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"Development of norms concerning object acquisition in 3 to 10 year old children: an observational study"

Theoretical framework

Monika Sujbert

Giving and *taking* are elementary components of human life. The development of *giving and taking* is a fundamental qualification for all cognitive, social and language development. Of course there are also normative components, so the development of possessive behaviour that is already apparent in early childhood is of importance for the further development of moral judgment.

Although research on normative concepts in developmental psychology has a long tradition, the topic of possession from a child's point of view barely touched on.

The present study intends making a contribution to this field using an observational approach to examine the developmental sequence of object acquisition, by analysing normative structures and behavioural norms, which form the basis for the development of legal norms during the course of ontogenesis. The focus is on **lending/borrowing** processes as an example of object achievement by children from the perspective of three different areas: legal science, developmental psychology and human ethology.

Lending /Borrowing is a complex action in which a multitude of conditions and influences are involved, such as the availability of appropriate reasons, certain communications skills, respect for ownership rules and property norms.

Children are unaware of legal norms in the legal sense of course. Nevertheless, they lend, act and do things according to (their own) rules. At a very young age, children already distinguish between *having* and *owning* (Bakeman & Brownlee 1982, Ruff 2001 Bronson, 1981). They know that they are not allowed to take away things that belong to someone else, but toys that belong to the kindergarten are not identified as ownership of one child. They have some knowledge that guides their actions.

Lending/Borrowing entails the participation of two persons, with different roles, typically a person who lends something and another person who wants to borrow something. Thus, as is the case in helping behaviour (Kauke 1996) an imbalance, asymmetry exists in lending/borrowing.

From the legal theory perspective rights are a system of norms, which regulate social life. These are not something physical but rather products of human communication (Koller 1997), a script characterising something that should be.

Legal categories are fundamental to the research project, specifically those *regulating the relationship to objects* (formation of possession and ownership attitudes) and *the relationship to others with regard to objects* (swapping objects).

Lending as a legal category (according to German law [BGB]) refers to the transfer of ownership for a restricted period of time, a bilateral imperfect **contract** (Baumann 1989). A contract is always a bilateral (or multilateral) legal transaction, because it consist two (or more) declarations of intent. Lending is an imperfect contract because one party has rights only, the other only duties. In the case of lending, the lender has rights, because she/he is the owner and the borrower has duties because she/he has to return the borrowed object to the lender.

From a legal perspective mainly three aspects define the process of lending: 1) Once a **contract has been "signed"** (to ask for an object, implies offering to make a contract), 2) the **object is transferred** between the parties. Once the object has achieved its purpose or the pre-defined period for transaction has expired, there is 3) an **obligation to return** the object.

This legal terminology constitutes an abstract level and is the theoretical framework of our project, supplying a systematic system of classification for the behaviour studied, this does however not include a development theory.

From the perspective of developmental psychology, our research analyses changes in the normative structures of lending/borrowing.

From a development theory perspective we assume the development of norms as an increasingly complex construction and reconstruction of the normatively structured social environment, as experienced during social interaction. The active contribution of individuals in their own development and socialization in form of 'productive processing of reality' (Hurrelmann 1989) is emphasized. This is not regarded as a biological process of maturation or an increasing internalization of conventional, moral, legal norms, or a product of certain environmental influences. From a structural perspective the development of norms takes the shape of establishing and transforming cognitive structures, an understanding based in part on theories developed by Piaget (1932; 1954), Selman (1980) and Eckensberger (1999).

Research in developmental psychology has shown that an understanding of rules (which changes continuously of course) develops at a very early stage and that children behave in line with such rules, although they frequently also break them. It was shown that in doing so, children do not simply adopt adult rules, but rather develop an **independent approach** to these rules and their own child-like understanding of them. Groups of children, or interaction among children, play an important role in negotiating their understanding of rules.

Research question

Three research questions were of interest:

- 1) How do children playing in groups get hold of limited objects? What signs utterances and movements do children use when they want to achieve this?
- 2) How do children come into possession of objects? What is the structure of legally relevant processes of interaction?
- 3) What structural changes, processes of differentiation can be identified? Is there a structural developmental trend? What types of object transfer occur frequently?

Method

In order to examine lending actions, 6 groups of girls and boys between 3 and 5 years and aged 6 to 10 years (n=76) were observed and videoed with two fixed cameras. With the permission of parents and teachers a prestructured play situation was enacted in several kindergartens and schools in Frankfurt am Main, Germany.

One group took part in a longitudinal study and were re-examined a year later.

In order to be able to analyse the contract as possible core factor in the development of legal norms play situations was planned, which had to fulfil certain prerequisites:

- The play situation required the participation of several children.
- The children were given things (objects) that were their own and/or communal property.
- The play situation required that the objects had to be given away (loaned) temporarily or that other reciprocal actions had to be taken in order to achieve a predefined goal.

In the play situation a scenario was presented which required that a doll had to be made for a board game. To stimulate bargaining limited resources were made available on a table, which became a communal property, bags of material were handed out, which became the children's individual property. Each bag contained different objects.

23 units of several hours of film material were used for analysing of behaviour sequences in which these behavioural lending patterns occurred.

In line with human ethological tradition: Behavioural participant observations

The social context that forms the basis of our research is defined by preexisting legal structures, by possession and ownership, contracts, the acquisition and exchange of objects.

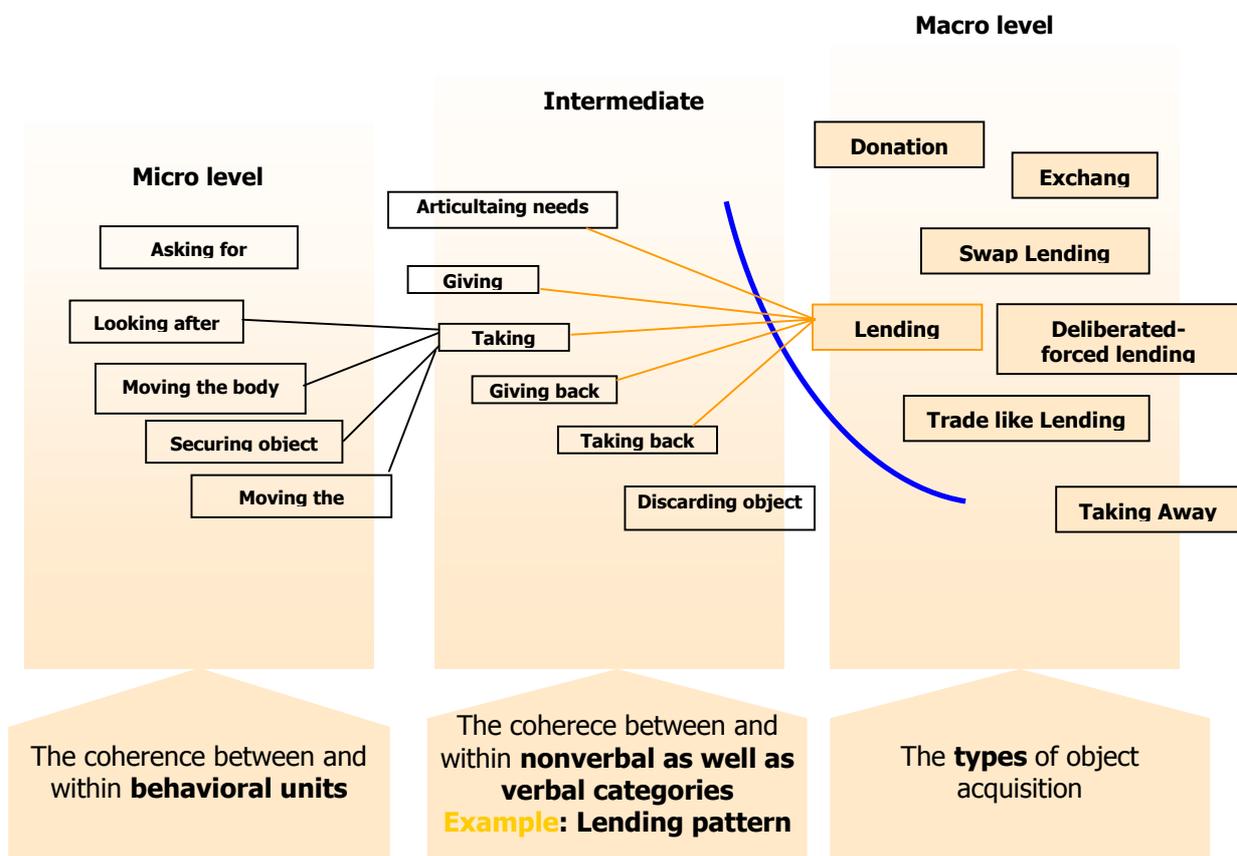
Human ethology has engaged in research in this field since '60er, studying human behaviour particularly with children (Children ethology).

From a human ethological perspective possessive behaviour and changes that take place during the course of ontogenesis are differentiated and analyzed (Cranach 1982, Stanjek 1980). The term possessive behaviour refers to behavioural forms entailing attempts to control social acquisition, use and application of an object, and imply processes involving the acquisition and transfer of possessions. It comprises finding, taking away, lending, buying...etc. (Grammer 1988).

Analysis of children's lending behavior

Especially with respect to the process of practical bargaining and similar actions we wanted to identify the forms and behavioural patterns of lending that can be observed in the actions of children, whether these structures are similar to the law, and whether it is possible to identify processes of differentiation (Weyers 2003).

The levels of analysis



Behavioural research uses so-called macro level. At this level complexes of behavioural pattern, that compose different individual behavioural forms are analysed. Other studies analyse individual units at micro level, with the help as customary of an ethogram in ethology, documenting all individual behavioural units (Forster 2000)

In according to Forster in our study were used in addition the method of macro and micro level, an intermediate level to improve the analyses of legally relevant structures (Forster & Bezgorov 2002).

This approach allows the analysis of the three research questions at different levels:

The micro level, applies to the first question: "What signs utterances and movements do children use when they want to lend and borrow something?" The intermediate level to the second: "How do children come into the possession of objects?", and the macro level to the third question "What structural changes, processes of differentiation can be identified?"

The presentation of results will also follow this sequence.

The steps of analyses

The evaluation was based on **sequential analysis**. As a first step in the analysis, all legally relevant behavioural sequences were identified in the overall behavioural flow, and all sequences involving lending or similar transfers were extracted.

Legal science defines three main characteristics of the lending process:

a) Contract/Promise

b) Acquisition of the object

c) Return

The lending action from the legal perspective can be described as follows:

Borrower offers a contract for the loan	Lender accepts a contract for the loan	Transfer of possession from lender to borrower	Confirmation of possession (=transfer) by the borrower	Return of possession by the borrower	Acceptance of return of possession by the lender
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The video material was examined to pinpoint these specific characteristics in the children's actions and subsequently analyzed at three (micro, intermediate and macro) levels.

In order to describe these behaviours, a behavioural catalogue, the Ethogram was developed that contains all interpretational units, or action steps that occurred in the relevant video recordings. A detailed description of the whole behavioural sequences is possible with the help of these behavioural units. At this micro level we analysed the coherence between and within behavioural units, like 'looking after object' or 'moving the body' or 'asking for object', of all the verbal and non-verbal action steps that we observed and defined (Sujbert 2003a)

With the help of superordinate categories, the process of lending can be described using the following action steps at an intermediate level – from a human ethological perspective: The lending process as a unit is composed of five steps: 'articulating needs', 'giving the object', 'taking the object', 'giving the object back' and 'taking the object back' (accepting the return of the object).

Child A, the borrower; Child B, the lender

Child A Articulating need	Child B Giving the object	Child A Taking the object	Child A Returning the object	Child B Accepting the return of the object
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The steps of lending: behaviour at intermediate level with help of superordinate categories.

At the intermediate level we analyzed the coherence between and within behavioural as well as verbal patterns.

At macro level during our research we found another types of acquisition as well, such as donation, exchange, taking away, however we focused exclusively on lending and other patterns of a lending kind.

Results based on the behavioural categories at micro level

The evaluation at micro level involves the quantitative and qualitative analyses within and between the behavioural units. In the following some units with specific attributes are described.

One crucial category of typical lending action is the 'asking for object'. This is a verbal or non-verbal kind of articulation, which expresses a personal need or wish to acquire something "missing or needed" in situations. Throughout the entire study three kinds of articulation of need were identified. The first form involves the verbal articulation without a target person, and serves the purpose of self-stimulation (interpretative), aimed at no one specific. The second form involves unspecified, implicit verbal articulations aimed at several persons (which can possibly be understood as a contract on the part of the borrower). The third form involves specific, explicit verbal articulations (which can be interpreted as a contract, and corresponds to the legal "offer") aimed at one or several persons. Although all three forms can be observed between the ages of 3 and 10, the "self-stimulating articulation" declines considerably with increasing age. At kindergarten age the behavioural unit 'securing the object' is clearly visible as a means of emphasizing legitimate claim to object; it declines in importance, however, at day nursery age. Non-verbal categories are "replaced" by verbal expressions as the children grow older.

Results based on the behavioural patterns at the intermediate and macro level: The lending process and other behavioural patterns of a lending kind

The frequency and combination of the behavioural categories allows the analyses of lending process at intermediate level.

In the course of development between the two points of observation in the longitudinal study lending actions in the form of taking away become more prominent. The action sequence usually begins with the articulation of a need "can I have your scissors" (forms I and II), which would point to the fact that 3 to 5 year-olds are already able to recognize ownership of objects, property is respected. There are a multitude of subsequent behavioural strategies relating to lending actions.

In later kindergarten years lending actions are observed, which already show a strong similarity to what is meant by legal loan contract. They contain the contractual aspect of change of ownership and return. The children conclude "contracts" in a variety of ways, and use different strategies in their actions. Actions of taking away dominate at kindergarten age; the child simply takes the required object. Although children often verbalize their needs "I need a pair of scissors", whilst looking straight ahead, these actions do not have the "nature" of lending. Rather this kind of verbal utterance has a function of control of the action. The study shows, that this kind of verbal control advanced problem solving in kindergarten age (Oerter 1995).

Only when the child - whether first having said something similar (or not) - wilfully takes the needed object and gives it back after he or she has finished using it, these actions contain an important characteristic of lending: The return.

At the macro level three strategies of negotiation based, in principle, on reciprocity (giving and taking) were identified, which possesses one or more of the characteristics of lending. One of them does not set conditions, the other two do.

The three different structures of lending, in order of complexity and degree of dynamic are:

At kindergarten age we observed swap lending, which has all the characteristics of lending. The children lend things to each other simultaneously (sometimes without verbal communication), and concluding

two contracts at the same time. Child A (5y; 9m): "Can I have your glue?" Child B (6y; 1m): "Can I have your scissors?" Subsequently they swap the objects, giving them back again when they have finished using them. The transaction giving and taking take place simultaneously from hand to hand, without conditions.

With deliberately-enforced lending an object is lent with pleasure, but in doing so, the borrower agrees to also lend something should the lender need something at a later date, because a third person becomes involved in the disagreement, for example (a member [5y; 2m] of this group) telling (enforced) a little girl who did not want to lend anything: "If you don't give anything you won't get anything in return. That's how it is." There is no situational relevance and a large time lag is possible.

The most complex structure is the trade-like lending. With trade-like lending, the children from whom something has been borrowed want a trade-off – something in return for the loaned object – even if they don't actually need it. Only then are they willing to give the other child their object. Child A (6y; 9m): "Can I have your glue?" Child B (7y; 9m): "What will you give me for it?" Some time lag is possible in this transaction.

These actions are not always performed without friction among the children. They know the ownership norm. When object conflicts arise they not only defend their own (property) but also the communal object (possession). In such conflicts children revert to issues of "rights", such as rules ("that's not allowed", "you didn't ask"), order ("I asked first"), reward for effort ("I fetched it"), or prior possession ("I had it first"). These characteristics were observed both in the longitudinal and the cross-section surveys.

Reflections on the legal dimensions of property & possession and contracts

Property & Possession

Our research shows that ownership norms are already well developed at kindergarten age. Children differentiate between to have (possess) and to own property. A bag with all the objects in it that had been given to a child, belongs to that child and he or she has unlimited access to it. Property owning is acknowledged and (with exceptions) accepted by the other children. Proprietary rights of disposal of property are exercised: "you have to ask!" or "you can have it but don't give it to anyone else!" When object conflicts arise, children defend their proprietary rights and convictions.

By the same token communal property is also defended with reference to the previous owner.

The ability to conclude contracts (in personam) requires respect for the possession norm (in rem), i.e. the ability to formulate terms of ownership.

Our study shows that actions of taking away dominate among very young children, verbal signals replacing affective signals as they grow older as their bargaining and testing actions become more differentiated.

At the age of 4 children already execute lending actions that are very similar to the legal interpretation of lending. However unilateral lending is often negotiated as a bilateral issue, i.e. two children conclude mutual contracts for the loan. The swapping approach requires mutual obligation between giving and taking. The study shows that giving and taking can take place simultaneously from hand to hand (without verbal support) or after a time lag. A larger time lag between two actions presupposes the ability to anticipate other people's behaviour. In this case services not objects are being swapped (5y3m). Both the cross-section and longitudinal studies show that children strive to fulfil their needs for services and objects in a balanced (reciprocated) manner.

By the development and accrual of object related legal norms, variables like gender, age, status, friendship, confidence takes a central position.

Because our results show that during the play one and the same child uses different strategies of lending - negotiation based as much as the unilateral lending - the analyses in a next step will focus on social contexts depending on these variables.

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