

Labelling and Children in Conflict with Law: A Sociological Analysis

Bindhuja Suresh

Research Scholar, Loyola college of social science, University of Kerala

Abstract—This study looks at the social aspects of labeling and how it affects children in conflict with the law (CCL) under the Juvenile Justice (Care and Protection of Children) Act. Based on Howard Becker’s Labeling Theory and Erving Goffman’s idea of stigma, the research investigates how social views, institutional actions, and government systems shape the experiences and identities of these children. Using a descriptive qualitative approach along with some quantitative data, the study relies on interviews with children in government observation and children’s homes in Kerala. It examines how labeling functions on different levels community, family, schools, and state agencies—creating a cycle of exclusion and reinforcing negative identities. The results show that labeling not only changes how the public views these children but also affects their self-image, emotional health, and chances for rehabilitation. The study claims that the current practices in the justice system often maintain stigma instead of breaking it down, resulting in lasting social isolation and fewer chances for reintegration. The research suggests a restorative approach that focuses on removing labels, raising community awareness, and creating inclusive policies. This would help ensure that children in conflict with the law are seen as individuals with rights who can change, rather than as lifelong offenders.

Index Terms—labeling theory, children in conflict with law, stigma, rehabilitation, restorative justice, social reintegration

I. INTRODUCTION

Children in conflict with law represent one of the most vulnerable sections of society. Their encounters with the justice system reflect not only individual behavior but also broader social, economic, and institutional dynamics. From a sociological perspective, deviance and conformity are products of social processes rather than inherent traits.

Labeling theory, advanced by Becker (1963), Lemert (1951), and Goffman (1963), asserts that deviance is

not intrinsic to any act but arises from the labels that society attaches to individuals. Once a person especially a child is labeled as “offender” or “criminal,” that label becomes a dominant identity influencing self-perception and future behavior.

In India, despite the Juvenile Justice (Care and Protection of Children) Act, labeling by families, communities, and state institutions continues to impede the rehabilitation and reintegration of children in conflict with law. This study, therefore, analyzes how labeling operates in their social environment and how it shapes their self-identity and reformation.

II. STATEMENT OF THE PROBLEM

Children in conflict with law are doubly marginalized first by the justice system and again by society. Once branded as “offenders,” their access to education, employment, and community life becomes limited.

Labeling, both formal and informal, acts as a social stigma that isolates them from mainstream society. Formal procedures such as court appearances, detention, or even institutional care often become what Garfinkel (1956) calls “degradation ceremonies” public rituals that redefine identity in negative terms.

Thus, rather than promoting rehabilitation, labeling reinforces exclusion and may contribute to repeated conflict with law. This study seeks to understand the mechanisms through which labeling occurs and its long-term social implications for these children.

III. OBJECTIVES OF THE STUDY

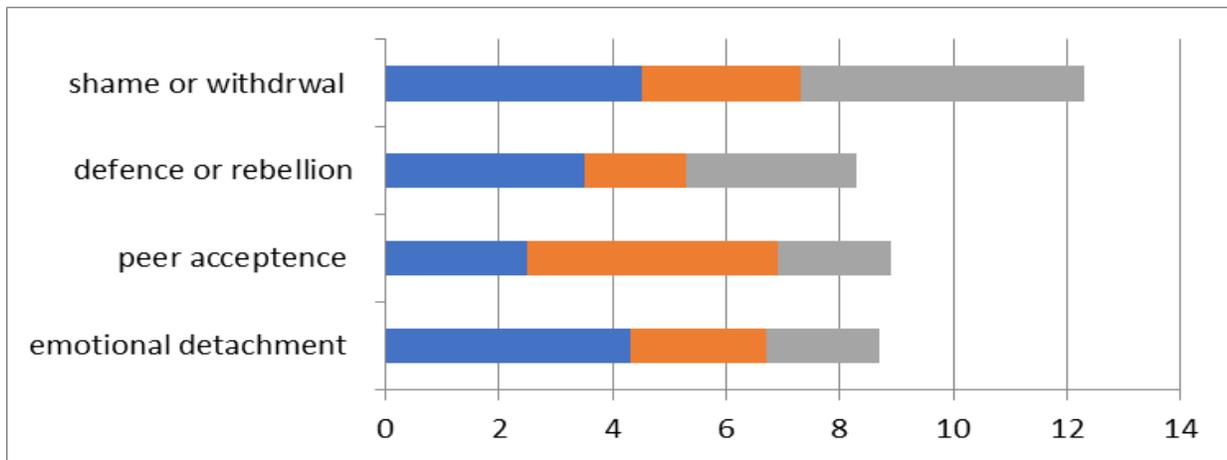
1. To examine the nature and extent of labeling experienced by children in conflict with law.

IV. METHODOLOGY

A qualitative descriptive approach was adopted, supplemented by limited quantitative data. Primary data were collected through semi-structured interviews with 40 children in conflict with law residing in government observation and children’s homes in Kerala.

The interviews explored experiences of stigma, institutional treatment, and identity formation. Secondary data were drawn from government reports, institutional documents, and prior research. Data were thematically analyzed to identify patterns related to labeling and its effects.

V. FINDINGS AND DISCUSSION



5.1 Social Reactions and Community Labeling

Most children in legal trouble (73%) said they had been labeled directly or indirectly by peers, neighbors, and even teachers through verbal abuse, avoidance, or discrimination. Numerous people reported ongoing emotions of guilt, estrangement, and diminished self-esteem. Their immediate social environment's constant negative reactions caused them to feel excluded and emotionally distant.

The data show that labeling affects how people construct themselves internally as well as how they behave externally. When stigmatization occurs repeatedly, people start internalizing the deviant identity that society has forced upon them, creating a self-fulfilling prophecy (Merton, 1948). Secondary deviance (Lemert, 1951), a stage in which deviant behavior becomes ingrained in one's self-concept, was the outcome of this process for many.

It's interesting to note that 27% of respondents who said they were "not bothered" seemed to do so more as a coping strategy than as a sign of true indifference. A psychological defense mechanism to lessen the hurt of social rejection is reflected in this detachment. It is

consistent with the idea of impression management put forth by Goffman (1963), according to which people try to conceal or reinterpret the stigma associated with them in order to preserve their social identity.

5.2 The State as a Labeling Agent

The legal system serves as a potent institutional labeling tool in and of itself. Children are officially classified as "in conflict with law" through the arrest, classification, and institutionalization processes. This official classification has long-lasting effects that penetrate daily social life and go beyond legal limits.

There are two interrelated levels at which labeling functions:

- Formal labeling: implemented through official documents, court rulings, and police reports.
- Informal labeling: shown in gossip, bureaucratic attitudes, and social interactions.

While Emerson (1969) contended that courts typically reinforce rather than neutralize pre-existing community judgments, Bordua (1967) highlighted that labeling can happen both at the level of policy formulation and in interpersonal relations. This dual labeling process limits re-entry into mainstream

institutions and increases social stigma. Findings from this study demonstrate that once a child enters the justice system, reintegration into educational institutions or workplaces becomes exceedingly difficult. The label "child in conflict with law," although legally neutral, carries profound social connotations of criminality and moral failure. This validates Lemert's (1951) distinction between primary deviance (the initial act) and secondary deviance (the deviant identity that emerges from societal reactions). Furthermore, despite being designed for protection and rehabilitation, the bureaucratic procedures frequently resemble punitive justice rather than restorative care. In line with Foucault's (1977) theory of disciplinary power, which holds that control is exercised through normalization and observation rather than harsh punishment, the use of surveillance, documentation, and correctional language institutionalizes stigma.

5.3 The Subjective Meaning of Labeling

Children's subjective labeling experiences vary depending on their resilience, social support, and coping skills. The majority reported severe emotional distress, but a minority also expressed feelings of defiance, using the label as a badge of strength or social recognition within delinquent peer groups. This process is well captured by Goffman's (1963) idea of the "spoiled identity," since labeling changes how kids view themselves and are perceived by others.

Some respondents were less inclined to reenter formal education or the workforce because they linked the label to a loss of future opportunities and dignity. Others developed a sense of injustice and mistrust in social systems as a result of the constant reminder of their "offender" status, which fueled their resentment toward institutions.

It's interesting to note that the few who did experience a brief "status gain" from peer recognition also admitted that it was fleeting and frequently resulted in a deeper entanglement with deviant networks. This bolsters the finding of Thorsell and Klemke (1972) that marginalization is eventually sustained even by "positive" deviant reinforcement.

The labeling process is especially powerful and long-lasting because it is legitimate and follows official, legal channels. Children frequently believe that institutional labeling is unassailable, which serves to further solidify their marginal status. Therefore,

without comprehensive psychosocial support and community reintegration programs, even well-meaning state interventions may unintentionally reinforce deviant identities.

5.4 Institutional Context: Children's Homes and Oversight

The Juvenile Justice (Care and Protection of Children) Act created Children's Homes, which are intended to provide care, protection, and rehabilitation. Testimonies and field observations, however, show that these institutions may inadvertently perpetuate dependency and stigma. Instead of being places for learning and healing, many kids saw these settings as continuations of punishment.

Although officials and employees frequently uphold a welfare-oriented stance, the institutions' rigid procedures and structure more closely resemble correctional facilities than supportive settings. Although frequent inspections are meant to promote transparency, residents frequently view them as intrusive and punitive. This dynamic is a perfect example of Foucault's (1977) idea of "panopticism," in which constant observation turns into a covert kind of control that molds behavior and imposes conformity. Children reported feeling "judged" and "watched" in a number of instances, which impeded the growth of autonomy and trust, two qualities essential to effective rehabilitation. Additionally, it was discovered that the institution's reformative potential was weakened by a lack of reintegration programs, insufficient psychological counseling, and limited vocational training.

From the legal system to community life after release, a continuum of control is established by the interaction of institutional surveillance, bureaucratic processes, and societal suspicion. As a result, rehabilitation is not fully completed, and many kids find it difficult to regain social acceptance once they are released from institutional care.

Transformative rehabilitation models based on community-centered and rights-based frameworks are desperately needed to close these gaps. Instead of just providing custodial care, these should place an emphasis on psychosocial empowerment, skill development, family reintegration, and destigmatization.

VI. CONCLUSION

The study reaffirms that labeling both by society and the state plays a profound role in shaping the identities, behaviors, and life trajectories of children in conflict with law (CCL). Far from being a mere social reaction, labeling operates as a powerful mechanism of social control that perpetuates inequality and marginalization. Once a child is labeled as “in conflict with law,” that identity often becomes a social stigma that restricts their access to education, employment, and meaningful participation in community life. The findings highlight how labeling, whether through formal justice mechanisms or informal community perceptions, transforms the process of rehabilitation into one of re-exclusion.

Institutional structures such as police, courts, and children’s homes though designed for protection and reformation often reproduce structural hierarchies of power and stigma. This dynamic aligns with Foucault’s (1977) idea of surveillance as a form of discipline and Lemert’s (1951) theory of secondary deviance, illustrating how official interventions can unintentionally consolidate deviant identities rather than dissolve them. Thus, the justice system, despite its legal neutrality, inadvertently becomes a social labeling agent that reinforces deviance through bureaucratic procedures and public visibility.

To move toward genuine social rehabilitation, a paradigm shift is necessary from punitive correction to restorative reintegration. The process of de-labeling must become central to juvenile justice reforms. This can be achieved through structured community sensitization programs, family counseling, inclusive education, and media advocacy that promote empathy and social acceptance. Institutions must also adopt trauma-informed care practices, ensuring that interventions are not only legally compliant but also psychosocially supportive.

Moreover, policymakers and social workers should recognize that children in conflict with law are not inherently deviant; they are often products of structural neglect, economic deprivation, family instability, and systemic inequality. Addressing these root causes requires multi-sectoral collaboration between education, welfare, and justice systems.

Finally, this study underscores that social reintegration is not merely a legal obligation it is a moral and sociological imperative. Recognizing the humanity,

dignity, and potential of every child is the cornerstone of a truly rehabilitative and socially just juvenile justice framework. Only when society transcends its stigmatizing gaze can children in conflict with law be empowered to reconstruct their identities, reclaim their agency, and contribute meaningfully to the social fabric.

REFERENCES

- [1] Becker, H. S. (1963). *Outsiders: Studies in the sociology of deviance*. Free Press.
- [2] Bordua, D. J. (1967). Recent trends: Divergence and convergence in sociological theory. *Social Forces*, 46(2), 151–161.
- [3] Emerson, R. M. (1969). *Judging delinquents: Context and process in juvenile court*. Aldine Publishing.
- [4] Foucault, M. (1977). *Discipline and punish: The birth of the prison*. Pantheon Books.
- [5] Garfinkel, H. (1956). Conditions of successful degradation ceremonies. *American Journal of Sociology*, 61(5), 420–424.
- [6] Goffman, E. (1963). *Stigma: Notes on the management of spoiled identity*. Prentice Hall.
- [7] Lemert, E. M. (1951). *Social pathology: A systematic approach to the theory of sociopathic behavior*. McGraw-Hill.
- [8] Merton, R. K. (1948). The self-fulfilling prophecy. *The Antioch Review*, 8(2), 193–210.
- [9] Thorsell, W., & Klemke, L. W. (1972). Labeling theory and juvenile delinquency: An assessment. *Pacific Sociological Review*, 15(3), 385–396.