CHAPTER I

INTRODUCTION

“If we are to teach real peace in this world, and if we are to carry on a real war against war, we shall have to begin with the children.”

- Mahatma Gandhi

“There can be no keener revelation of a society’s soul than the way in which it treats its children.”

- Nelson Mandela

1.1 Chapter Overview

Child is an essential and important segment of human society right from the ancient times. The innumerable greatest personalities of different fields’ right from the ancient era who steered us to the present generation are, after all children at the time they born. At the same time, there were other personalities too who ruined the generation they live, needless to say, they too were children at one point of time. What made the difference between the two who were even born as contemporaries, was the biological and hereditary qualities besides the environment of surroundings and family atmosphere in which they were born and brought up.

It is further apt to refer the famous quote by Bhagavan Sri Satya Sai Baba on righteousness in the heart of every human being to be developed in home for harmony and peace in the world that “Where there is righteousness in the heart-there is beauty in character! Where there is beauty in character-there is harmony in home! Where there is
harmony in home—there is order in the nation! Where there is order in the nation—there is peace in the world!"

Our history reminds several anecdotes regarding the values one has to inculcate in the children besides their comprehensive development. The epic Mahabharata known as panchamaveda - is one of the greatest examples of the development of children in different atmospheres. Pancha-Pandavas, who were born and brought up with righteousness in character adhered to Dharma throughout their lives, stood as ideal personalities to their future generations; whereas Sata-Kouravas, who were their contemporaries and no other than their cousins, since born and brought up in a quite contrast atmosphere to that of Pandavas, adhered to adharma and unscrupulous means to suffer Pandavas and to deprive their legitimate share for at least five villages to their rule and not of whole kingdom and ultimately their nefarious thoughts, guilty actions and jealous mind out come of lack of righteousness and character, that itself, totally ruined them. The other important epics Bhagavatha and Ramayana are also classic examples in this regard. Thus, our epics are the clear examples of the impact of hereditary qualities, family atmosphere and other environment on children.

Taking into consideration the importance and need of children for a better society and emphasizing the harmonious relationship between a child and his/her family, the researcher has chosen this line of thought for the current research. At the outset, the researcher presents the rationale behind this research on before introducing and providing a background to the current study. This chapter includes background of the study, specific objectives of the study and hypotheses. Further, it also discusses the potential
relevance of the study for future research in the gamut of juvenile deviant behaviour popularly known as juvenile delinquency from family perspective.

1.2 Background of the Study

Family is viewed as an environment that has a strategic role in child development. Family is the first social group that became the center of the identification of the child. It is the first environment to introduce value of life to the neighborhood children and is also an institution that facilitates the basic needs, both physical and psychological besides spiritual. The family is both the fundamental unit of society as well as the root of culture. It is a perpetual source of encouragement, advocacy, assurance and emotional refueling that empowers a child to venture with confidence into the greater world and to become all that he can be. A child is familiar with social relations first of all in the family environment. A comfortable home is a great source of happiness and strength for the child to prosper within. The development of a child in the family is largely determined by the condition of the family and the experiences that are owned by their parents so that in the life of society one will find that the child’s development with one another will vary. It is a comfortable family that plays a pivotal role in well organisation of society as the strength of a nation is derived from the integrity of its homes. Thus, Family is more sacred than the State.

Family environment serves as the foundation stone of the child’s personality because the seeds of knowledge of children are sown first in a family environment. Families also provide the basic skills of cognitive functions, social, emotional, religious and norms. It can further be said that the family is the beginning of a decisive character
and knowledge of children because it is where the children are more likely to gain knowledge and experiences that are still fundamental than other environments, such as community and schools.¹

Within the family, the child appropriates the social norms and values and becomes capable of having relations with the other members of the society. Within the family, there is established basic or primary socialisation. The socialisation established within the family is essential for the children’s social integration. The failures of the socialisation within the family have negative consequences at the communities and society level.²

By and large the child’s future is dependent on the developmental milestones it goes through normally. During each of such milestones, parental and sibling influence is exerted more significantly on the child. However, when the affection that otherwise to be provided by the family is deprived, the child attempts at exploring the substitutionary sources. When such sources are reliable, the personality of the child enhances positively. Occasionally, when such influence is negative it adversely influences the personality of the child leading to the tendencies of deviance.

At this juncture, such deviant tendencies trigger anomic state of mind, eventually and manifestly, they are indulged in avert deviant behaviour which otherwise treated as anti social behaviour. As a child, it may live in truancy and as an adolescent he/she may

² [http://www.eurochild.ro/ecc/cursuri/lucratori_sociali/Ls6/content/chapter1.pdf](http://www.eurochild.ro/ecc/cursuri/lucratori_sociali/Ls6/content/chapter1.pdf)
become delinquent and as an adult he/she may become a criminal. All such consequences could be traced to the deprivation of care and affection from the family roles.

Although Indian laws are similar to those in Western countries, delinquency rates are much lower in India. There are a number of similarities between India and Western countries. Although involvement in delinquency is found in all areas and social strata, it is greater for males from slum neighborhoods, lower socio economic classes and disrupted homes.³

Social, environmental and family risk factors tend to cluster and any number of them can occur together within the same family. Understanding the role and influence of each of these factors is a difficult task. For example, early child offending may develop through several pathways. For some children, the primary risk factor may be a family risk factor such as lack of parental supervision; for others, it may be an individual risk factor such as a diagnosis of attention deficit hyperactivity disorder.⁴

Indian Council for Child Welfare Tamil Nadu³ assessed the factors leading to institutionalisation of children. Almost 95% of institutionalised children came from families having very poor economic status and broken homes either due to death or desertion.

In looking at the clustering of family risk factors, one goal is to identify which combinations of risk factors promote early misbehaviour because, more than likely, early

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misbehaviour is the result of an accumulation of a number of factors. The number of risk factors and stressors and the length of exposure to them have a strong impact on child behaviour.\textsuperscript{6} A number of social adversities in families can affect children’s delinquency. These factors include parenting, maltreatment, family violence, divorce, parental psychopathology, familial antisocial behaviour, teenage parenthood, family structure and family size.

Though various family factors have been associated with delinquency, but the most important is the quality of the relationship between parents and children. The rate of delinquency is higher among those youth whose parents define them in negative forms, compared to others. Poor relationship to mean the parents’ moral and emotional authority over the children is weakened, which tends to weaken children bonds with the social order and increases the likelihood of delinquency.\textsuperscript{7}

To assess the self concept, personality characteristics, social tendencies and level of aspiration of juvenile delinquents, N. Dhanya\textsuperscript{8} conducted a study on 100 juveniles in Tamil Nadu. Findings revealed that a majority of the delinquents left home due to poverty, negligence and violence. 70% of the delinquents had only primary school education and they were engaged in jobs in hotels and domestic work.


\textsuperscript{8} Dhanya, N. (1999), ‘Self Concept, Level of Aspiration and Social Tenderness of Juvenile Delinquents’, Available at http://nipccd.nic.in/reports/rasd.pdf
In a study\textsuperscript{9} D. Carson and others examined the relationship among a host of family characteristics and indicators of adolescent competence in Orissa State, India. Families of more socially competent participants tended to be verbally and emotionally expressive; democratic with regard to discipline, input and decision making; close but not enmeshed; higher in their level of parent-adolescent communication of family ideals and lower in external focus of control. Consequently, families of more anti-social adolescents had more conflict and enmeshment, were more external locus of control oriented and either permissive or authoritarian. Finally, several personal and family demographic traits were positively associated with social competence and negatively associated with antisocial behaviour including gender, age and grade, education level of mothers and fathers and birth order. The findings have implications for parenting and family life education efforts in India that could have a major impact on the development of adolescent competence.

Studies have shown that inadequate child-rearing practices, home discord, and child maltreatment are associated with early-onset delinquency.\textsuperscript{10} In addition, the strongest predictors of early-onset violence include family size and parental antisocial history. Early temperamental difficulties in the child coupled with parental deficiencies that interfere with proactive parenting are also thought to be important in the development of early-onset behaviour problems. Non-delinquent adolescents had good


relationships with their parents and had positive perceived parental attitude. They gave the children proper care and attention and satisfied their needs.\textsuperscript{11}

Family is a crucial guiding influence in the child’s personality development. Any faulty familial, environmental, socio-cultural conditions could maladjust the child. In the past five decades, a large majority of Indian children continue to remain in distress and turmoil despite hectic planning of welfare programmes, legislation and administrative actions. The problem of juvenile vagrancy is more acute in urban communities and especially in industrial areas.

A study by N. Wankhede\textsuperscript{12} on inmates of a government observational home found that maximum number of the children in conflict with law belong to 10-16 year age group, coming from nuclear families, low socioeconomic class and urban areas. The study recommended that counseling aimed at reducing the behavioural problems among inmates of juvenile correction centers should be imparted.

Child living in a non-intact household and parental absence is more susceptible to become a delinquent youth.\textsuperscript{13} Although there exists a large number of researches on motivating factors and curative measures of juvenile delinquency, there is still a gap in the previous studies about seeking the family causes as a cluster behind the onset of criminal behaviour.\textsuperscript{14}

A study by N. Ouma\textsuperscript{15} in 2007 identified why children left their homes and noted a general lack of parental involvement in child protection issues. The level of family liberalism is the most influencing factor that sets deviants and non-deviants apart. More serious types of deviance are associated with low parental supervision, lower family discipline, level of family stability, and marital conditions of the parents.\textsuperscript{16} Thus, this study intends to establish the interplay that may exist between various family factors and delinquency specifically to children in conflict with law in the Indian context.

1.3 Statement of the Problem

The researcher has extensively reviewed the existing literature on family and child deviant behaviour. While reviewing the literature, the researcher noticed that a voluminous research on this area was undertaken by the foreign academicians and researchers. The research mainly focused on a single cause and its effect on the behaviour of children but not many in view that a cluster of ill-functioning family factors play a vital role in child deviant behaviour. The increasing number of socio legal cases at present both in India and world wide emphasise the need to focus on the role of the family and its effect on a child’s behaviour. It is further found that there are scanty of researches that were conducted in India in this particular line of thought. Keeping all this in view, the researcher decided to attempt to fill the gap in the existing literature and named the research topic as “The Role of Family in Child development vis-a-vis Child in Conflict with Law - An Indian Perspective.” This therefore investigated the influence of


family unit structure on child deviant behaviour in the observation homes of Andhra Pradesh.

1.4 Scope of the Study

The purpose of this study is to identify the influence of family factors on juvenile deviant behaviour across the juvenile observation homes in Andhra Pradesh. Therefore, this study is confined only to the views of those children pertaining to their fate of being in such homes and what exactly has happened in the family before they were brought to the juvenile observation homes. This orientation will help us to know as to what role the family played in case of such disadvantaged children. The various family attributes studied are namely: intact family, single parent, presence of step parent, children’s home, presence of grandparents, domestic violence, socioeconomic status of the family, parental absence, and moral education. Finally, the study explores how all these factors relate to the children becoming delinquents that is children in conflict with law.

1.5 Objectives of the Study

As family has a direct influence on a child’s involvement in delinquency\textsuperscript{17}, the following objectives are framed to probe further into the role of various family factors.

1. To examine the extent to which an intact family unit and disrupted family unit influences child deviant behaviour.

2. To study the extent to which domestic violence influences a child’s deviant

behaviour.

3. To assess the role of socioeconomic status on children coming in conflict with law.

4. To examine the extent to which parental absence impacts child deviant behaviour.

5. To examine the extent to which moral education influences child deviant behaviour.

1.6 Research Questions

This study is based on the following research questions:

1. What is the extent of family structure likely to influence child deviant behaviour?
2. Does domestic violence in the structure contribute to child deviant behaviour?
3. To what extent does socio-economic status of a family influence child deviant behaviour?
4. To what extent parental care / absence of parental care influences child deviant behaviour?
5. To what extent moral education helps reduce or control a child’s deviant behaviour?

1.7 Hypotheses

1. Children with deviant behaviour come from disrupted families.
2. Greater the amount of domestic violence, more likely the child will be driven to commit deviant behavioural activities.
3. Juvenile in conflict with law come from the lowest socio economic stratum of society.

4. Parental absence increases the chances of juvenile deviant behaviour.

5. Juveniles in conflict with law lack adequate moral education.

1.8 Research Methodology

In this study, descriptive and analytic research design has been found to be most suitable type of research design. This design further helps in presenting the descriptive profile of the respondents’ viz., children/juvenile and their perceived behaviour in relation to the role of family and child development. Secondly, analytic research design aids in analyzing the relationships between the variables under study and also helps in analyzing study variables in relation to the personal background variables of the children/respondents.

The target population was all the children (male and female) admitted as child in conflict with law in the JJ homes/Observation homes/Special Homes/After care homes/Child guidance Bureau run by Government located in Andhra Pradesh State. This study focused on the analysis of the relationship between a child becoming a delinquent based on the way the family unit is structured, the underlying variables in a family unit under study included: an intact home with both biological parents present, father only household, mother only household, a home where there is a step parent either stepmother or a stepfather, under care of adopted parents of child neglected by parents or unwed mother or no parents to provide family care and finally a family where the child lives with a non parent like aunt or uncle or parental figure being completely absent.
The sampling frame for the present research comprised of the existing Government JJ homes, observation homes in Andhra Pradesh. The researcher used purposeful sampling\textsuperscript{18} and the available children in conflict with law were purposed to address the expectations of the research objectives. A total of 317 children aging from 9 years to 18 years residing in Observation homes / JJ homes in different places in Andhra Pradesh were contacted. All the subsequent results are thus based on the sample of 317 respondents. The composition of the participant juvenile institutions in the sample was presented in the following table.

\textbf{Table 1.1: Composition of Participating Juvenile Institutions in the Sample}

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Category and name of the Institution.</th>
<th>No. of Juveniles contacted</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Special Home for Boys, Hyd.</td>
<td>18</td>
</tr>
<tr>
<td>2.</td>
<td>Special-cum-Juvenile Home for Girls</td>
<td>12</td>
</tr>
<tr>
<td>3.</td>
<td>Juvenile Home for Boys, Hyd.</td>
<td>39</td>
</tr>
<tr>
<td>4.</td>
<td>Juvenile Home for Boys, Cuddapah</td>
<td>38</td>
</tr>
<tr>
<td>5.</td>
<td>Juvenile Home for Boys, Eluru</td>
<td>35</td>
</tr>
<tr>
<td>6.</td>
<td>Juvenile Home for Boys, Vizag</td>
<td>37</td>
</tr>
<tr>
<td>7.</td>
<td>Observation Home for Boys, Hyd</td>
<td>16</td>
</tr>
<tr>
<td>8.</td>
<td>Observation Home for Boys, TPT</td>
<td>12</td>
</tr>
<tr>
<td>9.</td>
<td>Observation Home for Boys, Vizag</td>
<td>9</td>
</tr>
<tr>
<td>10.</td>
<td>Observation Home for Boys, Guntakal</td>
<td>13</td>
</tr>
<tr>
<td>11.</td>
<td>Observation Home for Boys, Kurnool</td>
<td>14</td>
</tr>
<tr>
<td>12.</td>
<td>Observation Home for Boys, WGL</td>
<td>18</td>
</tr>
<tr>
<td>13.</td>
<td>Observation Home for Boys, VJA</td>
<td>15</td>
</tr>
<tr>
<td>14.</td>
<td>Observation Home for Boys, RJY</td>
<td>7</td>
</tr>
<tr>
<td>15.</td>
<td>Observation Home for Boys, NZB</td>
<td>4</td>
</tr>
<tr>
<td>16.</td>
<td>Observation Home for Girls, Hyd</td>
<td>9</td>
</tr>
<tr>
<td>17.</td>
<td>State After Care Home, Hyd</td>
<td>4</td>
</tr>
<tr>
<td>18.</td>
<td>Child Guidance Bureau, Hyderabad</td>
<td>8</td>
</tr>
</tbody>
</table>

Since a research on child development has to include vast boundaries of the subject, the researcher has used secondary sources of literature. The researcher has made extensive use of research papers from journals like American Sociological Review, previous studies, scholars works, published information, articles and books by both Indian and non Indian authors. The researcher has also utilised the websites like ssrn.com, jstor.org, ndltd.org, and inflibnet.ac.in etc. Besides, the responses of children from JJ homes and observation homes are considered as the most reliable and valid responses for reflecting on the role of family in child development, the primary data was collected through a structured interview schedule during the period July 2011 to September 2011.

The prepared interview schedule was administered among the children present/residing/living in the JJ homes and observation homes covering 19 institutions located in Andhra Pradesh, India. The interview schedule begins with a brief introduction explaining the purpose and importance of the study, in addition to the statements allaying fears regarding participation and confidentiality of their responses in the survey. The self administered questionnaire interview schedule was developed on the basis of previous studies of Elliot and Ageton (1980), Buri (1991), Doggett (2002) and Index of Family Relations questionnaire. The interview schedule for measuring the role of family variables included 22 items which were assessed using multiple scales like Likert type 5-point scale etc. The schedule has been divided into 2 parts, Part A and Part B. Part A included demographic profile of the children/respondents to include Age, Gender, Education and other details of their family. In Part B, to meet the research objective of
ascertaining the role of family variables for children in conflict with law, specific question-items are constructed on the basis of existing body of knowledge in this field.

The data collected from 317 children / respondents were prepared in the form of a spreadsheet. Having prepared the data, a coding file was created with a distinctive code assigned to each variable. Further, the responses were coded in the form of numbers assigned to each response. Data was arranged in an orderly manner in a summary spreadsheet by counting the frequency of responses to each question. The analysis was conducted using SPSS (statistical package for social sciences 17.0) by means of frequencies and percentages.

1.9 Operational Definitions of Significant Terms

The following concepts are used in this research as they are conceptualised and operationalised.

**Family Unit Structure**

It can be defined as the varied roles played by mother and father and its influence to the girls and boys born or brought up in the household. The parents may both be present, father only available, mother only available, both parents absent and a situation where the child is brought up by non relatives like well-wishers.

**Broken Nuclear**

Head without spouse but with or without unmarried children.
Nuclear Family
This type of family includes Nuclear pair i.e., Head and Spouse with or without unmarried children.

Supplemented Nuclear
It includes three types of families.
(a) Supplemented Nuclear: Head and spouse with or without unmarried children but with other relations who are not currently having spouses.
(b) Broken Extended Nuclear: Head without spouse but with other relations of whom only one is having spouse.
(c) Supplemented Broken Nuclear: Head without spouse with or without unmarried children but with other unmarried/separated/divorced/widowed relation.

Joint Family
It includes both lineally extended and collaterally extended families.
(a) Lineally extended family -- Head and spouse with married son(s)/daughter(s) and their spouses and parents with or without other not currently married relation(s)
   or
   Head without spouse but with at least two married son(s)/daughter(s) and their spouses and/or parents with or without other not currently married relations
(b) Collaterally extended family -- Head and spouse with married brother(s)/sister(s) and their spouses with or without other relation(s)
   or
Head without spouse but with at least two married brothers/sisters and their spouses with or without other relations.

**Extended Family**
A family that includes in one household near relatives in addition to a nuclear family.

**Juvenile**
Juvenile is the legal term used for child who has not completed 18 years of age as per Section 2(k) of the Juvenile Justice Act, 2000.

**Juvenile Delinquency**
The word “delinquency” though legally mean juvenile committing an offence and was in use till the Juvenile Justice Act, 2000 came into force, using the terminology is prohibited virtually so far as juveniles concerned in referring them so since the use of the words “delinquent Juvenile” and “neglected Juvenile” under the old Act of 1986 are replaced by the words “Juvenile in conflict with Law” and “Child in need of care and protection” as per the Juvenile Justice Act, 2000. Similarly “the Juvenile Court” under 1986 Act is replaced by “Juvenile Justice Board” as per the Juvenile Justice Act, 2000.

**1.10 Thesis Outline**

Keeping in view the research problem identified and designed with in its objects, hypothesis and methodology from the above introductory beginning of the research study, the chaptarisation of the research study is conveniently arranged as follows.
Chapter I  The introduction shall lead to main purpose of the study. It begins with explaining the study’s background in order to state the rationale and incentive behind this thesis followed by statement of the problem, scope of the present study, objectives, hypotheses, research methodology, operational definition of significant terms and finally chapter summary.

Chapter II  In the second chapter, the presented theoretical framework covers the concept of family, Indian family system and problems with changes in Indian family system.

Chapter III  A detailed theoretical literature on the concept and process of child development, factors affecting child development, importance of family in child development is presented in this chapter. The existing literature on role of mother, father and siblings in child development, and how family solidarity, divorce of parents and abuse affect the child development is presented.

Chapter IV  This chapter presents a detailed review of literature relating to child deviant behaviour and the factors responsible for such behaviour.

Chapter V  Definitions of juvenile, juvenile in conflict with law, Juvenile Justice Act 2000, child jurisprudence and some notable judgments related to juvenile justice are presented in Indian context.
Chapter VI  The final chapter includes data analysis, summary of the findings, conclusions, implications, and recommendations.

1.11 Chapter Summary

In this chapter, an attempt is made to present the importance of the study explaining the study’s background in order to state the rationale and incentive behind this thesis highlighting the role of family in care and protection of child and in controlling juvenile deviant behaviour. Further, it also brought to light that the role of several family attributes on a whole in child well-being and development as an important concept in academic literature has been grossly under-represented in empirical investigations.

The objectives and hypotheses formulated are presented in order to enumerate the directions to the study. Research methodology is presented in order to show the scientific rigor of the study. Research questions, sampling technique employed and the sampling characteristics are presented in detail. A detailed description about the measuring devices utilised in the study is presented with their properties in statistical parlance. Finally, the disposition would give the readers an opportunity to orientate themselves more easily.