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# ROLE OF FAMILY BEHIND CHILDREN IN CONFLICT WITH LAW: AN INDIAN PERSPECTIVE

**JUSTICE Dr. B. SIVA SANKARA RAO**

M.Com., LL.M, Ph.D,

High Court of Judicature at Hyderabad

for the state of Telangana and for the state of Andhra Pradesh,  
Hyderabad.

## ABSTRACT

Family is viewed as an environment that has a strategic role in child development. 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. 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, this researcher has chosen this line of thought for the current research. Relationship between various family factors and children in conflict with law is studied by interviewing children in conflict with law in various government juvenile homes and observation homes in Andhra Pradesh. Conclusions are drawn accordingly.

### Keywords

Adolescent behaviour, Child development, Children in conflict with law, Delinquency.

## Introduction

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.

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.



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.

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 (Lauer, 1998).

In this line of thought, this study intends to establish the interplay that may exist between various family factors and delinquency specifically children in conflict with law in the Indian context.

### **Review of literature**

Many family characteristics and family environments influence juvenile deviant behaviour such as the number of people in a family, inconsistent parenting, family problems, child neglect and children's attachment to parents (Derzon and Lipsey, 2000).

The lack of supervision and the absence of close relationships between the teenager and his or her parents are factors that influence delinquency. (Demuth and Brown, 2004). Children from biologically intact homes have a lower incidence of illegal behaviour that is paralleled by their lower rate of susceptibility to peer pressure to commit deviant acts. The study suggests that there is a link between juvenile deviance and family structure. The study also suggests that juveniles who are charged with more serious acts of delinquency are from incomplete homes than juveniles charged with lesser acts of misconduct (Mullens, 2004).

Wright and Wright (1994) suggest positive parenting practices during the early years and later in adolescence appear to act as buffers preventing delinquent behaviour and assisting adolescents involved in such behaviour to desist from delinquency. Research indicates that various exposures to



violence are important sources of early adolescent role exits, which means that not only can juvenile witness violence within the family but on the outside as well.

Gorman-Smith and Tolan (1998) found that parental conflict and parental aggressiveness predicted violent offending; whereas, lack of maternal affection and paternal criminality predicted involvement in property crimes. Familial characteristics suggesting familial antisocial behaviour or values such as family history of criminal behaviour, harsh parental discipline, and family conflict have been among the most consistently linked.

One reason why people believe so strongly in the nurture assumption is that they can see parents influencing their children. They observe the child of permissive parents being obnoxious and the child of abusive parents looking cowed and fearful, in the presence of their parents. The fundamental attribution error causes observers to assume that these children will be obnoxious or fearful in other social contexts too (Myers, 1999). In another study conducted by Gorman-Smith et al. (2001), data show that children are more likely to resort to violence if there is violence within relationships that they may share with their family.

Another study links parental care with high levels of psychological distress, which leads to delinquency. High parental control, such as in an authoritarian parenting style, leads to a faster first arrest. Low parenting care, such as in a permissive parenting style, is related to high levels of distress in adolescents. These findings would also indicate harmful results from being reared in a permissive or authoritarian home (Chambers et al., 2001).

A study by Wittenborn (2000) evaluated the relation between parenting styles and juvenile delinquency. The results revealed that there were no significant relations between permissive and authoritarian parenting styles and rate of delinquency but there was a significant inverse relation between authoritative parenting style and delinquency.

Okorodudu (2010) investigated the influence of parenting styles on adolescents' delinquency. Parents who are positively oriented in their styles will make their adolescents socially competent and goal directed. Parents who exerted control and monitored adolescent activities and promoted self-autonomy were found to have the most positive effects on adolescents' behaviour. Uninvolved parents and also non responsive to adolescents needs had negative impacts on their behaviour.



## **Research Methodology**

Descriptive and analytic research design has been found to be most suitable type of research design for this study. Both primary and secondary data are used for this study. Since a research on child development has to include vast boundaries of the subject, this study 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 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 is collected through a structured interview schedule.

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 and different family factors.

The sampling frame for the present research comprised of the existing Government JJ homes, observation homes in Andhra Pradesh. The researcher used purposeful sampling 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 are contacted. Data is arranged in an orderly manner in a summary spreadsheet by counting the frequency of responses to each question and analysed.

## **Data Analysis**

An attempt is made to present here the results pertaining to the survey conducted on the juvenile in conflict with law staying in various Government observation and other homes meant for juveniles in the State of Andhra Pradesh.

H1: Greater the amount of domestic violence, more likely the child will be driven to commit deviant behavioural activities.

**Table 1**

<b>Did you ever experience violence in your home?</b>			
<b>S.No.</b>	<b>Options</b>	<b>Frequency</b>	<b>Percentage</b>
1	Yes, all the time	224	70.7
2	Yes, sometimes	75	23.7
3	Yes, but it is rare	11	3.4
4	Never	7	2.2
Total		317	100.0

Most of the respondents (70.7 per cent) responded that they experienced domestic violence all the time. Less than one-fourth of the respondents (23.7 per cent) experienced domestic violence only sometimes, while very less juvenile home inmates responded that they experienced family violence either rare (3.4 per cent) or never (2.2 per cent).

**Table 2**

<b>What sort of assault have you experienced?</b>			
<b>S.No.</b>	<b>Options</b>	<b>Frequency</b>	<b>Percentage</b>
1	Scolding/Shouting	94	29.7
2	Locking up in a room	5	1.5
3	Denying food	45	14.2
4	Beating	166	52.4
5	None	7	2.2
Total		317	100.0

More than half of the respondents (52.4 per cent) experienced beating, nearly 30 per cent received scolding, 14.2 per cent of the subject were denied food, 1.5 of the respondents reported being locked up in a room, and very little percentage (2.2) reported no assault at all.

**Table 3**

<b>Which type of injuries you sustained?</b>			
<b>S.No.</b>	<b>Options</b>	<b>Frequency</b>	<b>Percentage</b>
1	No injuries	158	49.8
2	Bruising	115	36.4
3	Cuts/burns	28	8.8
4	Others requiring medical intervention	16	5.0
Total		317	100.0



Nearly half of the respondents reported receiving no injuries at all, 36.4 per cent reported bruising injuries, 8.8 per cent reported cuts/burns like injuries, and only 5 per cent of the respondents who experienced some form of chaos reported receiving injuries requiring medical intervention.

H2: Parental absence increases the chances of juvenile deviant behaviour.

**Table 4**

<b>Were you usually left alone without the supervision of your parents?</b>			
<b>S.No.</b>	<b>Options</b>	<b>Frequency</b>	<b>Percentage</b>
1	Yes, all the time	143	45.1
2	Yes, sometimes	147	46.4
3	Yes, but it is rare	20	6.3
4	Never	7	2.2
Total		317	100.0

Out of the 317 respondents, 45.1 per cent of the subject are usually left alone all the time without any supervision of their parents, an almost equal 46.4 per cent of the respondents are left alone only sometimes, whereas 6.3 per cent are reported to be left alone in rare occasions and the remaining 2.2 per cent of the respondents are usually under regular supervision of their parents.

**Table 5**

<b>Did you have any elders (like grandparents) at home to spend time with you in your parents' absence?</b>			
<b>S.No.</b>	<b>Options</b>	<b>Frequency</b>	<b>Percentage</b>
1	Yes, always	33	10.4
2	Yes, Sometimes	115	36.3
3	No	169	53.3
Total		317	100.0

When inquired about the support of grandparents or others, 53.3 per cent of the respondents reported that they do not have any elders at home to spend time with, whereas 36.3 per cent of the respondents reported availability of elders occasionally, and 10.4 per cent enjoyed the presence of elders always.



**Table 6**

<b>How much time do you spend with your family?</b>			
<b>S.No.</b>	<b>Options</b>	<b>Frequency</b>	<b>Percentage</b>
1	All hours that I am not in school	19	6.0
2	Four hours daily	20	6.3
3	Three hours daily	125	39.4
4	Between one to two hours daily	153	48.3
Total		317	100.0

A majority, 48.3 per cent of the respondents reported spending very less time, i.e. only one to two hours daily with their family, 39.4 per cent spend a bit more time with their family, whereas only 6 per cent of the subject reported spending a greater amount of four hours and 6.3 per cent spending nearly all the free time with their family.

H3: There is inadequate moral education in Juveniles in conflict with law.

**Table 7**

<b>Did your family ever give any guidelines for your behaviour?</b>			
<b>S.No.</b>	<b>Options</b>	<b>Frequency</b>	<b>Percentage</b>
1	Yes, all the time	18	5.7
2	Yes, sometimes	25	7.9
3	Yes, but it is rare	124	39.1
4	Never	150	47.3
Total		317	100.0

A bit less than half of the total 317 respondents received no guidelines regarding their behaviour. Nearly 40 per cent of the respondents received some sort of guidelines occasionally, whereas only 7.9 per cent of the respondents reported frequent guidelines and 5.7 per cent of the respondents reported receiving guidelines all the time.



**Table 8**

<b>Did you ever decide most things for yourself without a lot of direction from your parents?</b>			
<b>S.No.</b>	<b>Options</b>	<b>Frequency</b>	<b>Percentage</b>
1	Yes, all the time	142	44.8
2	Yes, sometimes	132	41.6
3	Yes, but it is rare	21	6.6
4	Never	22	7.0
Total		317	100.0

About 45 per cent of the respondents act on their own without any direction from their parents or family and 41.6 per cent respondents decide themselves sometimes and get directions in other times. Only very few respondents either act on their own very rarely (6.6 per cent) or completely receive directions for their actions (7).

**Table 9**

<b>Did your parents direct the children through reasoning and discipline?</b>			
<b>S.No.</b>	<b>Options</b>	<b>Frequency</b>	<b>Percentage</b>
1	Yes, all the time	37	11.7
2	Yes, sometimes	50	15.8
3	Yes, but it is rare	124	39.1
4	Never	106	33.4
Total		317	100.0

It is found that majority of the respondents (39.1 per cent) experienced a good reasoning and discipline on very rare occasions and 33.4 per cent of the respondents reported no such directions. There are 15.8 per cent of the respondents reported their parents directing them through a good discipline often and 11.7 per cent have their parents always directing them through a good reasoning.



**Table 10**

<b>From whom you were taught what is good and what is bad?</b>			
<b>S.No.</b>	<b>Options</b>	<b>Frequency</b>	<b>Percentage</b>
1	Father	109	34.4
2	Mother	120	37.9
3	Grand parents	42	13.2
4	Friends or others	46	14.5
Total		317	100.0

Majority of the total respondents (37.9 per cent) reported they received moral education from their mothers. Fathers account less to 34.4 per cent when compared to mothers in case of providing their children better moral education. Almost equal percentages of the respondents reported receiving moral education from their grandparents (13.2 per cent) and friends and others (14.5 per cent).

**Table 11**

<b>What is the reason for being placed in Juvenile home?</b>			
<b>S.No.</b>	<b>Options</b>	<b>Frequency</b>	<b>Percentage</b>
1	Theft	173	54.6
2	Homicide	47	14.8
3	Attempt to suicide	16	5.0
4	Truancy	63	19.9
5	Drug abuse or others	18	5.7
Total		317	100.0

The most often committed offence is theft, which was committed by 54.6 per cent of the respondents. Next order goes to truancy, committed by nearly 20 per cent of the respondents and homicide by 14.8 per cent of the respondents. The least committed offences were drug abuse by 5.7 per cent of the delinquents and attempting suicide by 5 per cent of the respondents.



**Table 12**

<b>Do you ever regret for your mistake and like to rejoin your family?</b>			
<b>S.No.</b>	<b>Options</b>	<b>Frequency</b>	<b>Percentage</b>
1	Yes	195	61.5
2	Can't say	31	9.8
3	No	91	28.7
Total		317	100.0

Finally, when asked whether the delinquents regret for their mistake and rejoin their family, majority (61.5 per cent) responded positively and expressed their willing to go home and 28.7 per cent of the respondents expressed their disagreement. There are 9.8 per cent of the respondents who remained undecided.

### **Findings**

The results of this research reveal that a regarding the domestic violence attribute, a strong relationship is identified between family violence and deviant behaviour. Most of the juveniles came from families having violent background, some with no injuries but some receiving serious injuries requiring medical intervention.

When findings are interpreted in terms of family attachment spending at least some time with their children, majority of the juveniles' families are found to have no or very little time to spend with their children. Further, most of the juveniles are found to have no grandparents or elders at home to engage them in absence of their parents. This lack of parental monitoring contributed to the misconduct of the juveniles.

The results of this study also reveal that most of the juvenile respondents have inconsistent moral education. They reported not a worthy amount of guidelines or discipline from their parents, but a better education from mothers when compared to fathers. Finally, large number of the juvenile respondents repented for their mistakes and wanted to rejoin their family members in quest of a good family life.

### **Conclusions**

The aim of this research is to find out how family influences either in progressive child development with a positive approach or in juvenile deviant behaviour with a negative approach and in negative atmosphere of the family



in particular though its impact is there to some extent from the cause and effect of the society in general. For this, a well structured pretested interview schedule is developed and administered among 317 juveniles residing both in juvenile and observation homes spread over in Andhra Pradesh. The data obtained from the juveniles is analysed for testing of the hypotheses.

The results obtained revealed that presence of negative family attributes compounded the likelihood of developing in the children a sort of deviant behaviour which bring them in conflict with law. The data reported indicates that deviant behavioural rate is varied dramatically according to the occurrence of domestic violence. Number of children who have had experienced some form of domestic violence apart from impact of picturisation and exhibition of violent scenes, crime stories and violent news in media and other devices have the influence on their growing mind of tender age are greater among the children in conflict with law when compared to other juveniles who have not experienced such of those.

The study also demonstrates that parental absence is positively related to juvenile deviant behaviour. High occurrence of juvenile deviant behavioural tendency is reflected by low levels of involvement, supervision, monitoring and closeness exerted by the family. Similar effect is found on the development of deviant behaviour by lack of proper moral education either by parents or other family members. Ultimately, it is evident from the study that parental closeness coupled with involvement, supervision, and monitoring attenuate the effect of family on juvenile deviant behaviour. Some members of the family like grandparents when more involved in children's life can provide additional nurturing or other resources such as financial and moral help to offset the impact of disrupted family on their deviant behaviour.

Children are the most critical foundation and backbone of the society and there definitely is the role of family in preventing different forms of regressive behaviours and building a child in to a responsible citizen thereby leading harmony and peace both in the family and society.

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