

Bullying of Teenager and Commission of Suicide: An Analysis

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ABSTRACT

Bullying refers to an unwanted aggressive behaviour involving real or perceived power imbalance. This is often repeated or has the potential to be repeated over time, causing serious and lasting problems for those who are bullied. It, therefore, becomes important to identify any indications of such behaviour right at the onset. The paper brought highlight on the laws related Bullying and Ragging. In this paper the researcher focus on the impacts of bullying on teenager and commission of suicide in India. The Key focus of the paper is to emphasizes that whether bullying leads to abetment to suicide and liability of peers who do so.

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INTRODUCTION

“Victims of bullying are not the only ones to suffer greatly from these practices, it often results in increased absenteeism and lost productivity.” - Hernan Daguerra

Public education systems are the cream of the crop, and the bottom of the barrel. Somehow, students from all over the spectrum of ability, financial status, and family structure must coexist in one school building. The hope is for the coexistence to be peaceful.²

With this new decade bullying in schools has become tremendously violent. Bullying is a form of abuse. It comprises repeated acts over time that involves a real or perceived imbalance of power with the more powerful individual or group abusing those who are less powerful. The power imbalance may be social power and/or physical power. Bullying consists of three basic types of abuse – emotional, verbal and physical. Bullying in school and the workplace is also referred to as peer abuse. Bullying can occur in any context in which human beings interact with each

other. This includes school, church, the workplace, home and neighborhoods.

Bullying can exist between social groups, social classes and even between countries. Bullying behavior may include name calling, verbal or written abuse, exclusion from activities, exclusion from social situations, physical abuse, or coercion.

USA National Center for Education Statistics suggests that bullying can be broken into two categories: Direct bullying, and indirect bullying which is also known as social aggression. Direct bullying involves a great deal of physical aggression such as shoving and poking, throwing things, slapping, choking, punching and kicking, beating, stabbing, pulling hair, scratching, biting, scraping and pinching. Social aggression or indirect bullying is characterized by threatening the victim into social isolation. This isolation is achieved through a wide variety of techniques, including spreading gossip, refusing to socialize with the victim, bullying other people who wish to socialize with the victim, and criticizing the victim's manner of dress and other

²West E A. How to Prevent Bullying At Schools. Helium. 2000-2010.
URL: <http://www.helium.com/items/1262091-prevent-bullying>

socially-significant markers (including the victim's race, religion, disability, etc)³

Victims of bullying typically are very unhappy children who suffer from fear, anxiety, and low self-esteem as a result of the bullying. They may try to avoid school, and to avoid social interaction, in an effort to escape the bullying. Some victims of bullying are so distressed that they commit, or attempt to commit suicide.³

Bullying In Schools (International Scenario)

Bullying is a common occurrence in most schools and varies greatly between schools and school⁴. Regardless of the grade level, socioeconomic environment, gender, religion, or sexual orientation, bullying can happen to anyone especially at school. According to the American Psychological Association, 70 percent of middle and high school students have experienced bullying at some point, 20-40 percent report having bullied or been part of bullying during the school year, 5-15 percent of youth are chronic victims, and 7-12 percent are chronic bullies. Further, 8-15 year olds rank bullying as more of a problem in their lives than violence, while 12th graders are more concerned about emotional maltreatment and social cruelty from peers than anything else. These statistics show how prevalent bullying is in most schools⁵.

Bullying at school tends to occur in secluded places such as locker rooms and playgrounds especially when there are no teachers to monitor students. Teachers, as adults who are responsible in ensuring the school environment is conducive to learning, should be involved in reducing bullying behavior at their schools. The best way to reduce bullying is to recognize that bullying can occur at all levels within the hierarchy of the school that is from kindergarten through high school. Most schools have adopted anti-bullying policies and made it clear that bullying is never acceptable. Teachers should ensure there are adult supervisors in the yard, halls, and washrooms and encourage positive peer relations and cooperative learning activities. In addition, teachers may emphasize the aspect of caring, respect, safety and consequences of hurting others.

Observers of bullying may also be affected by bullying behavior as they may feel unsafe in the school environment or where bullying takes place. Bystanders to bullying may tend to dissociate

themselves with the victim for fear of being the next target and they feel powerless to act, guilty of not acting and are tempted to participate.

Bullying in Indian Educational Institution

Every day thousands of children wake up afraid to go to school. Bullying is a problem that affects millions of students, and it has everyone worried, not just the kids on its receiving end. Yet because parents, teachers, and other adults don't always see it, they may not understand how extreme bullying can get. Some victims of bullying are so distressed that they commit, or attempt to commit suicide. Bullying is violence, and it often leads to more violent behavior as the bully grows up. It's estimated that 1 out of 4 elementary-school bullies will have a criminal record.

There is evidence that bullying carries serious consequences, including an increased risk of suicide. Every new school bring with it fears of whether children are being bullied at school. The problem of bullying is distressingly common, and the after-effects, potentially devastating. In a study of bullying, among both those bullied and even the bullies themselves, 43 percent had suicidal thoughts. Twelve percent actually committed some form of suicide attempt by eight months after follow-up.⁶

Ragging is a practice in educational institutions in India and Sri Lanka that involves existing students bullying new students⁷. A report in 2007 by the Indian anti-ragging group Coalition to Uproot Ragging from Education (CURE) analyzed 64 ragging complaints and found that over 60% of these were related to physical ragging, and 20% were sexual in nature.⁸ Some of the suicide and suicidal attempt cases from India shows that bullying behavior is very common, especially among students.

The Detrimental Effects of Bullying

School bullying has both immediate and long-term detrimental effects. Victimization due to bullying is correlated with student absenteeism, poorer academic achievement, social isolation, and internalizing problems such as depression, anxiety, and poorer psychosocial adjustment

Victims who have been the targets of bullying can suffer from long term emotional and behavioral problems which can lead to Post Traumatic Stress Disorder, the inability to form relationships, even leading to celibacy. Bullying can also affect bullies,

³ URL <http://en.wikipedia.org/wiki/Bullying>

⁴ Bauman, 2008; Blosnich & Bossarte, 2011 <http://freelegalconsultancy.blogspot.in/2012/10/html>

⁵ American Psychological Association, 2011 <http://freelegalconsultancy.blogspot.in/2012/10/html>

⁶ Bullying And Suicide.Asia http://www.asiasbestdoctors.com/story_266.html

⁷ Anti Ragging: <https://diatm.rahul.ac.in/anti-ragging-cell/>

⁸ Coalition to Uproot Ragging from Education <https://orgs.tigweb.org/cure-coalition-to-uproot-ragging-from-education>

victims and those who witness bullying. Victims of bullying have a higher risk of depression and anxiety which may continue into adulthood. People who are bullied have increased suicidal thoughts that may persist into adulthood. Studies have shown that between 15 and 25 children every year in the United Kingdom commit suicide because they are being bullied⁹. In the U.S. suicide cases because of bullying have received public attention and awareness¹⁰.

According to the website of Stop Bulling, adults who recalled being bullied in youth were 3 times more likely to have suicidal thoughts or inclinations. Moreover, victims have been found likely to retaliate through extremely violent measures¹¹.

Bullies tend to have a higher risk of abusing drugs as adults and are likely to have criminal convictions. The research showed a significant association between bullying and lifetime disorder behaviors. Report has shown that 60% of boys who bullied others in middle school had a criminal conviction by the age of 24.¹² Those who bully their peers are also likely than those students who do not bully others to carry a weapon, report poor grades, and get into frequent fights¹³. Be that as it may, not all students who bully others have obvious behavior problems or are engaged in rule-breaking activities. A study showed that bullies are children with high academic abilities and have social skills available to carry out relational manipulations. They tend to be highly skilled socially and good at 'ingratiating' themselves with teachers and it is often difficult for teachers to discover or even imagine that these students engage in bullying behavior.

Bullying is Punishable by Law

The 2007 Raghavan Committee report lists out various recommendations to control ragging and bullying in schools and colleges. The report categorises ragging as an abuse of human rights. On the recommendation of this report the Central Board of Secondary Education (CBSE) has ordered the setting up of Anti-Bullying Committees in the schools. The committees have the authority to warn, suspend and in extreme cases, rusticate the bullies. To

⁹List of suicides that have been attributed to bullying https://en.wikipedia.org/wiki/List_of_suicides_that_have_been_attributed_to_bullying

¹⁰ ibid

¹¹ Prevent Cyber Bullying – Anti-Cyber bullying Laws in India <https://ifflab.org/how-to-prevent-cyber-bullying-anti-cyber-bullying-laws-in-india/>

¹² ibid

¹³ Prevent Cyber Bullying – Anti-Cyber bullying Laws in India <https://ifflab.org/how-to-prevent-cyber-bullying-anti-cyber-bullying-laws-in-india/>

tackle bullying in colleges, an anti-ragging notification was issued by the UGC in 2009. The notification defines ragging and instructs the colleges to engage trained counsellors to deal with the incidents. It is mandatory for each college to set up anti-ragging squads and take swift action in the reported cases. Bullying and related harassment can be reported under various sections of the Indian Penal Code. Some of them are section 506 (Punishment for criminal intimidation), section 323 – 326 (causing hurt and grievous hurt and the punishments for the same), section 304 (in cases resulting in the death of the victim of bullying or ragging, section 306 (abetment of suicide)

Anti-bullying Laws in India for Educational Colleges

Anti-bullying Laws for Schools, Colleges are not so clear to people. Bullying is used typically to force any one to do anything using superior strength or intimidate someone. Since decades people are falling prey to bullying, not only in school but even in colleges there are bullies who love to make fun of his/her mates.

Anti-bullying Laws in Schools:

HRD ministry of India¹⁴ had formed a committee of academic and mental health experts to analyze bullying in schools and measures to stop it¹⁵.

CBSE School Bullying Protection Law¹⁶:

With the increasing events of bullying and cyber crime, the CBSE guides all its affiliated schools to follow following guidelines:

Form a Committee: A committee which deals with case of bullying and ragging.

Ragging In School: If any student is found ragging or bullying will be a given a written warning and the consequence can also lead to rustication of the particular student.

School Notice Board: Put a notice on a display board warning students of strict action taken if anyone found ragging or bullying someone.

Committee Members: Committee members should include the vice- principal, a senior teacher, doctor, counselor, parent-teacher representative, school management representative, legal representative and peer educators.

There is no strict legislation of anti bullying for schools and boarding hostels.

¹⁴ HRD ministry of India <https://mhrd.gov.in/>

¹⁵ ibid

¹⁶ CBSE <http://cbse.nic.in/newsite/index.html>

Anti-Bullying Laws In Colleges

Government of India in order to stop bullying has enacted a regulation called “UGC Regulations on Curbing the Menace of Ragging in Higher Education Institutions, 2009” which has been applied to all the colleges or higher education institutions.

Anti-ragging Laws

India’s anti-ragging laws lead to immediate arrests of those who are caught ragging.

The victim can avail thirteen provisions under Indian Penal Code if he has been ragged or bullied and can register an FIR (first information report) in the police station under the area where the crime has taken place. The person can apply various Indian section of Laws.

Such as:

Section 294– Obscene acts and songs¹⁷

Whoever, to the annoyance of others; (a) Does any obscene act in any public place, or. (b) Sings, recites or utters any obscene song, ballad or words, in or near any public place, Shall be punished with imprisonment of either description for a term which may extend to three months, or with fine, or with both.

Section 339– Wrongful restraint

Whoever voluntarily obstructs any person so as to prevent that person from proceeding in any direction in which that person has a right to proceed, is said wrongfully to restrain that person.

Section 340– Wrongful confinement¹⁸

Whoever wrongfully restrains any person in such a manner as to prevent that person from proceeding beyond certain circumscribing limits, is said “wrongfully to confine” that person.

Section 341– Punishment for wrongful restraint¹⁹

Whoever wrongfully restrains any person shall be punished with simple imprisonment for a term which may extend to one month, or with fine which may extend to five hundred rupees, or with both.

Section 342– Punishment for wrongful confinement²⁰

Whoever wrongfully confines any person, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.

Section 506– Punishment for criminal intimidation²¹

Whoever commits, the offence of criminal intimidation shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both; If threat be to cause death or grievous hurt, etc.—And if the threat be to cause death or grievous hurt, or to cause the destruction of any property by fire, or to cause an offence punishable with death or 1[imprisonment for life], or with imprisonment for a term which may extend to seven years, or to impute, unchastity to a woman, shall be punished with imprisonment of either description for a term which may extend to seven years, or with fine, or with both.

Extreme Violence: When there is a case of extreme bullying or ragging that includes extreme violence:

Section 323– Punishment for voluntarily causing hurt²²

Whoever, except in the case provided for by section 334, voluntarily causes hurt, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.

Section 324– Voluntarily causing hurt by dangerous weapons or means²³

Whoever, except in the case provided for by section 334, voluntarily causes hurt by means of any instrument for shooting, stabbing or cutting, or any instrument which, used as weapon of offence, is likely to cause death, or by means of fire or any heated substance, or by means of any poison or any corrosive substance, or by means of any explosive substance or by means of any substance which it is deleterious to the human body to inhale, to swallow, or to receive into the blood, or by means of any animal, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.

Section 325– Punishment for voluntarily causing grievous hurt²⁴

Whoever, except in the case provided for by section 335, voluntarily causes grievous hurt, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

¹⁷ INDIAN PENAL CODE, 1860

¹⁸ INDIAN PENAL CODE, 1860

¹⁹ INDIAN PENAL CODE, 1860

²⁰ INDIAN PENAL CODE, 1860

²¹ INDIAN PENAL CODE, 1860

²² INDIAN PENAL CODE, 1860

²³ INDIAN PENAL CODE, 1860

²⁴ INDIAN PENAL CODE, 1860

Section 326– Voluntarily causing grievous hurt by dangerous weapons or means²⁵

Whoever, except in the case provided for by section 335, voluntarily causes grievous hurt by means of any instrument for shooting, stabbing or cutting, or any instrument which, used as a weapon of offence, is likely to cause death, or by means of fire or any heated substance, or by means of any poison or any corrosive substance, or by means of any explosive substance, or by means of any substance which it is deleterious to the human body to inhale, to swallow, or to receive into the blood, or by means of any animal, shall be punished with 1[imprisonment for life], or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

In a case where victim has lost his/her life:

Section 304– Punishment for culpable homicide not amounting to murder²⁶

Whoever commits culpable homicide not amounting to murder shall be punished with 1[imprisonment for life], or imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine, if the act by which the death is caused is done with the intention of causing death, or of causing such bodily injury as is likely to cause death, or with imprisonment of either description for a term which may extend to ten years, or with fine, or with both, if the act is done with the knowledge that it is likely to cause death, but without any intention to cause death, or to cause such bodily injury as is likely to cause death.

Section 306– Abetment of suicide²⁷

If any person commits suicide, whoever abets the commission of such suicide, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine

Abetment of Suicide in Child or Insane Person:

Abetment of suicide is an act of abetting, instigating or aiding a person to an extent that drives him to commit suicide. Though, Indian penal provisions do not punish a person for abetment if it is an attempted suicide. For bringing a case under S. 305 and S. 306, the suicide must not be a mere attempt but it must have been completed.

Both Abetment of suicide and Consent killing involves death of a person, but the concepts of both the matters are entirely different and a thin line demarcates both the acts of abetment of suicide and

consent killing. The former is an offence, which is an outcome of instigation or provocation and is punishable under section 306 of Indian Penal Code while the latter is homicide by consent, Exception 5 to section 300,IPC and punishable under section 304,IPC.

However these UGC anti-ragging measures and the laws of IPC are not applied to schools.

CONCLUSION

Thus it is conclude that they didn't realize that they are not only causing physical harm to the victim but he also suffers from emotional or mental trauma. From being pushed on the playgrounds and torment in the classroom many people must have experienced it and think this is no big deal to create an issue out of it.

In the fast paced world with all the new technologies and inventions to make life comfortable day by day. The internet has taken the bullying to the next level.

There is a serious need to have a strong legislation on Anti-bullying laws in India. Government of India is taking steps to conquer bullying in school, colleges and in internet.

²⁵ INDIAN PENAL CODE,1860

²⁶ INDIAN PENAL CODE,1860

²⁷ INDIAN PENAL CODE,1860