM*. New Delhi: Brijbasi Art Press Limited.
- Bhadra, M. (1992). *Sikkim, Democracy and Social Change*. Minerva Associates (Publications).
- Bolen, R.M. (2002). *Child Sexual Abuse: Its Scope and our Failure*. New York: Kluwer Academic Publishers.
- Buck, T. (2011). *International Child Law*. Second Edition. London & New York: Routledge
- Carson.et.al. (2013). Sexual Abuse of Children and Youth in India: An Anthropological Perspective.
 <u>https://www.researchgate.net/publication/271951215_Child_Sexual_Abuse_in_India_Cu</u> <u>rrent_Issues_and_Research</u> accessed on 22/1/2019

- Chandra, S. (2011). *Social Change in Modern India*. New Delhi: Jananada Prakashan (P&D).
- Chowdhury, A. R., Bhuiyan, Md. Jahid Hossain., Alam, Shawkat. (Eds.) (2010). *Issues in Human Rights*. New Delhi: Atlantic.
- Coelho, V. H. (1971). Sikkim and Bhutan. Delhi: Vikas.
- Cultural Affairs & Heritage Department, Government of Sikkim. (2017) *The Splendour* of Sikkim Cultures, And Traditions Of The Ethnic Communities Of Sikkim.
- Dabir, N., Nigudhar, M. (2007). Child Abuse: Confronting Reality. Economic and Political Weekly. Vol 42, (27/28), 2863-2866.
- Datta, A. (19991). Sikkim Since Independence. New Delhi: Mittal Publications.
- Davidson, J. C.(2008). *Child Sexual Abuse: Media representations and government reaction*.USA and Canada: Routledge- Cavendish.
- Dennis, A., Philburn, R., & Smith, G.,(2013). Sociologies of Interaction. UK: Polity Press.
- Dewan. D.B. (2012). *Education in Sikkim A Historical Retrospect Pre Merger and Post Merger Period*. Kalimpong: Tender Buds Society.
- Drall, N. (2013). Facilitating Social Change: Social Justice, Women and Child Development and Empowerment in Sikkim.Gangtok: Kwality Stores.
- Ebbe, O.N.I., & Das, D. K. (Eds.) (2010). *Criminal Abuse of Women and Children*. New York: CRC Press.
- Faller, K.C. (1987). Women who Sexually Abuse Children. Springer Publishing Company. 2(4), 263-264.

- Finkelhor, D. (1982). Sexual Abuse: A Sociological Perspective. *Child Abuse and Neglect*. 6 (pp. 95-102).
- Finkelhor, D. (1980). Child Abuse and Neglect. *The International Journal*. 4(4) 265-273.
- Finkelhor, D. (1984). Child sexual abuse. *New York*.
- Fontes, L.A. (2008). *Child Abuse and Culture: Working with Diverse Families*. New York: The Guilford Press.
- Gahatraj. D. (2019). The sordid underbelly of 'golden state' Sikkim-it's India's suicide capital. <u>https://theprint.in/governance/the-sordid-underbelly-of-golden-state-sikkim-itsindias-suicide-capital/182632</u> accessed on 28/01/2019
- Gangoli, G. (1996). The Right to Protection from Sexual Assault: The Indian Anti Rape Campaign. *Taylor and Francis*, 6(4), 334-340.
- Gelles, R. J. (1973). *Child Abuse as Psychopathology: A Sociological Critique and Reformulation*. American Journal of Orthopsychiatry, 43(4), 6-11.
- Ghosh, B. (2009). Trafficking in women and children in India: nature, dimensions and strategies for prevention. *The International Journal of Human Rights*, *13*(5), 716-738.
- Goodyear-Smith, F. (1993). *First do no harm: The sexual abuse industry*. Auckland,, New Zealand: Benton-Guy.
- Goldson, B. & Munice, J. (Eds). (2015). Youth Crime and Justice Sage: London
- Gordon, P. The need for sexuality education. <u>https://www.coe.int/t/dg3/children/1in5/Source/PublicationSexualViolence/Gordon</u> <u>.pdf accessed on 27/01/19</u>
- Grover, B. S. K. (1974). Sikkim and India: storm and consolidation (Vol. 2). Jain Bros.

- Gurung, S.K. (2011). *Sikkim: Ethnicity and Political Dynamics: A Triadic Perspective*. New Delhi. Kunal Books.
- Gurung, M. (2017). Social Transformation in Sikkim: Nomadism to Settled Agriculture (Doctoral dissertation).
- Gupta, Manas Das. Sikkim: problems and prospects of development. Indus Publishing Company, 1992.
- Haralambos, M., & Heald, R.M. (2014). *Sociology Themes and Perspectives*. New Delhi: Chaman Enterprises.
- H. Wintersberger. (1999). 'The Rights of the Child and the State of the World's Children' In Elisabeth Ullmann, Dr. Werner Hilweg. (Eds.), *Childhood And Trauma – Separation*, *Abuse, War.* USA: Ashgate Publishing Ltd.
- Heath.D.B. (1982). Sociocultural Variants in Alcoholism. In Pattison, E.M. & Kaufman, E. (Eds.) *Encyclopedic Handbook of Alcoholism*, Gardner Press, New York.
- Higgins, D. J., & McCabe, M. P. (2003). Maltreatment and family dysfunction in childhood and the subsequent adjustment of children and adults. *Journal of family violence*, *18*(2), 107-120.
- Hutchison, E., & Charlesworth, L. (2000). Securing the welfare of children: Policies past, present, and future. *Families in Society: The Journal of Contemporary Social Services*, 81(6), 576-585.
- James, A. Jenks, C. & Prout, A. (2009). 'The Sociological Child' In Goldson, B &Munice, J. (Eds.), *Youth Crime and Juvenile Justice*. Volume 1. London: Sage.

- Jodha, N.S. (2007). 'Economic Globalization Seen Through the Lens of Mountain Perspective' In: Lama. M.P., (Eds.), *Globalization and Cultural Practices in Mountain Areas: Dynamics, Dimensions and Implications*. New Delhi: Indus Publishing Company.
- Joshi, H.G. (2004). Sikkim Past and Present. New Delhi. Mittal Publications.
- Kazi, J. (2009). Sikkim for the Sikkimese. Hill Media: Gangtok.
- Kharel, S., & Bhutia, J.W. (Eds.) (2013). In *Gazetteer of Sikkim*. Gangtok: Home Department.
- Khaled El-Sayed Aboul-Hagag, Ahmed Fathy Hamed. "Prevalence and pattern of child sexual abuse reported by cross sectional study among the University students, Sohag University, Egypt." *Egyptian Journal of Forensic Sciences*, 2012: 2(3) 89-96.
- Krug, Etienne.G., Dahlberg, Linda.L., Mercy, James.A., Zwi, Anthony.B., & Lozano, Rafael. (2002). *World Report on Violence and Health*. Switzerland: World Health Organization.
- Kumar, A.K.S., Rustagi, P., Subrahmanian, R. (Eds) (2015). India's Children essay on social policy: New Delhi: Oxford University Press.
- Lama, M. P. (Ed.). (1994). Sikkim: Society, Polity, Economy, Environment. Indus Publishing.
- Larsen, M. (2011). Vulnerable Daughters in India Culture, Development and Changing Contexts. New Delhi: Routledge.
- Loseke, D., Gelles, R. J., & Cavanaugh, M. M. (2004). Current controversies of domestic violence. *UK: Sage Pulications*.
- Matiyani, H. (2011). *Sexual Abuse of Children: A Sociological Study in Delhi Metropolis* (Doctoral dissertation, Guru Gobind Singh Indraprastha University).

- Moffatt, G.K. (2003). *Wounded Innocents and Fallen Angels: Child Abuse and Child* Aggression. London. Praeger Westport Connecticut.
- Nelson, S. (1997). *Research into Child Sexual Abuse: A Radical Reappraisal*. Edinburgh Working Papers in Sociology.
- Quadara, A., Nagy, V., Higgins, D., & Siegel, N. (2015). Conceptualising the prevention of child sexual abuse.
- Rao, P.R., (1978). *Sikkim The Story Of Its Integration With India*. New Delhi: Cosmo Publications.
- Rappe, K. A. (2004). "I No Longer Believe": Did Freud Abandon The Seduction Theory? Michigan Psychoanalytic Council, Ann Arbor. Vol.54 (1).
- Rowan, E. L. (2006). Understanding Child Sexual Abuse.USA: University Press of Mississippi.
- Reavey, P., & Warner, S. (Eds) (2003). *New Feminist Stories of Child Sexual Abuse*. London and New York. Routledge.
- Sachchidananda. (2011). 'Social Science and Development' In: (Eds.), Pais. R., *Perspectives on Social Development*. New Delhi: Rawat Publications.
- Sachdeva, S. A., Giri, D. K., & Jena, S. S. (2012). *Cultivating Cardamom: Culture, Economy & Social Structure in Sikkim*. Germany: Lap Lambert.
- Salter, D., McMillan, D., Richard, M., Talbot, T., Hodges, J., Bentovim, A., ... & Skuse, D. (2003). Dev of sexually abusive behavior in sexually victimized males: a longitudinal study. *The Lancet*, 361(9356), 471-476.
- Saini, N. (2013). Child abuse and neglect in India: time to act. *Japan Medical Association Journal*, *56*(5), 302-309.

- Sanderson, C. (2004). *The seduction of children: Empowering parents and teachers to protect children from child sexual abuse*. Jessica Kingsley Publishers.
- Sanderson, J. (2004). Child-focused sexual abuse prevention programs. *Crime and Misconduct Commission Research and Issues Paper Series*, *5*.
- Sinha, A. C. (1975). Politics of Sikkim. Thompson Press Limited: Harayana
- Sgroi, Suzanne. "Handbook of Clinical Intervention in Child Sexual Abuse." *National Criminal Justice Reference Service*, 1982: 9-37. <u>https://www.ncjrs.gov/App/Publications/abstract.aspx?ID=97363</u> accessed on 26/1/19.
- Shlonsky, A., Schumaker, K., Cook, C., Crampton, D., Saini, M., Backe-Hansen, E., & Kowalski, K. (2009). Family group decision making for children at risk of abuse and neglect. *Campbell Collaboration*.
- Singh, M. M., Parsekar, S. S., & Nair, S. N. (2014). An epidemiological overview of child sexual abuse. *Journal of family medicine and primary care*, *3*(4), 430.
- Skeen, D.H. (1987). Child Sexual Abuse: A Review of Research and Theory with Implications for Family Life Educators. *Family Relations*, 36(2) 215-221.
- Smith, P. K. & Cowie, Helen. (Eds.) (1991). Understanding Children's Development.USA: Blackwell.
- Smith. M.J. (Eds.) (2008). *Child Sexual Abuse: Issues and Challenges*. New York: Nova Science Publishers, Inc.
- Springhall, J. (2009). 'Childhood in History.' In Goldson, B &Munice, J. (Eds.), *Youth Crime and Juvenile Justice*. Volume 1. London: Sage.
- Subba. J.R. (2016). *History, Culture, and Customs of Sikkim.* New Delhi: Gyan Publishing House.

- Sundas. B., (2007). Globalization and Health: A Study of Alcohol Consumption in Darjeeling Hills In: Lama. M.P., (Eds.), *Globalization and Cultural Practices in Mountain Areas: Dynamics, Dimensions and Implications*. New Delhi: Indus Publishing Company.
- Subba, J.R. (2007). *History, Culture, and Customs of Sikkim*. New Delhi: Gyan Publishing House.
- Thane, P. (2009). Childhood in History. In Goldson, B &Munice, J. (Eds.), *Youth Crime and Juvenile Justice*. Volume 1.London: Sage.
- Tripathi. A.K. (2014).Intergenerational Differences in the Preferences for Family Values: An Indian Perspective. *Journal of Human Values*. 20(1) 19 – 31.
- Turton, J. (2007). *Child abuse, gender and society*. Routledge.
- Vasta, R. Haith, M.M. Miller, S.A. (1999). Child Psychology -The Modern Science. 3rd ed. USA. Von Hoffman Press.
- Warner, Sam. (2009). *Understanding the Effects of Child Sexual Abuse*. London and New York: Routledge.
- Webber, Craig. (2010). *Psychology and Crime*. London: Sage Publications Ltd.
- Weiss, T.G. & Daws, S.(eds) (2007). The Oxford Handbook on the United Nations, Oxford: Oxford University Press.
- Young, V. (1994). Women Abusers A Feminist View. In M. Elliot (Eds). *Female Sexual Abuse of Children*. United States: The Guilford Press.

Questionnaire for Victims:

Q 1: How old are you? Years and months			
Q 2: Are you a girl or a boy? Girl boy Q 3: Who do you live with?			
\Box father \Box stepfather \Box mother \Box stepmother \Box others (specify) :			
Q 5: Have your parents ever talked with you about child sexual abuse? □ No □ Yes			
If they have, which parent? Father \Box			
Mother			
Both □			
Q 6: Did they explain that children may be sexually abused by family friends or family members?			
Yes \Box			
No \square			
I don't remember			
Q 7: Did they tell you to let an adult know if it happened to you?			
Yes 🗆			
No 🗆			
I don't remember			
Q 8: Did you take part in the information session before today's questionnaire?			
Q 9: Before the information session, were you ever told about sexual abuse at school?			
□Yes			
\square No			
□ I don't remember			
Q 10: Were you told about sexual abuse somewhere else (i.e., outside of home and school)?			
\Box Yes			
\square No			
□ I don't remember			
If so, please specify who told you about it (e.g., friend, teacher, doctor, etc.):			

Q11: Has an adult or an older child ever not respected you by demanding you or forcing you to...

	Yes	No	<u>I don't</u>
want to answer			
a) Look at his/her genitals?			
b) Undress and show him/her your genitals?			
c) Watch him/her masturbate?			
d) Undress with another child and fondle			
each other in front of him/her?			
e) Be fondled (caresses, rubs, kisses on the			
whole body and/or your genitals)?			
f) Fondle him/her (caresses, rubs, kisses on the			
whole body and/or his/her genitals) ?			
g) look at pornographic pictures,		_	_
drawings, films, videotapes or magazines? □	l		
\square h) Be naked and to expose your genitals for			
picture taking or filming?	ſ		
		_	
i) Submit to full sexual intercourse with peneti	ration?]	
j) Submit to having his/her fingers or an object	t		
introduced in your body ?]	
You may wish to give a more detailed answer.	Here is som	e space you may u	use to comment
	•••••		
	•••••		
Q 12: If you were subjected to one (or more) s	ituation/s de	escribed in questic	on 11, it happened
to you:			
Once 🗆	I	can't remember	
Between 2 and 5 times \Box	It	t never happened	to me 🗆
Between 6 and 10 times 🗆			
Over 10 times \Box			
0.12. How old more you when it has need the	finat time of		
Q 13: How old were you when it happened the Under 6 years old □	e mist time?	□ between 6 an	d & yours old
Between 8 and 10 years old \Box			nd 12 years old
Between 12 and 14 years old \Box			and 16 years old
I can't remember		\square it never happ	•
Q. 14 At the time it happened, did you feel			
a) threatened or in danger ?			
b) unable to say no out of			
embarrassment/shame/fear ?			

c) forced to go along for other reasons ?			
d) neither forced nor threatened ?			
Q.15: Were you subjected to physical abuse ?	[]	
able to avoid the situation/s, e.g.,			
by refusing to go along, running away, etc.?			

Q 16 : What was the gender of the person (or people) who got you in this (or these) situation/s?

situation s:		
□ Male		
Female		
\Box it never happened to I	ne	
Q 17 : How old would you say s/he wa	as (or they were)?	
1st person $\Box\Box$ year old		
2nd person $\Box\Box$ year old		
3rd person $\Box\Box$ year old		
Q 18 : This person (or these people) w	vas (or were) a :	
□ stranger		\Box uncle or aunt
□ teacher		□ grandfather or grandmother
□ instructor		□ peer
\Box father or mother		\Box stepfather or stepmother
□ neighbour		□ mother's or father's friend
□ baby-sitter		\Box brother or sister
- famile faind		\Box half brother or half sister
\Box family friend		
\Box Someone else (specify with	out giving the person	
-		n's name)
□Someone else (specify witho		n's name)
□Someone else (specify witho Q 19: Did you ever talk to anyone abo	out this (or these) ev	n's name) ent/s ?
□Someone else (specify witho Q 19: Did you ever talk to anyone abo Yes □	ut this (or these) ev No □ rs possible) cret	n's name) ent/s ?
□Someone else (specify witho Q 19: Did you ever talk to anyone abo Yes □ me □ If you did: (several answer □ I was helped □ I was not believed □ Nothing changed □ I asked that it be kept se	out this (or these) ev No □ rs possible) cret lone	n's name) ent/s ? It never happened to
□Someone else (specify witho Q 19: Did you ever talk to anyone abo Yes □ me □ If you did: (several answer □ I was helped □ I was not believed □ Nothing changed □ I asked that it be kept se □ I asked that nothing be o	ut this (or these) ev No □ "s possible) cret lone or these) event/s ?	n's name) ent/s ? It never happened to
□Someone else (specify witho Q 19: Did you ever talk to anyone abo Yes □ me □ If you did: (several answer □ I was helped □ I was not believed □ Nothing changed □ I asked that it be kept se □ I asked that nothing be o Q 20: Who did you talk to about this (ut this (or these) ev No □ "s possible) cret lone or these) event/s ?	n's name) ent/s ? It never happened to (Several answers possible)
□Someone else (specify witho Q 19: Did you ever talk to anyone abo Yes □ me □ If you did: (several answer □ I was helped □ I was not believed □ Nothing changed □ I asked that it be kept se □ I asked that nothing be o Q 20: Who did you talk to about this (□ father	out this (or these) ev No rs possible) cret lone or these) event/s ? someone teachi	n's name) ent/s ? It never happened to (Several answers possible)

□ grandparent/s

 \Box friend

 \Box other family member

□ another person outside the family(specify without providing a name)

Q 21: Do you know of another youngster who experienced similar events and who spoke to you about them?

Yes
No
Q22: Do you feel responsible for what happened to you?

Yes No I don't Know

Q 23:Are you concerned that if people knew about the abusive experiences you had, they would think less of you?

Yes No	I don't Know
--------	--------------

Q 24: Do you feel inferior to other people because of the abusive events in your childhood?

Yes No I don't Know

Q 25: When you think of the abusive experiences sometimes, you do not like yourself?

· · ·

	Yes	No	I don't Know	
Q 26	5: Do you fear	r of being left alo	one in life after the incident?	
	Yes	No	I don't Know	
	Why do y	ou think it happe	ened with you?	

Thank you once again for your help!

Questionnaire for Perpetrators:

- Name-
- Sex Male \square Female \square
- How old are you?

 $10-20\ \square\ 20\mathchar`=\ 30\mathchar`=\ 40$ above \square

• Marital status -

Single \Box Married \Box Divorce \Box Widower \Box

• What was your occupation?

.....

• While growing up was your home environment peaceful?

 $Yes \square No \square$

• Were you ever sexually abused?

 $Yes \square No \square I don't Know \square$

• Were you ever acquainted with perpetrators of sexual assault?

 $Yes \square No \square I don't Know \square$

• Why do you think sexual abuse occurs?

.....

• Who is likely to sexually abuse children?

Male \square Female \square

• Are you into Drugs and Alcohol use?

 $Yes \square No \square$

• How do you grade your marriage?

Good \square Bad \square Worse \square

• How often do you watch Porn?

Sometimes \Box Never \Box Often \Box Daily \Box

• Was pornography a big trigger for your action?

 $Yes \square No \square$

• Were you liked and respected in the society?

 $Yes \square No \square$

• Do you find children attractive?

 $Yes \ \square \ No \ \square$

• What do you think you did was right or wrong?

Right \square Wrong \square

• What was your understanding of its seriousness?

.....

• How did you choose your target?

.....

• Was the target always from broken family?

 $Yes \square No \square$

• Did the child confided in you most of the time?

 $Yes \square No \square$

- How did you manage to keep the child from talking to their parents from knowing or suspecting?
- How many victims were involved?

 $1 \Box 2 \Box 3 \Box$ more than $3 \Box$

• For how long did the abuse continue?

Weeks \square Months \square Years \square

• What ultimately stopped the abuse?

.....

• What were the consequences of this act for your family life?

.....

• Do you see these consequences – jail time and fine – as sufficient or fair in light of the abuse that you perpetrated?

.....

• How do you stand before God with that responsibility on your conscience?

• Based on your experience, what are some of the lessons for the society today?

Questionnaire for Parents:

Personal Information:

Name –

Place –

Age –

Sex -

Bonding and Relationships:

- How often do you talk to your child? Daily □ Sometimes □ Never □
- How do you spend your time with children? playing

 talking
 listening

 multi tasking
- Do you have knowledge of most of your child's daily activities? Yes □ No □
- Do you have knowledge of your child's friends? Yes □ No □
- Do you know the family of your child's friend? Yes □ No □
- In light of the burning issue of child sexual abuse, have you taught your child about sexual matters? Yes □ No □

Occupation –

Educational Qualification -

Total Family Members -

- Do you feel comfortable discussing issues related with your child? Yes □ No □
- Have you also discussed that all persons including relatives, siblings are capable of Child Sexual Abuse?
 Yes □ No □
- Have you provided your child with code / signal if ever he/she needs your help? Yes □ No □
- Do you use physical disciplinary tools to deal with your child? Yes □ No □
- Do you attempt to communicate with your child before and after every disciplinary action?

Yes \square No \square

- Do you pay attention to your child's behavior, attitude, sleeping and eating habits or any personal habits in order to notice any significant behavioral changes? Yes □ No □
- While at work, who do you leave your child with?

.....

• Have you thoroughly checked the background of your child's daycare person?

 $Yes \ \square \ No \ \square$

Questionnaires for various Stakeholders:

Name:

Age:

Sex:

Occupation:

Educational Qualification:

Total Family Members:

Q. Who do you consider as a child?

0-8 years	0-13 years
0-16 years	0-18 years

Q. If you find out any girl child got pregnant before she reached 18, do you still consider her as a child?

Yes \Box No \Box Maybe \Box

Q. What is your view on Child Sexual Abuse?

.....

Q. What do you think is the reasons for the growing number of child sexual abuse in our society?

.....

Q. According to you who do you think are these Abusers?

.....

Q. Do you think most Child Sexual Abuse happened within the family?

Yes
No

Q. Do you think the trusted adults (like teachers, pandits, cousins etc) were more likely than strangers to sexually abuse children?

Agree \Box Do not Agree \Box Not sure \Box

Q. Do you think all people who sexually abuse children are men?

Yes \Box No \Box

Q. Who do you think are more likely to sexually abuse children between step father and biological father?

Step Father \square Biological Father \square

Q. Do you consider education level an important factor to stop a person to sexually abuse a child?

Yes \Box No \Box I don't know \Box

Q. When we hear stories of Child Sexual Abuse by own family member, do you think it is because women sometimes turn a blind eye knowing the truth?

Yes \Box No \Box I don't know \Box

Q. Do you think it is Ok to have sexual activity between adults and children?

Yes \Box No \Box I don't know \Box

Q. Do you think the abuser had been sexually abused themselves?

Yes \Box No \Box I don't know \Box

Q. Do you think there is any link with men's negative attitude towards women is a reason for Child Sexual Abuse?

Yes \Box No \Box I don't know \Box

Q. As father is the head of the family member and it is his duty to provide for his children, so it should be up to him to decide when it is OK for his children to be involved in Sex.

Yes \Box No \Box I don't know \Box

Q. Do you think a woman refusing to have sex with partners is a reason for men seeking to have sex with children?

Yes \Box No \Box I don't know \Box

Q. The statement, 'Girls draw men's sexual attention by the way they dress. What do you have to say about this?

.....

Q. Do you think the person who sexually abuse children can be helped?

 $Yes \Box \qquad No \Box \qquad I don't know \Box$

Q. What is your view on the recent amendment bill on POCSO i.e., death penalty for rape of child below ` 12 years.

Q. Do you think there is any drawback of POCSO Act? If Yes, What do you think is the drawback of the Act?

.....

Q. Do you think the use of mobile phone (internet) is one of the reasons for Child Sexual Abuse?

Yes \Box No \Box I don't know \Box

Q. Do you think there is any connection between unemployment and child sexual abuse?

Yes \Box No \Box I don't know \Box

Q. How do you perceive the growing influx of migrants with regard to Child Sexual Abuse?

.....

Q. Do you need to empower children to speak out if an adult has taken advantage of them?

 $Yes \Box \qquad No \Box \qquad I don't know \Box$

Q. If you find any member of your family socially abusing your child, will you report it to the police?

 $Yes \Box \qquad No \Box \qquad I don't know \Box$

Q. Do you think police officer generally know how to deal with unlawful sex between adults and children?

Yes \Box No \Box I don't know \Box

Q. Do you think women could take more action to protect children from men taking sexual advantage of them?

Yes \Box No \Box I don't know \Box

Q. Do you know how to get counseling for a child who had been sexually abused?

 $Yes \Box \qquad No \Box \qquad I don't know \Box$

Q. Do you think media campaigns against abuse would help to stop adults taking sexual advantage of children?

Yes \Box No \Box I don't know \Box

Q. Do you think schools should take a role in imparting sex education among children?

Yes \Box No \Box I don't know \Box

Q. What are your suggestions/ recommendations on what we as a society should do to stop child sexual abuse?