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CHILD ABUSE IN INDIA: A THEORETICAL OVERVIEW*

by

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Child Abuse In India: A Theoretical
Overview

Uma A. Segal

CHILD ABUSE IN INDIA: A THEORETICAL OVERVIEW

Abstract

As a social issue that merits interest and intervention, child abuse is in its infancy in India. Professionals from within the country have suggested that there is a need to recognize and empirically validate the extent of the problem. However, before empirical investigations can be undertaken, definitions and their applicability need to be assessed. This paper reviews the newly evolved definition of child abuse, some literature on child abuse in India and discusses implications for human service professionals, researchers and policy-makers.

CHILD ABUSE IN INDIA: A THEORETICAL OVERVIEW

Introduction

Cross-cultural literature has brought awareness that child abuse, first recognized as a significant social issue in the developed Western world, in fact, is a phenomenon that occurs internationally, both in developed and developing countries across the globe. While its identification, its form and its scope may vary across nations, its widespread prevalence is increasingly becoming a source of international concern. Knowledge of the phenomenon of child abuse in developing, Third World countries is often camouflaged by the norms, values and expectations of differing socio-cultural traditions.

The susceptibility of children to abuse and neglect has been in the awareness of the Indian political consciousness since at least the early part of this century with the passage of the first Children Act of 1924 in Bombay and further amended in subsequent years. The Central Government, in 1960, passed the Central Children Act which extended the legislation of the first Children Act to all the states and called for the protection of children against cruelty and indignity. The aim was to protect the child from being assaulted or willfully neglected or harmed in such a way as to cause unnecessary mental and physical suffering (Belavadi, 1989; Pande, 1988). Furthermore, the Juvenile Justice Act of 1986 also calls for the protection and care of children who are destitute or neglected. Thus it is apparent that the political infra-structure of India is both aware of the potential of harm for children and has taken measures to address this awareness.

Despite the existence of the Children Act and the Juvenile Justice Act, there is very little awareness both in the general public and among human service

professionals about the extent and severity of child abuse among children in India (Mehta, 1982; Nath & Kohli, 1988; Singh, 1988). Only after the problem comes to the forefront as a matter of national concern will policy makers and professionals responsible for delivering services see the need for intervening aggressively on behalf of abused and neglected children. This paper (a) discusses the state of knowledge about child abuse in India and the definition of child abuse as advanced by the first National Seminar on Child Abuse in India, (b) identifies some of the forms of maltreatment to which children may be subjected and (c) discusses implications for human service professionals and policy-makers.

Child Abuse as an International Concern

Child abusing practices have been intrinsic to the fabric of human society since time immemorial. Infanticide, ritual mutilations, physical battering, sexual exploitation, slavery and abandonment, for example, were common in ancient times and continue to persist in present society to varying degrees. Children were, and still in many cultures, are regarded as the property of their parents to be treated as the latter wish (Kadushin & Martin, 1988; Walker et al, 1988) since child rearing and discipline is considered a private family matter. Even in the Western civilization, child abuse and neglect have only fairly recently been recognized as major social problems.

The National Center on Child Abuse and Neglect (1981) in the United States, defines child abuse, or battering, as purposefully mistreating children by physically, emotionally or sexually injuring them, and neglect as not providing for their basic physical, emotional or educational needs. Since the enactment of the United States' federal laws requiring the reporting of child abuse in 1974, the extent and scope of the problem are becoming increasingly apparent. Although most countries provide sanctions against parents who abuse or neglect their children (Kadushin & Martin, 1988), only the United States, Canada and Great

Britain have developed specialized programs to identify vulnerable or victimized children (Kamerman, 1975).

Finkelhor and Korbin (1988), in their important article on child abuse as an international issue, recognize that child abuse as defined and identified in the West is not necessarily applicable across cultures and national boundaries, and they propose a universal definition of child abuse as "the portion of harm to children that results from human action that is proscribed, proximate and preventable" (Finkelhor & Korbin, 1988:4). This definition distinguishes it from other social, economic and health problems of international concern and allows its application to a range of situations and cultural contexts. Focus is on the intention of the perpetrator and social censure based primarily on the local standards and norms and that springs from an awareness that what may be abusive in one culture may well be socially sanctioned in another.

Child Abuse in India

Reviews of social service literature on child abuse in India indicate a dearth of information on the subject, because even though a problem may exist, it may not be so perceived by human service professionals since terms such as harshness, discipline and abuse are culture-specific, and professionals who come from a similar cultural backgrounds may neither perceive nor recognize abuse as a problem (Singh, 1988). Poffenberger (1981) suggests that abusive behavior toward children that deviates from socially accepted norms and is the result of adults' emotional disturbances may not be widespread in India because of stronger family support systems and the restraining influences of the extended family. However it is more likely that there exists a pervasive apathy toward child abuse in the family that is a result of two inextricably interwoven factors in the Indian society, namely (a) the widespread acceptance of corporal punishment as part of normal child rearing and control, and (b) the prerogative of the parents in

disciplining their children as they will (NIPCCD, 1988). In addition, in a society replete with problems of poverty, ignorance, malnutrition, disease and overcrowding, many human service professionals who are in a position to notice child abuse within the family are either unaware of the existence of this problem, are apathetic toward it or are already heavily invested in human service interventions of a different nature (Korbin, 1981; Mehta, 1982; Singh, 1988).

The attention of some social scientists in the early 1980s focused on two long existent phenomena occurring in India: Infanticide--primarily of female infants--and benign or selective neglect--again primarily of female children (Krishnaswamy, 1984; Mehta, 1982; Miller, 1981, 1984; Poffenberger, 1981). Although the survival rate of infants at birth is almost universally higher for females than males in both industrialized and developing countries, this predominant pattern is not found in Sri Lanka, Pakistan and India (Poffenberger, 1981; Rele & Kanitkar, 1979). Since the late 1980s, the existence of the problem of child battering and the sexual and emotional abuse of children within the family, or by caregivers, has become more apparent as it has received increasing coverage in the media. It has also, more specifically, been brought into the general consciousness of some human service professionals as is evidenced by the first National Seminar on Child Abuse in India, held in New Delhi in 1988 under the auspices of the National Institute of Public Cooperation and Child Development.

Nevertheless, even the scanty literature on child abuse in India reveals a major conflict that social scientists face in defining the problem and in distinguishing between intrafamilial abuse and societal abuse. Several papers included in the report of the National Seminar indicate an intermingling of the two types of abuse and a difficulty in isolating one type from another. Certain types of societal abuse have been increasingly recognized as major social problems

in the country, and many activists have advocated on behalf of children subjected to such forms of abuse. Most common among these are child labor, child prostitution, child beggary, child marriages and the presence of street children. While these are major destructive, and often dangerous, forms of abuse in the life of a child, they are more the result of poverty and societal norms that allow the exploitation of the very poor than the result of familial pathology. Child abuse, or the purposeful maltreatment of children by physically, emotionally or sexually harming them often occurs within the family, and is the result of a variety of combinations of child related factors, parent related factors and situational factors (Mayhall & Norgard, 1983).

Other than infanticide, physical abuse such as parental child battering has not been well documented in India. Perhaps, as Poffenberger (1981) suggests, its occurrence is rare because of supports provided by the extended family. However, with the increase of industrialization and urbanization, there has been significant movement away from the extended family structure to the nuclear one (Sinha, 1984) and with this must come some of the stresses associated with child abuse in the Western countries. Increasing media coverage and a few findings of child guidance clinics have led some social scientists and human service professionals to conclude that child abuse is varied and includes beating, emotional abuse, abandonment and sexual abuse and to suggest that this is associated, in addition to industrialization and urbanization, with parental expectations, marital discord, divorce, dual career families, poor housing, poor parental mental health, alcoholism, substance abuse and superstition (Rath, 1988; Singh, 1988).

Selective or benign neglect is fairly well recognized as a form of population control and for the intra-familial distribution of limited resources in a country where females and disabled children are devalued and perceived as major

liabilities. The selective distribution of resources, especially in the form of food and health care is evidenced in the disparate height and weight gains between boys and girls in urban and rural areas (Dandekar, 1979). Furthermore, Dandekar (1979) suggests that the differential levels of infirmities in the two sexes, in rural areas especially, indicate that females, if disabled, are neglected to death. On the other hand, sexual abuse, or the involvement of dependent, developmentally immature children in sexual activities they do not fully comprehend (Helfer & Kempe, 1976) has been sanctioned against as is indicated in the Juvenile Justice Act and the Children Act. The legislations clearly indicate that sexual activity with even a consenting child under the age of fifteen years is punishable by law. Nevertheless child marriages abound in several states (Jabbi, 1986) and persist because of poverty and tradition. In addition, child prostitution, which is rampant in the large cities, is nurtured by the superstition that venereal disease is cured through intercourse with a virgin (Ashtekar, 1989). However, these are but two of the numerous forms of sexual abuse to which a child may be subjected, and while they are forms of societal child abuse, they do not necessarily indicate intrafamilial sexual abuse. The sexual exploitation of a child by a family member or a care-giver has received little or no attention. Cultural norms and social taboos against sexuality, as a whole, are so pervasive in India that this form of abuse is probably kept a strictly guarded secret by both perpetrator and victim.

It is generally recognized that the definition and identification of child abuse requires the interplay of three factors: (1) the intent and/or the behavior of the perpetrator, (2) the effect on the child and (3) the perception of the observer (Mayhall & Norgard, 1983). While the behavior of the perpetrator and the effect on the child may be similar in two different cultural environments, the perception and response of observers may vary greatly based on societal norms and

cultural conditioning, awareness of and sensitivity to the issue of child abuse, and personal values and experience. It becomes apparent, then, that before any meaningful empirical research can be conducted on the extent and scope of the problem of child abuse in India, there needs to be a more clear definition of intra-familial child abuse based on the perceptions of the general public and human service personnel and the vagaries of associated values and personalities.

Defining Child Abuse

The 1988 National Seminar on Child Abuse in India developed the following definition of child abuse:

Child Abuse and Neglect (CAN) is the intentional, non-accidental injury, maltreatment of children by parents, caretakers, employers or others including those individuals representing governmental/ non-governmental bodies which may lead to temporary or permanent impairment of their physical, mental and psycho-social development, disability or death (NIPCCD, 1988:10).

Two points become readily apparent in this definition: (1) The definition of child abuse and neglect does not differentiate between familial and societal abuse, and (2) the definition, though broad enough to cover all forms of child abuse will cause child welfare workers the same difficulties in operationalization as those experienced by their counterparts in the Western world. While the evolution of this definition is important in India and points to a professional recognition of the need for society to pay heed to the injustices faced by several million children, it is merely a beginning step in the long battle against child abuse and neglect.

Some behaviors are clearly abusive, especially if they result in the death or disfigurement of a child and few would have a difference of opinion on that. However, as experience has shown time and again in the West, many parental behaviors cannot immediately be identified as abusive and are subject to the interpretation of the observer. Trained professionals may disagree on whether a

behavior is abusive or not, therefore people who are not so trained, whether human service professionals or not, may have even more difficulty in identifying abuse.

While children can suffer a variety of forms of abuse at the hands of several adults unrelated to them, this paper is concerned primarily with the abuse and neglect children experience at the hands of their own parents and/or guardians and within the structure of the family. Abuse at the hands of the family takes on a different dimension, especially in India, since the family is the most important group to which an individual belongs and the interrelationships and expectations between parent and child are clearly defined (Segal, 1990). Not only does abuse violate these expectations but has emotional ramifications of a nature that would not necessarily be so major had the abuse occurred at the hands of a stranger or a less significant person in the life of a child. Yet child abuse must be viewed also within the socio-cultural context, because what may be considered abusive in one culture may not be so in another. Recognizing this important fact becomes necessary if one takes the sociological perspective that assumes that any social phenomenon derives from the social system in which it occurs and/or is defined, and particular behaviors cannot be understood apart from the social context (Giovannoni & Becerra, 1979). Thus, Giovannoni and Becerra (1979) suggest that behaviors may be considered neutral and acquire positive or negative connotations based on the expectations of a particular social system, and to assess whether a behavior is inappropriate or deviant, one should look neither at the behavior itself nor at the person exhibiting that behavior but to the observer who makes a judgment about the behavior.

If one agrees that a behavior in the abstract is neither right nor wrong but is so labelled by the observer, it becomes imperative that before intervention in the area of child abuse in India can occur, literature must identify the variety

of abusive behaviors and some research must investigate the perceptions of observers and the judgments about the severity of different forms of child abuse.

Types of Child Abuse

The types of maltreatment that may be found in India can be categorized as societal abuse, physical maltreatment and non-physical maltreatment. While the Central Children Act (Belavadi, 1989) precludes the maltreatment of children, the parameters of the maltreatment are not clearly defined and/or operationalized either in this Act or in NIPCCD's (1988) definition of child abuse.

Societal abuse

Societal abuse constitutes those forms of abuse that are perpetuated by society, by its culture and values, or by its tendency to passively accept the existence of a problem. Child prostitution (Ashtekar, 1989), child beggary (Rane, Naidu & Kapadia, 1986), child marriage (Jabbi, 1986) and child labor (Satyarthi, 1989), all concomitants of poverty, are more clearly becoming recognized in India as being abusive since they involve both the exploitation of children by adults for personal gain and the deprivation of the basic ingredients of childhood development. While child prostitution, child beggary and child marriage may be easy to determine and condemn, child labor becomes more nebulous. Is any job for which a child is paid (either monetarily or in kind) a form of exploitation? Are young domestic servants being exploited? Activists in India would claim that they are as there is no dearth of adults who are unemployed and who could perform the domestic functions, however, they would expect higher wages, shorter hours and better benefits. From this orientation, then, is not the young boy or girl in the U.S.A. who babysits or mows lawns being exploited? An adult performing the same duties would expect higher wages. Thus it appears that societal abuse is often so much a part of the culture that it is not seen as abusive until an enlightened minority can visibly and vocally advocate for change.

Physical maltreatment.

Literature suggests that sexual abuse, benign neglect, failure-to-provide and physical abuse are some of the several forms of physical maltreatment to which children in India may be subjected (Ashtekar, 1989; Dandekar, 1979; NIPCCD, 1988).

Physical abuse. Although physical harm to a child should be both the least difficult to assess and the least controversial, this is often not the case. Except when physical child abuse results in death or disfigurement, people are often in disagreement about what constitutes abuse. As corporal punishment is generally accepted both in the U.S. (Mayhall & Norgard, 1983; Tower, 1989) and in India (NIPCCD, 1988; Rane, Naidu & Kapadia, 1986; Singh, 1988), this pattern may be found in both countries. Little attention has been given to the immediate and short-term impact of physical abuse on the child or to the long-term emotional impairment the child may experience. In India, the right of parents to discipline their children persists and requires that primary prevention measures, through the general education of the public, focus on alternative methods of socializing children. Furthermore, the focus must be not only on parents, but also on observers who condone, or remain silent, in the face of such discipline. Corporal punishment that results in any form of bruising or disfigurement is banned in almost all the states in the U.S.A. In India, human service professionals, who are most likely to come across incidents of abuse, may need to be trained to recognize non-accidental and unexplainable patterns of injury, and mechanisms to implement the Children Act need to be activated.

Sexual abuse. The sexual use of children by adults, especially by parents has always been considered a very serious matter, not, primarily, because of the physical or psychological harm done to the child, but because of the violation of a major societal taboo against incest (Giovannoni & Becerra, 1979). The extent of the problem in India is unknown, however, the popular literature (Srinivasan,

1989) is beginning to indicate that it is a much more widespread phenomenon than is currently acknowledged. Especially because of implications for the subsequent psychological and moral development of the child, it behooves the social welfare infrastructure in India to develop a greater awareness of the existence of this problem and the implications for a child's adjustment.

Benign neglect. Especially in the villages and among the very poor, where resources are scarce and female and/or disabled children are a liability, benign neglect is a viable means for families to redistribute meager resources and practice population control. Although certainly not socially sanctioned, it is known to occur and little is done about it other than general attempts to educate parents. That knowledge of the problem's existence is fairly widespread as is evident from the data regarding development rates in different parts of the country (Dandekar, 1979; Rele & Kanitkar, 1979) and more aggressive methods at education, coupled with tangible assistance may be the only means to combat this very insidious form of maltreatment.

Failure-to-provide. Medical neglect, lack of cleanliness, poor housing conditions, nutritional neglect and lack of supervision may be categorized as failure-to-provide. Medical neglect, once often concomitant with benign neglect and the lack of medical facilities, is gradually being addressed as public clinics and public awareness programs are reaching out to the general population. Continued efforts will improve the health of children as a whole. Purposeful non-attentiveness toward a child's complaints of physical pain, however, suggests a pathological relationship between parent and child and necessitates a different form of intervention. Cleanliness and housing conditions are not only social issues but issues of health, and the effect of dirt and poor hygiene on the health of the child needs more publicity. As benign neglect, nutritional neglect is often the result of poverty, but unlike the former, it may result more from

lack of resources and perhaps, lack of knowledge, than from a tendency to favor a male, healthy child that is an asset and an investment rather than a liability. In addition to the distribution of tangible resources, more education regarding nutrition may be required. The lack of supervision, associated with the concern that children may engage in behaviors that are unsafe, may be subject to prey and/or find themselves in harmful situations, is considered abusive in the West. Failure to provide supervision for a child may suggest inadequacy on the part of the parents in providing protection for that child. Now governmental intervention in India provides some recourse by requiring companies with 50 or more female employees to provide on-site day care services. This, however, does not go far enough to provide for all those persons who work in smaller enterprises. Thus, failure-to-provide is generally known as physical neglect and usually encompasses those behaviors that are a result of the inability of parents to access or provide resources to meet their children's basic needs. The 1990 United Nations' Summit on Children called all participating heads of state to recognize the plight of impoverished children and to pledge to make additional efforts to address the health and nutritional needs of children in their countries (Lewis, 1990).

Non-physical injury

Behaviors such as fostering delinquency, parental sexual mores, alcohol/drug abuse by parents, emotional maltreatment and educational neglect may be categorized as non-physical injury (Giovannoni & Becerra, 1979). While non-physical maltreatment often receives less attention and media publicity since it is usually chronic, rather than episodic, it often results in antisocial behavior in children who subsequently become psychosocially maladjusted. Such maladjustment may well lead to delinquency and adult criminal behavior and impact society as a whole.

Fostering delinquency, parental sexual mores and alcohol/drug abuse. These three types of parental behaviors also constitute nonphysical maltreatment and may well be linked by society to concerns regarding morality. While "fostering delinquency" clearly suggests encouragement by parents for the child to engage in antisocial behaviors, deviant parental sexual mores or parental involvement with prostitution suggests abuse to a society where the acknowledgement of sex and or sexuality is a general taboo. Although the child may neither be directly involved nor see the activities of the parents, perhaps the effects of the knowledge, itself, may be considered far-reaching (NIPCCD, 1988). Likewise, the area of alcohol/drug abuse has often been closely linked with morality [disease vs. morality metaphors (Garvin & Seabury, 1984)], and the debate regarding alcoholism as a disease, though dormant now in the West, still periodically raises its head. Therefore, people working with children need to look at their reasons for considering activities abusive and to assess the implications of their value orientations on perceptions and the appropriateness of those perceptions.

Emotional maltreatment. Emotional maltreatment has been found to be difficult to document and its occurrence and impact are frequently deliberated by professionals in the U.S., yet the scant literature on child abuse in India pays little heed to the effects of emotional abuse on the subsequent adjustment of children and shows little cognizance of its longer-term contributions toward delinquent behavior. If emotional abuse is a mechanism for controlling the behavior of children, or their non-physical needs are considered less than important, the community is ignoring one of the antecedents of adult anti-social behavior. It becomes imperative that research links, coupled with educational efforts, be made to sensitize parents to the importance of emotional nurturance for the development of well adjusted adults.

Educational Neglect. Despite the call by the 1990 United Nations' Summit on Children for at least 80% school attendance, where illiteracy rates are high, educational neglect may not be seen to be as directly relevant to the well-being of the child as those conditions that immediately impact the child as in the areas of health, nutrition and physical care. Education is often given a lower priority, even in the U.S. as increasing numbers of school-age children are working and both parents and children are placing less emphasis on the need to fulfill school expectations. The importance of education for the advancement of the child's position in life cannot be ignored, and its relevance for the future of the child must be further recognized by society so that children can avail themselves of better opportunities. Public awareness programs that focus on the importance of education and emphasize follow-up measures for children who fail to attend school are necessary. This may be a major undertaking, since 62% of India's children in the age group of 5-9 years, and 50% of the children in the age group 10-14 years are out of school (UNICEF, 1984).

The forms of abuse, therefore, to which a child in India may be subjected fall into three categories: societal abuse, familial physical abuse and familial non-physical abuse. Since advocates in India have begun to address the issues of societal abuse and since child abuse at the hands of parents and care-givers has only recently come into the cognizance of the human service population, this paper stresses the need for active public awareness measures to bring the injustice of parental maltreatment of children into the consciousness of people both within and outside the human services fields and to recognize that this, too, is a societal problem and the family cannot at all times be considered sacrosanct.

Implications for Research, Policy and Practice

This paper has suggested that various components of the parent-child relationship are culturally defined and child maltreatment must be viewed within the social context. However, human service professionals in India need to go beyond Finkelhor and Korbin's (1988) universal definition of child abuse as that which results from parental behavior that is "proscribed, proximate and preventable" by actively identifying and denouncing behaviors that, though harmful to the child, are not proscribed by Indian society. Children's advocates must lobby for the support of the Rights of the Child (UN, 1990), the Children Act and the Juvenile Justice Act and call for the operationalization of their edicts also within the family unit. Specificity in the translation of these Acts is required and necessitates the active involvement of human service professionals and policy-makers in the identification of parental behaviors that should be considered abusive and that should require societal intervention. Professionals from the human services are most vital to the success of such endeavors and must be drawn from fields such as medicine, law, social welfare and law enforcement.

It is recommended that India should adopt the prevention of child abuse and neglect as a national purpose and develop a serious commitment to that end. However, to succeed in such an enterprise, a strong knowledge base is essential. Knowledge in the area of child abuse and neglect in India needs to be generated and transferred to the appropriate policy-makers. The most likely source for knowledge generation may be the research university. Leading research universities are often at the cutting edge of knowledge, as is evidenced in the area of child abuse in India by the number of university participants in NIPCCID's first National Seminar on Child Abuse in India. Furthermore, leading research universities usually have the resources to address the complex, interrelated and wider-ranging policies affecting families and children and have access to the

range of essential disciplines, libraries, research facilities and networks of scholars (Hobbs, 1980).

Often generators of knowledge, the researchers, are not the users of that knowledge. In this instance, the users may be policy-makers. Knowledge must be transferred from one to the other and requires an open dialogue between the two and a commitment to common goals. Empirical evidence regarding the magnitude of the problem of child abuse in India, with information about parental characteristics, child factors and situational conditions is essential to convince policy-makers and to provide them with the ammunition necessary to recommend the allocation of limited governmental resources to prevention and intervention in the area of child abuse. In addition, existing child welfare policy in India should be translated for implementation not only in instances of societal abuse but also for application to the range of intra-familial abuses to which children are subjected.

Summary

As a social issue that merits interest and intervention, child abuse is in its infancy in India. Professionals from within the country have suggested that there is a need to recognize and empirically validate the extent of the problem. This paper discussed the Indian definition of child abuse, some literature on the subject and implications for human service professionals, researchers and policy-makers. Public awareness campaigns with child advocates may be the initial step in bringing attention to the problem, while research efforts must be directed toward assessing its scope and impact. The call for responsiveness to the issue of child abuse in India was made in 1988 (NIPCCD, 1988), and active investigation and intervention need to begin.

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