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The Relation between Child upbringing Practices and Law violating Behaviour

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It is believed that no child is a born criminal, it is the environment and the upbringing practices of the parents who mould a child into an adult and is the reason behind the behavioural dispositions of the person. Law violating behaviour whether it is civil law or criminal law needs to address but a deep look into the analysis of the person who is involved in such kinds of activities will give us the picture that the person who commits a wrong must have had bad childhood experiences in terms of their upbringing. Although the influence of genes is also supposed to play an important role but the influence of the environment is equally important in determining the personality development of the child. This environmental and family influence that any individual person faces is not just limited to the adult committing crimes but also the juveniles violating the behaviour. It can be assessed that with better training for the child in his/her formative years a lot of such anti-social personality tendencies can be countered. This teaching can happen in school settings as well as at home. Thus better training and care for the child in the development stages of the initial years play a very crucial role.

Keywords: *child, law, behavior.*

INTRODUCTION

The development of the child is said to begin with the inception of the child as a cell in the womb of the mother. With time this tiny cell develops into a full newborn baby set to step into the world. There is a very common debate of nature v/s nurture, while some say that it is the genetic build-up of a person and the hereditary factors which play a role in the behavioural and other psychological aspects of a person while some seem to disagree with this fact and instead say that the environment and the upbringing of the child plays a huge role in the development of the child. The different scholars have different perspectives which add to the debate but in this article, we shall focus on the role of child upbringing practices on the development of the child's behaviour as well as the personality traits of the child. Personality psychology is the branch of psychology that studies personality and its variation among individuals. It aims to show how people are individually different due to psychological forces. Family forms the basic structure of society and it is the family which highly influences the child's behaviour, attitude formation, and beliefs.

Parenting practices around the world have three main goals: to ensure the health and safety of children, to prepare children for life as productive adults, and to transmit cultural values. A high-quality parent-child relationship is crucial for healthy development.¹ Researchers have described different parenting styles - the ways in which parents interact with their children - most of the classifications are based on dimensions of emotional warmth and control. In the development of children's cognitive abilities, parental socioeconomic conditions can be considered as a proximal characteristic connected to proximal family processes like parenting.

Adverse social as well as economic conditions in the family also have a deep impact on the development of the child and his/her adult being consequently. Three often used metrics for measuring parenting are emotional warmth/care, overprotection/strictness, and parental interest/expectations. Adults' mental health has been found to be impacted by the first two and success in kids and teenagers have been connected to parental expectations and strictness.

¹ *Encyclopedia of Psychology* (2000) vol 8

THE LAW-VIOLATING BEHAVIOUR – THE CRIMINAL ASPECT

Criminal behaviour is a serious issue as it affects not only an individual but the entire society, it is a risk by the offender to the public at large and thus it is important to understand criminal behavior-producing factors that are strongly associated with risk". It is important to understand the roots of the criminal behaviour being born in the people in the very first place. It is important to analyse the anti-social behaviour and other such aspects to understand the personality of the child from the very beginning so that with special care given to the child the faulty personality traits can be fixed. To understand how these faulty traits emerge in the child it is important to understand the genetics and more importantly the faulty rearing practices which lay the foundation stone of the child.

"Genes² even help shape the environment. Genes affect the way parents raise their children; genes influence the reactions kids elicit from their family and people around them; and as children grow, genes influence their choice of partners as well as environment". A person's ability to control temperament, impulsivity, low self-esteem and empathy depends on the genetic influences of the person.³

⁴One of the easiest topics to discuss as it relates to how biological factors can influence criminal behaviour would be drug addiction. The faces of siblings in a family resemble the faces of their parents; physical inheritance clearly played a role in the concentration of physical characteristics in the family". Physical traits are passed down from one generation to another and so it is possible that psychological traits are also passed down from generation to generation indicating the influence of genes. Some of these psychological traits include genes that are directly related to drug addiction, which can often result in negative criminal behaviour. The need is to realise

² Barbara Kaiser, Judy Sklar Rasminsky, *Challenging behavior in young children : understanding, preventing, and responding effectively* (Allyn and Bacon 2003)

³ John Hegger, '6 traits that lead to criminal behaviour' (*Police1* by Lexipol, 20 May 2015) <<https://www.police1.com/corrections/articles/6-traits-that-lead-to-criminal-behavior-QKg2lpUaZbdKL1ot/#:~:text=The%20second%20part,criminal%20thinking.%20It>> accessed 12 December 2022

⁴ Audrey L. Begun, 'Rethinking Substance Abuse: What the Science Shows and What We Should Do About It. William R. Miller and Kathleen M. Carroll (Eds.)' (2008) 8(2) *Journal of Social Work Practice in the Addictions* <<https://doi.org/10.1080/15332560802157115>> accessed 12 December 2022

how a person ends up doing something which he/she naturally would not have done, it is important to realise that criminal behaviour can be avoided by fixing faulty child-rearing practices.

The best practice for potential success is to use a combination of resources that many agencies across the country are currently using. The first includes analysing individuals' risk of relapse using a validated assessment tool. It analyses the aspect that a person will commit additional crimes dependent on a number of factors, which are prior criminal history, marital status, age, drug or alcohol addiction, work and educational history, and economic status. All of these factors can help determine the percentage of risk a person describes and how likely they are to be arrested. These assessment tools are accurate and can even reduce the likelihood of identifying a risk of re-arrest within six months. The higher the risk, the greater the chance that the person will return to the system with a new criminal charge. While risk assessment can help monitor probationers, it is only a small part of the algebraic equation that can be used to change a point of view.

The second part of the assessment tool includes the identification of criminogenic needs. As stated earlier, these are the characteristics of a person that can lead to criminal behaviour. There are a number of schools of thought on this matter. One study found that a person can have up to eight traits, while others found that a person can have up to six. In this article, we will focus on six:

ANTI-SOCIAL VALUES: People of this kind generally think that criminal behaviour is not something that should be thought of so deeply. They lack remorse for their own actions. These people generally blame others for their own negative behaviour and traits.

CRIMINAL PEERS: The kind of peer group one has effects to a great extent the behaviour changes in an individual. If the individual is associated with groups that are involved in criminal activities then can is a possibility that the person will end up being involved in substance abuse and also engage in criminal activities further. They will also typically present a lack of behaviour which is community and social-environment-inclined.

ANTI-SOCIAL PERSONALITY: These traits generally include various behaviours which are anti-social, they can include bullying, cheating, stealing, lying, and getting involved in physical fights. These behaviours are generally shown by children of age group 15 years or less than that.

DYSFUNCTIONAL FAMILY: Family is not just to provide the child with all the materialistic needs but also emotional support. The families wherein the child cannot freely express himself/herself and talk about the various turmoils they go through tend to become rebellious. These children can then by the influence of various secondary factors be trapped in the nets of criminal activities. Thus it is essential that parents should have a positive rapport with their kids so that they do not feel uneasy to tell them anything which concerns them.

LOW SELF-CONTROL: This includes having self-control over one's impulses and temperament. This personality feature causes the person to frequently act without planning and neglect to stop and consider their actions. The focus is on the present moment rather than the effects of one's actions.

SUBSTANCE ABUSE: Drug or alcohol use that significantly affects a person's ability to lead a successful and productive lifestyle. Often, tolerance to substances increases, moreover, it is not possible to stop using them. A typical evaluation process can take around sixty days to complete; any longer or shorter can result in results that may be skewed or erroneous. An officer can start the supervision process using the right strategies that will encourage the subject to succeed while also holding them accountable by using the right sanctions to correct undesirable behaviour throughout the duration of supervision once they have an idea of the risk level and have identified the associated criminogenic traits. In Part II of this post, we will go over several potential strategies for improving motivation as well as some practical approaches for dealing with accountability to ensure adherence to court-ordered sanctions.

The various factors listed hold relevance for understanding criminal behaviour, among all these factors the most significant factor is the dysfunctional family which plays an important role in the formation of the child from the very beginning of an individual's development. It is rightly said that childhood is the foundation stone for adulthood and if the foundation will be weak

then the child will not be able to cope with the various psychological factors happening in his/her life.

THE EFFECT OF CHILD-REARING PRACTISES IN TERMS OF CIVIL WRONG

If we analyse the effect of child-rearing practises on the behaviour of the child committing petty crimes or simply displaying traits that are antisocial, we will realise how simple the small acts of the child imitating the behaviour of his/her father or mother expressing frustration can lead to serious problems not only in the development but also for the proper formulation of the child as a responsible and civilised member of the society. The manner in which the parents of the child teach, the way they respond, and the way in which they scold and handle different situations dealing with the child determine how the child will learn. Social conditioning is a very important process that helps in the learning and unlearning cycle of the child. Thus when it comes to simple civil wrongs like trespass, civil defamation, and other wrongs they are simply behaviours of an adult that if checked in childhood would never have been manifested.

Though these wrongs are not very serious in nature, it needs to be kept in mind that a wrong is a wrong, and any action of the individual which eventually harms any private individual or a group of people at large has to be checked. This can be made possible if small steps are taken from the very beginning of the child's development so that these issues are not faced in adulthood. Other wrongs which are very basic in nature happen on a day-to-day basis but go unnoticed by people are the biased point of view of people, like thinking that even though the law validates the induction of women in the armed forces girls are not fit for the job. These prejudiced thought processes take root not in the child from birth but what comes from the way society teaches him/her and more importantly the family members.

THE ASPECT OF JUVENILE DELINQUENCY

Delinquency is a crime, or criminal behaviour, especially of a minor. Depending on the country of origin, a minor becomes an adult between the ages of 15 and 18, although the age limit is sometimes lowered for murder and other serious crimes. Crime refers to an activity that does not meet the legal or moral standards of society; it usually only applies to actions that would be

considered criminal if done by an adult. Thus, it differs from the status crime used in the United States and other domestic legal systems for actions that are considered illegal when done by a minor but not when done by an adult.

It cannot be denied that the child-rearing environment also highly affects the chances of juvenile delinquency cases if it proves to be negative for him/her. According to the data, good child-rearing techniques are essential, though not sufficient, components of young children's and teenagers' psychosocial development. Preventive educational programs may be effective in lowering the incidence of delinquency. Numerous research conducted throughout the world has shown how crucial family functioning is in preventing children and adolescents from engaging in antisocial behaviour. Parenting's protective role is largely accepted. One possible explanation for this protective factor against adolescent misbehaviour is the importance of a loving family environment.

“Young people's parents are frequently held accountable for their children's antisocial behaviour. In some courts, parents are even punished for their kids' antisocial behaviour example, Bessant and Hil 1998; Drakeford 1996; Dundes 1994”.⁵ It is supposed by both academicians as well as some very popular theorists that there is a relationship between parenting and delinquency but the strength of this connection between the two variables is not conclusive. The diversity of the studies and their results in this area of research is a significant factor in this challenge. The types of parenting and delinquency dimensions that are examined, how these variables are evaluated, and the demographics that the samples are derived from vary throughout the studies. We incorporate prior research and describe it in a series of meta-analyses. The first objective was to analyse which aspects of parenting are associated with delinquency, and the second objective was to identify facilitators that influence the relationship between parenting and delinquency.

⁵ Machteld Hoeve et al., 'The Relationship Between Parenting and Delinquency: A Meta-analysis' (2009) 37(6) *Journal of AbNormal Child Psychology* <<https://doi.org/10.1007%2Fs10802-009-9310-8>> accessed 12 December 2022

Family⁶ neglect has been identified as a risk factor for a variety of negative consequences in adolescence. Parenting is regarded as a general risk factor for juvenile delinquency and general socioemotional functioning since it has continuously been proven to be associated with and predictive of juvenile criminality. According to the multifinality concept, research has adopted a variable-oriented approach, and family functioning has been seen as a single factor responsible for multiple negative outcomes, including delinquency and substance misuse among others. "However, it has been shown that there are multiple causal factors that contribute to antisocial and criminal behaviour in adolescents, that the causes of antisocial and offending behaviour are not easily captured under one causal factor –rather,⁷ many factors are operating in adolescents' and young adults' offending behaviour, consistent with the principle of equifinality. ⁸A combination of various risk factors with either additive or interactional effects have been proposed".

CONCLUSION

Thus analysing the different aspects of child rearing and its effect on the behaviour as well as the personality of the child helps us to understand how people as adults as well as children commit crimes as well as involve themselves in activities that disrupt the law and order situation in the country. No one is a born criminal, the way a person grows and the situations in which he/she is brought up force him to behave and act the way he/she does. To make sure that the law-violating behaviour and the criminal tendencies be lowered in an individual steps need to be taken by the learning institutions and most importantly the parents and family members so that the faulty traits of the child can be checked and corrected at the right time. If the traits become permanent and transform into habits eliminating them in adulthood

⁶ 'Predictors of Youth Violence' (*Office of Juvenile Justice and Delinquency Prevention*, April 2000) <<https://www.ojp.gov/pdffiles1/ojdp/179065.pdf>> accessed 12 December 2022

⁷ TP Thornberry et al., 'The importance of timing: its varying impact on childhood and adolescent maltreatment on multiple problem outcomes' (2001) 13(4) *Am J Orthopsychiatry* <<https://pubmed.ncbi.nlm.nih.gov/11771916/#:~:text=suggests%20that%20childhood,study%20of%20adolescent>> accessed 12 December 2022

⁸ D. Farrington, 'The Development of Offending and Antisocial Behaviour from Childhood: Key Findings from the Cambridge Study in Delinquent Development' (1995) 36 *Journal of Child Psychology and Psychiatry* <<https://acamh.onlinelibrary.wiley.com/doi/10.1111/j.1469-7610.1995.tb01342.x>> accessed 12 December 2022

would be a difficult situation and thus careful parenting which is balanced can solve many future problems and help in the formation of a better individual. It is essential that due care is given in the formative years of the child as these formative years will decide the overall development of the child as an individual.