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Mains Practice Questions

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Q. It takes more than government and courts to address a problem that is driven by human activity and behaviour. Good and effective regulations matter, but the key is cultural and behavioural change. Comment. (250 words)

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Approach

- Introduce by mentioning the importance of laws.
- Mention both the aspects of government's success and failure in bringing behavioural change in society.
- Conclude by mentioning the need of citizen participation to bring behavioural change.

Introduction

Laws are important for a society as they serve as a norm for conduct of citizens. However, the efficacy of the laws in bringing the behavioural change is a matter of debate. Instead, the 'nudge theory' given by behavioural economists suggests that people need reminders and positive reinforcement to sustain socially desirable behaviour (as mentioned in Economic Survey 2019).

The government and the judiciary had taken several initiatives to bring behavioural change. There are both cases of success as well as failure of such initiatives.

Body

Government and court's success in bringing behavioural change

- **Mass movements:** The success of Swachh Bharat Mission is based on the government's efforts to bring change in the mindset of people so as to avoid open defecation.
- **Increasing severity of punishments:** The Motor Vehicles Amendment Act 2019 dramatically increased fines for traffic violations which compelled people to respect traffic rules.
- **Creating public awareness:** Several measures including health warnings were used to curtail smoking, has contributed to a sustained decline in smoking.
- **Supplementary incentives:** 80% subsidy is provided to farmer groups for using Happy Seeder machines and Super-SMS (Straw Management System) equipment to resolve the problem of stubble burning.

Cases of legislative failure to bring behavioral change

- **Addressing social evils:** Evil practices such as dowry, manual scavenging, child marriage, female infanticide, human trafficking, etc continue to prevail despite stringent laws banning such practices.

- **Discrimination against certain groups:** Despite Supreme Court's order declaring Section 377 of IPC as unconstitutional, transgender community continue to face discriminatio.
Similarly, the crimes against Scheduled Castes and Scheduled Tribes continue to increase despite stringent provisions of The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
- **Habitual practices:** Supreme Court's restriction to ban firecrackers in Delhi-NCR has no major impact on people despite rising pollution levels.

Conclusion

Thus, good and effective regulations help in creating a deterrence effect among the offenders. However, any strategy to bring a change should focus on the behavioural and cultural aspects of human nature. Citizen participation is necessary for the success of any policy intervention.