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INVISIBLE WOUNDS OF CHILDHOOD: A SOCIO-LEGAL ANALYSIS OF PARENTAL MARITAL CONFLICT AND GAPS IN CHILD PROTECTION LAW IN INDIA

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ABSTRACT

Children who witness parental marital conflicts often go through psychological and emotional distress, although they might not be the direct victim of the physical aggression. Such experiences are here mentioned as invisible wounds which means the harm that is not quietly visible on the surface but experienced by children who repeatedly witness domestic disputes within the family setup. Though there has been widespread recognition of the negative impact of parental fights just in custody cases, yet the existing legal framework of India do not cover those children who experience trauma as a result of witnessing constant disputes between parents. The paper examines the socio-psychological impact of parental marital disputes on children and evaluates the adequacy of legal framework of India in protecting these children. The paper is based on doctrinal analysis of legal statues along with empirical investigation. The legal analysis focuses on juvenile justice act, protection of women from domestic violence act. The empirical data is conducted on 59 respondents through structured questionnaires and analysed using descriptive statistical methods. The finding show that a large number of respondents had witnessed disputes between parents and admitted emotional consequences such as fear, anxiety, sadness and difficulty concentrating in school. The result reflected that being highly exposed to marital conflicts of parents can affect children wellbeing, social relationship and academic performance. The study argues that existing legal framework largely focuses on physical abuse while it fails to recognise the psychological harm experienced by children who witness domestic conflicts. The paper highlights a socio-legal gap in the protection of children who are exposed to parental marital conflicts. It emphasizes the need to expand the definition of children in need of care and protection and recommends the scope of child protection laws to include children who are persistently affected by parental conflicts.

KEYWORDS: Invisible wounds, child protection laws in India, domestic violence and child welfare, children witnessing parental conflict.

1. INTRODUCTION

Families are generally seen as the most important institutions for raising, protecting, and helping children. In an ideal world, the home should provide the mental safety and consistency needed for good growth. However, for many children, the home life becomes a place of constant stress when their parents are constantly fighting with each other. Exposure to constant verbal and emotional abuse, threats, and hostile interactions between parents can leave children with deep psychic scars, even if they are not directly hurt physically. Children who quietly watch domestic violence in their homes suffer what might be called "invisible wounds"—psychological and mental harm that is not always seen or recognized. Children who go through these kinds of terrible things are often seen as silent witnesses to family fights instead of people who are going through a lot of mental pain.

A considerable amount of research in the fields of psychology and sociology has established that children's emotional and behavioral development can be profoundly influenced by their exposure to parental conflict. Research conducted by E. Mark Cummings and Patrick T. Davies highlights that persistent marital conflict adversely affects children's emotional security, potentially resulting in anxiety¹, behavioral issues, and social maladjustment. In a similar vein, findings by Paul R. Amato indicate that children who grow up in high-conflict environments frequently encounter enduring challenges in their interpersonal relationships and overall mental health². Additional research conducted by scholars including Frank D. Fincham and John H. Grych has elucidated the notion that ongoing inter-parental hostility can significantly influence emotional insecurity, internalized distress, and the manifestation of aggressive behavior in children³. Archana Dogra the creator of the book "Marital Discord and Family Pathology Impact on Children" said that exposure of Children to varied levels of

marital discord in their parents have been found to be related to behavioural and emotional problems in them. Evidence supports that more frequent the conflict, the more increased are the behaviour problems in Children⁴. The author emphasised marital conflict and parental rejection of the Child and parent aggression toward the Child are important factors in Childhood depression⁵. The findings from these studies suggest that experiencing domestic conflict is far from neutral; it poses a considerable developmental risk that can influence children's mental health well into their adult years. Sarah Muscroft, Human Rights Yearbook "The Rhetoric and reality of the Children Rights". According to Author, laws, schemes, rules, conventions, remained only on print on pieces of paper, because they are not turned into reality. In order to make "India fit for Children" all members of society have to ensure that we will put Children first, care for every Child, and leave no Child behind⁶.

It is a shame for the society that leaves a child isolated and then trusts him with the most important task that is working for the development of that country⁷. Children who have been abused while growing up are socially destructive and specially they went on their own children all the violence and aggression that their parents reflected on them⁸. Author states that often a woman is asked the question when she face domestic violence by the husband, but the same question is never asked to child who witnesses domestic violence of their parents As children do not have the choice or option of leaving that environment⁹. People as parents must be supportive in their parenting role, as they have the potential to avoid generational transmission of neglect and abuse¹⁰

While a lot of study has been done on the psychological effects of parental conflict and domestic violence on children, not much has been done on how these experiences are recognized legally in child protection systems. Indian laws primarily focus on tangible harm: abuse, neglect, and

¹ E. Mark Cummings & Patrick T. Davies, *Marital Conflict and Children: An Emotional Security Perspective* (2011).

² Paul R. Amato, *The Impact of Family Formation Change on the Cognitive, Social, and Emotional Well-Being of the Next Generation*, 15 *Future Child*. 75 (2005).

³ Frank D. Fincham & John H. Grych, *Does Marital Conflict Cause Child Maladjustment? Directions and Challenges for Longitudinal Research*, 8 *J. Fam. Psychol.* 128 (1994).

⁴ Albert R. Roberts, *Handbook of Domestic Violence Intervention Strategies: Policies, Programs, and Legal Remedies* (2002).

⁵ Anju Dogra, *Marital Discord and Family Pathology Impact on Children* (1999).

⁶ Sarah Muscroft, *Save the Children: The Rhetoric and Reality of the Children Rights* (2022).

⁷ James Wootton, *Domestic Violence and Substance Abuse*, 10 *J. Addictions Nursing* 133 (1998).

⁸ Mary E. Ballard & E. Mark Cummings, *Response to Adults' Angry Behavior in Children of Alcoholic and Non-alcoholic Parents*, 151 *J. Genetic Psychol.* 195 (1990).

⁹ Anne E. Appel & George W. Holden, *The Co-occurrence of Spouse and Physical Child Abuse: A Review and Appraisal*, 12 *J. Fam. Psychol.* 578 (1998).

¹⁰ E. Mark Cummings, *Coping with Background Anger in Early Childhood*, 58 *Child Dev.* 976 (1987).

physical injuries¹¹ The emotional toll of parental conflict on children often goes unaddressed within the legal framework. The absence of legal recognition for emotional harm underscores the necessity for a socio-legal analysis that combines empirical evidence with a review of current child protection legislation. This study is directed by the principle of prioritizing the child's best interests, which serves as the foundation of contemporary child protection law. The discussion regarding international child protection is increasingly acknowledging that children may experience considerable psychological harm not only from direct abuse but also from exposure to harmful domestic environments¹². Ongoing parental conflict can lead to emotional insecurity, anxiety, and enduring developmental issues for children (Harold, Osborne, & Conger, 1997). This framework emphasizes the obligation of the legal system to tackle both physical violence and the psychological harm suffered by children who observe domestic conflicts. This principle is evident in international instruments like the Convention on the Rights of the Child, which underscores the obligation of states to safeguard and promote the welfare of children in all situations. This study utilizes a theoretical framework to investigate the adequacy of current legal mechanisms in India in recognizing and addressing the emotional harm experienced by children who witness parental marital conflicts. The psychological impacts of parental conflict have been thoroughly examined within interdisciplinary research; however, legal discussions have predominantly centered on the direct victims of domestic violence, especially adult partners. Legal frameworks that address domestic abuse often focus on overt forms of harm, such as physical violence, resulting in the psychological experiences of children who observe these conflicts being relatively overlooked.

Meanwhile, the Juvenile Justice (Care and Protection of Children) Act, 2015 sets forth procedures for identifying and supporting children requiring care and protection. Various statutes are in existence within the Indian legal framework to address issues related to domestic violence and child protection. The Protection of Children from Sexual Offences Act, 2012 is designed to protect children from sexual exploitation and abuse. The Protection of Women from Domestic Violence Act, 2005 provides a comprehensive definition of domestic violence,

which includes verbal and emotional assault. However, these legal frameworks primarily concentrate on situations that result in direct harm to children and do not explicitly recognize children who are the victims of psychological abuse as distinct from those who are subjected to continuous parental conflict. Consequently, the emotional scars that these children endure are primarily beyond the scope of legal protection.

The fact that these "invisible wounds" are not properly recognized by the law demonstrates a larger problem between the way laws are established and the research that is conducted in a variety of sectors. Studies in psychology and sociology have shown over and over that seeing domestic violence is bad for you, but the law still treats these situations as private family issues unless there is clear physical violence. Because of this, a lot of the legal research that has been done so far has focused on either extreme types of child abuse and neglect or violence against women in the home. There is a group of children who are not subjected to physical abuse or abandonment, but who are continually exposed to fights between their parents and, as a consequence, suffer from long-term mental trauma. No significant attention has been dedicated to this group of children. This gap is highly important because it makes the emotional anguish that children go through in these situations appear less essential. This is especially true in nations where marital issues are considered to be regular features of family life. Considering these concerns, the present study seeks to examine the relationship between parental marital conflict, children's psychological well-being, and the adequacy of existing legal protections in India. A number of objectives are being pursued by the study.

- In the first place, it examines the existing legislative system that governs child protection in India, specifically with regard to children who are exposed to family strife.
- Secondly, it examines the research from a variety of fields about the psychological and developmental effects of being a witness to family disagreements.
- Thirdly, the research combines empirical insights by means of interviews performed with sixty children.

The purpose of these interviews is to gain a deeper understanding of how young people themselves perceive and experience marital conflict inside their

¹¹ Katharine Covell & Rona Abramovitch, *Understanding Emotion in the Family: Children's and Parents' Attributions of Happiness, Sadness, and Anger*, 58 *Child Dev.* 985 (1987)

¹² Elizabeth A. Vandewater & Jennifer E. Lansford, *Influences of Family Structure and Parental Conflict on Children's Well-Being*, 47 *Fam. Rel.* 323 (1998).

own households. Finally, the study aims to identify the doctrinal and institutional gaps that prevent existing legal frameworks from adequately recognising and addressing these invisible forms of harm. The study emphasizes the shortcomings of current legal definitions of abuse and child protection by combining socio-legal analysis with empirical insights from children lived experiences. Identifying the "invisible wounds" endured by children exposed to domestic conflict is crucial for establishing a more child-centric legal framework that emphasizes emotional well-being in conjunction with physical protection. This acknowledgment is essential to enhance child protection systems and to guarantee that the legal system truly adheres to the premise of the child's best interests. The Children are not provided with enough protection by the states from abuse, mistreatment, exploitation and violence they are subjected to (Vandewater & Lansford, 1998). With a weak law system, it is not possible for them to come out and seek justice. The real cause behind the prevalence of this evil in the society is the stigma and fear it carries with itself. The fear of remaining silent is insisted in Children since birth sometimes by their own families, and later from the society they live in and instead of fighting for injustice happening with them they choose to stay silent out of fear of repercussions they have to face if they opened their mouth. Not only this sometimes the victims are blamed more than the wrongdoer, but this attitude also has to be discouraged only then it might be possible the victim to come out and seek help in need of hour.

In USA, California Penal Code defines who is considered a "mandated reporter" in California. These are individuals who, due to their profession or position, are legally required to report suspected child abuse or neglect to the appropriate authorities. The primary goal of this regulation is to protect children by mandating that professionals who may observe child abuse or neglect report it. The purpose of this required reporting system is to guarantee that children who are subjected to abuse receive prompt assistance and intervention. The reporting of child abuse and neglect is covered by Section 110 of the South African Children Act No. 35 of 2005. It describes the obligations of specific people as well as the steps that should be taken when there are good reasons to believe that a child needs care and protection. A wide range of professionals are required by the Act to report any suspicions of child

abuse or neglect. This comprises, but is not restricted to: Physicians, nurses, and other medical professionals; Dentists Psychologists, social workers, educators, religious leaders, correctional officers, and police officers. If these people have good reason to suspect that a child has been abused, neglected, or otherwise in need of care and protection, they must report it. In Australia Mandated reporters are required to report if they have reasonable grounds to suspect that a child: Has been or is being abused or neglected; Is likely to be abused or neglected; Is an "affected child" under the Family Violence Act 2004 (meaning they have been exposed to family violence)."

At the international level, child safety frameworks are becoming more aware of the need to deal with the psychological harm children face in their own homes (Vandewater & Lansford, 1998). International human rights agreements say that all kinds of violence, neglect, and mental harm should not happen to children¹³. The presence of constant conflict between parents has been identified as a type of bad family setting that can hurt children' emotional and social growth¹⁴. These events show how important it is to check if the law systems in our own countries properly meet the needs of children who are going through mental distress because their parents are fighting.

2. METHODOLOGY

The present study employs a socio-legal research design, facilitating the integration of doctrinal legal analysis and empirical investigation. The doctrinal element of the paper focuses on an exhaustive examination of statutory provisions, judicial interpretations, and legal principles related to the safeguarding of children and the deterrence of domestic violence in India. Simultaneously, the empirical component seeks to comprehend the lived experiences of individuals who encountered parental conflicts during their youth, along with the psychological and societal ramifications that have emerged from such exposure. The objective of this research is to assess whether the current legal framework sufficiently recognizes and addresses the "invisible wounds" endured by children raised in conflict-ridden households. This is achieved by combining legal reasoning with empirical evidence.

In Punjab, India, the empirical part of the study was done in certain educational institutions and the community areas. Participants in the study who were

¹³ UNICEF, State of the World's Children: Celebrating 20 Years of the Convention on the Rights of the Child (2009).

¹⁴ Mary Bruce Webb, Child Welfare and Child Well-Being: New Perspectives from the National Survey of Child and Adolescent Well-Being (2010).

18 years old were asked to think about what it was like to see their parents fight while they were children. People in this age range were chosen because they are legally adults and can give well-informed answers. They can also remember and talk more clearly about their childhood memories. By not directly surveying children, this method let the researchers get accurate data without the ethical problems that come with doing so. The study is cross-sectional because the subjects' information was gathered at a single point in time to show what they knew and thought about parental conflicts when they were children.

The people who took part in the study were chosen using a method called "purposeful sampling." This way of picking participants was thought to be good because the study wanted to get information from people who had direct experience with or seen parental conflicts in the home. There were 59 people who took part in the research study. The group included people from a range of socioeconomic backgrounds, which allowed the study to get a lot of different points of view on how parental marital conflicts affect children's mental health and social lives.

During the whole study process, ethical concerns were carefully watched. The people who took part in the study were 18 years old, so they were able to give their own permission to take part. As a result, written informed consent was received directly from the participants before the questionnaire was sent out. The people who took part in the study were told what the research was about, that they were not required to take part, and that they could quit at any time. Responses were kept absolutely private and anonymous, and no information that could be used to identify a person was gathered. The questionnaire included closed-ended questions about several aspects of family conflict, such as the frequency and nature of parental arguments, the child's emotional reactions, the impact on academic performance and relationships with parents, and stress-management strategies.

The process of gathering data was well-planned and organized. After getting the appropriate permissions, the participants were approached in community and educational settings and told what the research's goals were. The subjects were given the questionnaire and were given enough time to fill it out on their own. The researcher stayed available to answer any questions or clear up any confusion, and they made sure that the answers were not skewed in

any way. Once they were done, the surveys were collected and made ready to be analyzed. Codes were assigned to the responses to the questionnaires, and IBM SPSS Statistics was used to do the analysis. It was determined through the use of descriptive statistics, such as frequency distributions and percentage analysis, that there were patterns in the manner in which children emotionally responded to parental conflict, how their behavior altered as a result of the conflict, and how they dealt with it.

The doctrinal study is based on secondary sources. The primary legal materials analyzed consist of statutory provisions related to child protection and domestic violence in India, specifically the Juvenile Justice (Care and Protection of Children) Act, the Protection of Women from Domestic Violence Act, the Protection of Children from Sexual Offences Act, and the Bharatiya Nyaya Sanhita. Statutory definitions, legislative intent, and judicial interpretations are examined to identify gaps in the current legal framework. The study utilizes doctrinal and analytical methods to assess the effectiveness of current legal provisions in recognizing the psychological damage experienced by children who witness parental conflicts. Furthermore, the empirical component is based on a sample of sixty participants, which may not fully represent the experiences of all children across diverse socio-cultural contexts in India. Still the findings highlight the need for stronger legal recognition of these children who suffer from overlooked invisible wounds.

3. RESULT

3.1 Doctrinal study

The United Nations General Assembly approved the Convention in 1989. The main goal of the United Nations Convention on the Rights of the Child was to provide extra security and support to children around the world who are dealing with difficult situations. According to Article 3, which addresses the best interests of children, the welfare of children must always come first in all decisions involving them. Article 21 of the Indian Constitution is about Right to life and personal liberty. This right is taken away from children who see domestic violence. Being around conflict and aggression all the time is bad for their mental health and can have serious and long-lasting effects on their mental and emotional health. The Indian Constitution's Article 21 guarantees the Right to Life and Personal Liberty¹⁵. While its main goal is to protect people from

¹⁵ The Constitution of India, art. 21.

government interference, it also protects people's overall health, including their mental and emotional health. There are many ways that children can have their Right to Life and Personal Liberty violated when they see their parents fighting. For children to grow up healthy and happy, they need a stable and caring environment. Being in conflict all the time hurts their emotional and mental growth.

According to Section 2(12) of the Juvenile Justice (Care and Protection of Children) Act, 2015, a child is "a person who has not completed eighteen years of age"¹⁶. Section 2(d) of The Protection of Children from Sexual Offences Act, 2012 defines a child as "any person below the age of eighteen years." The Protection of Women from Domestic Violence Act, 2005 (PWDVA), defines domestic violence very well in Section 3 (The Protection of Women from Domestic Violence Act, 2005, s. 3). This section broadly defines domestic violence to include harms or injures or endangers the health, safety, life, limb or well-being, whether mental or physical, of the aggrieved person or tends to do so and includes causing physical abuse, sexual abuse, verbal and emotional abuse and economic abuse; or harasses, harms, injures or endangers the aggrieved person with a view to coerce her or any other person related to her to meet any unlawful demand for any dowry or other property or valuable security; or has the effect of threatening the aggrieved person or any person related to her by any conduct mentioned in clause (a) or clause (b); or otherwise injures or causes harm, whether physical or mental, to the aggrieved person. In Section 3, Explanation I gives more information about the different kinds of abuse: Verbal and emotional abuse includes insults, ridicule, humiliation, and name-calling, especially when the person doesn't have a child or a male child. This definition exists for the aggrieved person (women), but the law often doesn't see children as secondary or indirect victims of these kinds of conflicts, especially when the child isn't hurt directly. Sections 3(a) and (d) specifically talk about mental or physical health and "otherwise injures or causes harm, whether physical or mental." This is the best legal reason to recognize psychological harm in a home setting. Explanation I (verbal and emotional abuse) goes into more detail about things that can hurt someone's mind, like insults, humiliation, and threats. Section 120 of the Bharatiya Nyaya Sanhita (2023) says that harm can be mental or psychological, and Section 121 of the same statute says that hurt can also be mental or psychological¹⁷. The Juvenile Justice

(Care and Protection of Children) Act, 2015, does not explicitly define psychological harm. Invisible Wounds is a conceptual term, often unacknowledged, referring to non-physical forms of psychological, emotional, and developmental harm that children suffer due to their exposure to domestic conflict.

3.2 Empirical study:

Table 1: Gender wise distribution of Respondents

Gender	Frequency	Percentage
Boys	32	54.2%
Girls	27	45.8%
total	59	100%

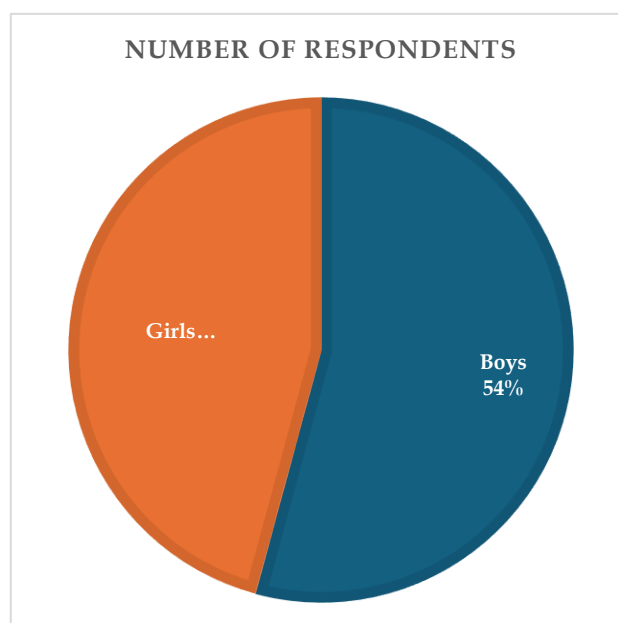


Figure 1: Gender distribution of respondents

There were 59 people that took part in the study. Table 1 and Figure 1 show the gender breakdown of the participants. The findings show that 32 of the respondents (54.2%) were Boys and 27 of them (45.8%) were Girls. The fairly even split between boys and girls makes the results more reliable by making sure that both men and women are represented.

One of the main goals of the study was to find out if children had seen their parents fight about their marriage. Table 2 and Figure 2 reveal that a large number of people who answered the survey said they had seen their parents fight.

Table 2: Children's Exposure to Parental Marital Conflict

Response	Frequency	Percentage
Yes	49	83.1%
No	10	16.9%
Total	59	100%

¹⁶ Juvenile Justice (Care and Protection of Children) Act, 2015, s 2(12).

¹⁷ Bharatiya Nyaya Sanhita, 2023, s 120.

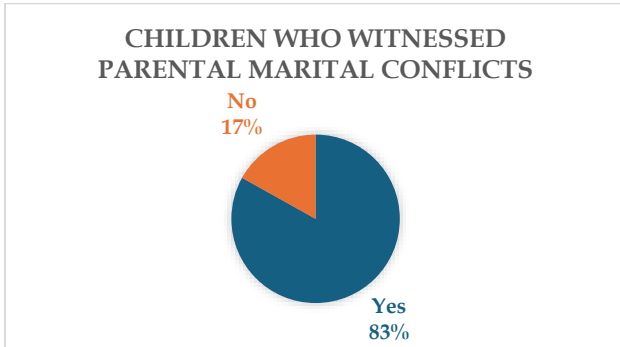


Figure 2: Exposure of children to Parental conflict

The results show that 83.1% of the people who answered had seen their parents fight, which means that children often see their parents' fight. This substantiates the assertion that numerous children endure what might be characterized as "invisible psychological harm," which frequently goes unacknowledged inside legal protection systems.

Table 3: Frequency of parental arguments witnessed by children

Frequency	Frequency	Percentage
Frequently	28	47.5%
Occasionally	18	30.5%
Rarely	13	22.0%
Total	59	100%

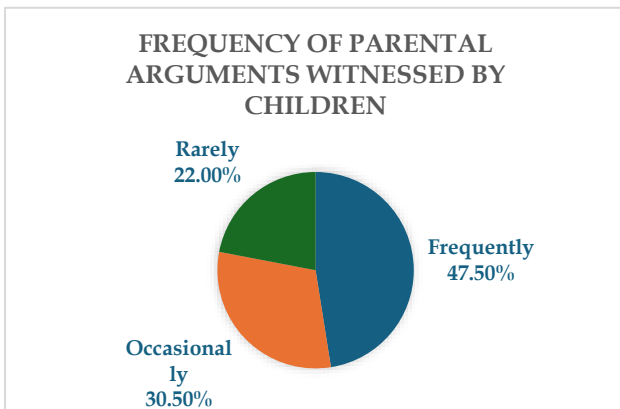


Figure 3: Frequency of parental arguments

When asked about the frequency of parental arguments, 47.5% of the respondents reported they witnessed it frequently, whereas 30.5% said occasionally and 22% admitted they rarely witnessed it.

Table 4: Emotional Reactions of children to parental conflicts

Reaction	Frequency	Percentage
Anxious	34	57.6%
Sad	29	49.2%
Angry	25	42.4%
Scared	38	64.4%
Trouble sleeping	19	32.2%
Headache/Stomach pain	14	23.7%

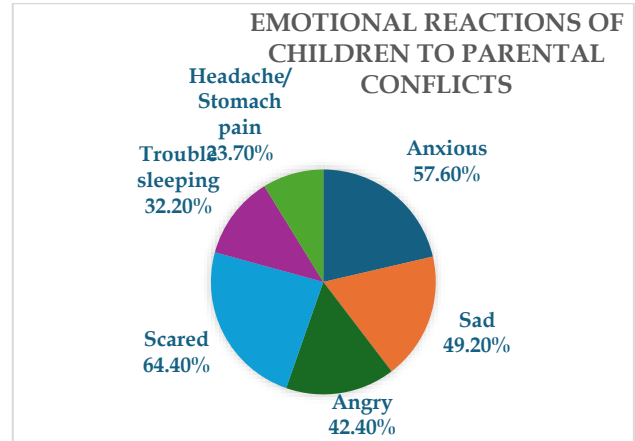


Figure 4: Emotional Reaction of children

The results show that 64.4% of those who answered said they felt scared and 57.6% said they felt anxious when they saw adult arguments. While 49.2% reported sadness, 42.4% felt the emotion of anger, 32.2% had trouble sleeping and 23.7% had headache and stomach pain. Children can experience serious emotional and mental effects after being around marital arguments, as shown by these findings.

Table 5: Impact of parental Conflict on Academic Performance

Academic Impact	Frequency	Percentage
Difficulty concentrating	27	45.8%
Trouble homework	22	37.3%
Grades declined	18	30.5%

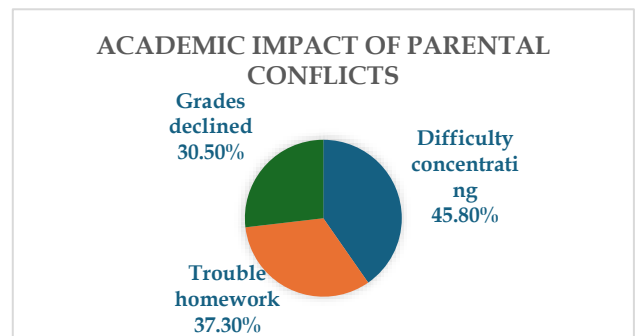


Figure 5 Academic Impact of Parental Conflicts

The results show that 45.8% of those who answered had trouble focusing on class and 37.3% had trouble doing their homework. These results show that parental conflict has a bigger effect on children's academic interest and performance.

Table 6: Coping Mechanism adopted by Children

Coping Mechanism	Frequency	Percentage
Talking to friends	23	39.0%
Playing sports	21	35.6%
Listening to music	19	32.2%
Drawing	12	20.3%
Seeking help	15	25.4%

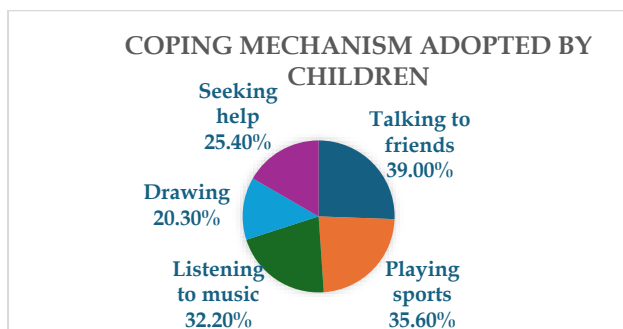


Figure 6: Coping mechanism adopted by child

The results show that 39.0% of those who answered deal with worry by talking to friends, while 35.6% do sports or other physical activities. However, only a small percentage of children seek official help from teachers, counselors, or family members. This suggests that there aren't enough institutional support systems for children who are affected by domestic violence.

4. DISCUSSION

The empirical results of this research reveal that many respondents reported feelings of fear, sadness, and difficulties concentrating in school when exposed to parental conflicts. These results add to the growing amount of research that shows children can experience serious emotional effects from seeing domestic violence, even if there is no direct physical violence. Based on the results of this study, a lot of children are exposed to their parents' marriage problems and go through a lot of different mental and emotional effects as a result. 83.1% of those who answered said they had seen their parents fight, which shows that children often see domestic violence. Previous studies in child psychology and family studies have shown that children who see their parents fight are more likely to have mental problems, anxiety, and behavior issues. This new finding backs this up. Scholars have long said that children who are exposed to parental arguments, even if they are not directly involved, may experience long-lasting psychological effects that may affect their social growth and relationships with other people.

The psychological reactions documented by the participants in this study underscore the psychological effects of parental conflicts. A significant number of children expressed experiencing fear, anxiety, sadness, and anger when observing these disputes. The findings are consistent with previous empirical studies indicating that children exposed to domestic conflict frequently exhibit symptoms of stress, insecurity, and emotional instability. In child development literature, these

experiences are referred to as "invisible wounds," highlighting that the psychological harm endured by children who witness domestic violence or marital discord frequently goes unrecognized and unaddressed by legal and institutional systems. The notion of invisible harm holds significant importance in socio-legal studies, as the lack of observable physical injury often results in the oversight of children's psychological well-being within legal discussions.

Additionally, the research shows that parents marital problems may have major effects on children's schoolwork and social growth. A lot of people who answered said they had trouble focusing in class and doing their homework. This suggests that mental stress from family problems may make people less interested in learning. Previous study in the field of educational psychology has also found children who are around family arguments often do worse in school, have trouble focusing, and miss more days than their peers. These results show that domestic violence has effects outside of the home and may have an impact on children's future school and social outcomes. Therefore, the findings of this study indicate that there is a significant gap in both social and legal perceptions regarding the treatment of children who are impacted by marital issues in their families. The legal system does have mechanisms in place to address issues of physical violence and abuse; however, it does not go far enough to acknowledge the psychological damage that children endure when they witness their parents constantly arguing with one another. Because psychological stress can have a long-term impact on a child's emotional development, mental health, and social conduct, this gap is especially relevant because of the potential for such an impact.

5. CONCLUSION

These findings suggest that child protection laws should be reviewed to address the psychological impact children who watch marital disputes face. One of the most essential changes that has to be made is to broaden the legal definition of "children in need of care and protection" under the Juvenile Justice (Care and Protection of Children) Act. The term should make it clear that it includes children who are hurt mentally by seeing their parents fight or being violent with each other. This kind of recognition would help child welfare officials find at-risk children sooner and give them the help they need. The laws about domestic violence should pay more attention to the mental health of children who see their parents' fight. The Protection of Women from

Domestic Violence Act recognizes the existence of children in domestic environments; nonetheless, more explicit requirements are necessary to guarantee that children impacted by these disputes receive sufficient protection and support services. Professional counselling and psychological support services must be incorporated into child protection systems for children who are affected by parental conflicts. Educational institutions, child welfare committees, and social welfare organizations can make a substantial contribution to the identification of children who are experiencing emotional distress and the provision of appropriate guidance and support. Public awareness campaigns must be established to inform parents, schools, and community members of the detrimental impacts of parental conflict on children.

Raising awareness among families on the emotional needs of children may mitigate the normalization of household conflicts in their presence. Additional research is required in order to acquire a thorough understanding of this subject matter; yet this study provides vital insights into the impact that marital problems between parents have on their children. The quality of the findings can be considerably improved by expanding the geographical reach of upcoming studies on children's experiences across a variety of socioeconomic and cultural situations, as well as by raising the sample sizes of such studies. Longitudinal studies are instrumental in gaining a deeper understanding of the enduring social and psychological consequences of observing parental conflict. The results of this research will contribute to the formulation of more

robust legislative and regulatory structures aimed at protecting children from the often-overlooked repercussions of familial conflicts.

The results call into question, from a legal standpoint, whether or not India's current child protection systems are enough. While there are laws in place to prevent domestic violence and for the safety of children, these laws do not go far enough in acknowledging the mental damage that children endure when they see their parents argue. When children are in danger, such as when they are victims of abuse or neglect, the Juvenile Justice (Care and Protection of Children) Act steps in to help. Unless the damage reaches a severe degree of neglect or abuse, the legislative definition does not specifically acknowledge children who suffer psychological trauma as a consequence of seeing family disputes. In a similar vein, the Protection of Women from Domestic Violence Act is primarily concerned with safeguarding women from being subjected to abuse within their own homes. Despite the fact that the Act recognizes the possibility that children may also be affected by domestic abuse and grants them the ability to seek some forms of remedy, the primary goal of the legislation is still to protect women. As a consequence of this, the psychological well-being of children who are witnesses to repeated marital conflicts is sometimes given insufficient legal attention, unless the conflict is accompanied by direct abuse or physical violence. Due to this gap in the legal framework, it is possible that children who are exposed to marital disputes will continue to get inadequate protection under the rules that are now in place.

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