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The Position of a Child under Hostile Parental Relation: A Critique

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ABSTRACT

Almighty has designed the family structure of parents and children very uniquely. Both the Children and the Parents are a heavenly gift to one another. A child is very helpless when it sees the light of the world in the first stage. Therefore, parents are entrusted with some indispensable duties so that they can remove the shakiness of a teenager. Unbelievably parents can also make their children deserted by performing certain acts in front of them. It is recognized without any doubt that children suffer terribly when their parents argue. Children go through physical, mental, and social destruction for family problems. Therefore, Parents should develop preventive methods for controlling parental problems so that the children can grow up physically and emotionally in a healthy environment.

Keywords: Family issues, Child's suffering, Mental destruction, and Alternative approach.

INTRODUCTION:

When most of the people think about childcare, they picture changing diapers, chaotic breast-feeding times, and rushing near-piercing child through a crowded foodstuff. But parenting goes far beyond the necessities for meeting the basic survival needs of the child, parenting or child rearing is the process of promoting and supporting the physical, emotional, social, and intellectual development of a child from infancy to adulthood. Parenting refers to the aspects of raising a toddler. The common caretaker in parenting is biological parents. In absent of biological parents, older siblings or other members of a family or the legal guardian plays the role of guardianship.

Parental problem is a kind of disagreement between parents which is not normal in nature. According to Scholars, these problems are a combination of many other problems. Some common sorts of parental problems are parental shouting, fights, separation, addiction, divorce, maltreatment etc. No matter what kind of parental problem is present in a family, the child suffers mostly for that.

Some General Parental Problems

Separation and Divorce

More than one million children each year experience their parents' divorce. Above half of couple separating in the UK in 2007 had minimum one child aged fewer than 16 less than 60 percent of American children are living with both of their biological parents? About 25 percent lives with their biological mother only; and about 4 percent lives with their biological father only. The remaining 11 percent live with step-families, adoptive parents, foster homes, or with other relatives http://www.healthofchildren.com/D/Divorce.html

Separation or divorce is the conclusion of the family as a unit. When parents choose to live apart, a child can realize as if their world has been twisted upside down. The level of misery the child feels can vary dependent on the age of the child, their level of realizing, and the sustenance they get from parents, family and friends. The effects of divorce or separation on children can usually be perceived long before the break up itself, while the conflict between

the parents comes before them. Their sense of loss often increases as consequence of Divorce, leading to great sadness, depression, and anxieties; especially on special occasions, such as birthdays, holidays, and school events (Islam *et al.*, 2022).

Single parenting

There was a time when single parenting was a matter of foreign concern but over 20 years single-parent families have become even more common than the "Nuclear Families". In a single-father/ mother family one parent try bringing up child on their individual as the other parent is not living with them. These families are headed by a single mother or a father or other situation by a grand-parent raising their grandchildren. About 16% of children worldwide lives in a single-parent house-hold (Rampell & Catherine, 2010). The number is in rise in USA. In 2006 about 12.9 million families were headed by a single parent, 80% of which was headed by a female. "For eras, the portion of U.S. children living with a single parent has been increasing, accompanied by a failure in marriage rates and a rise in births outside of marriage. A new Pew Research Center study (released Dec. 12, 2019) of 130 countries and territories shows that the U.S. has the world's highest rate of children living in single-parent house-holds. "Almost a quarter of U.S. children under the age of 18 live with one parent and no other adults (23%), more than three times the share of children around the world who do so (7%) ... "In comparison, 3% of children in China, 4% of children in Nigeria and 5% of children in India live in single-parent house-holds.

In neighboring Canada, the share is 15% (Current Population Survey (CPS), March and Annual Social and Economic Supplements, 1950 to 2021). Life in a single-parent family can be quite stressful. Members may whimsically think that the family can function like a two-parent family, and may think that something is wrong when it cannot.

Family life becomes more demanding when responsibilities of the households are shouldered upon one parent. Kids in single-father/ mother family's sometimes feel a sagacity of loss. In comparison with the nuclear families, single father/mother families face other pressures and potential problems.

Aggression between parents

Parental aggression is a general pattern of behavior, manipulation, actions or decision-making of a parent UniversePG | www.universepg.com

that creates undue difficulties in the relationship of children with parents. It is generally found on persons having personal disorder. Hostile parenting is not only limited to the biological parents but also applies to any guardian. Parental violence is considered by many Fitness Care and Legal Professionals as unhealthy, anti-social, obnoxious behavior which is ardently damaging and contrary to the concentration of a child.

Family violence

Family violence is also known as "Domestic Violence"a composition of behavior which involves violence or other misuse by one person against another in a family setting. It occurs when one member uses abusive behavior to control a member of their family, or someone with whom they have an intimate relationship. It includes many different forms of carnal and emotional abuses, as well as negligence carried out by family members or friendly partners. It may be serious-and some-times vitalconsequences for victims and for those who see or hear the violence. Children may hear one parent threatening or assaulting the other, observe a parent who is out of control or reckless with anger, or live with the after-math of a violent assault. Many children are affected by hearing threats relating to the safety of their caregiver, notwithstanding of whether it results in physical injury or not. Children who live with domestic violence are also at increased risk to become direct victims of child abuse. In short, domestic violence poses a serious threat to children's emotional, psychological and physical well-being, particularly if the violence is chronic.

Alcoholic

According to the National Association for Children of Alcoholics, around 30 million children are born to alcoholic parents. The family environment of alcoholics is typically marked by a significant degree of chaos. Children from parents who are addicted to these substances are the group of having the risk for later developing problems with drugs and alcohol, likely due to both genetics and environmental factors. Children of addicted parents are also most likely to suffer child abuse and neglect. Studies have shown that young children of alcoholic exhibits symptoms of -

- 1) Nocturnal enuresis (i.e., bed wetting).
- 2) Separation anxiety.
- 3) Frequent nightmares.

- 4) Crying or problems with becoming unusually upset.
- 5) And Growing up in a chaotic and unpredictable environment causes the adult child of an alcoholic to internalize messages of distrust, insecurity, and belief that they should suppress their emotional responses. These maladaptive beliefs can lead to symptoms of mental health problems over time.

Ill-treatment

Child ill-treatment is a global problem with serious life-long consequences. Child maltreatment is complex and difficult to study. According to WHO, Child ill-treatment is the abuse and neglect that occurs to children under 18 years of age. It includes all types of physical and emotional ill-treatment, sexual abuse, neglect, negligence and commercial or other exploitation, which results in actual or potential harm to the child. Ill-treatment causes stress that is associated with disruption in early brain development. Extreme stress can impair the development of the nervous and immune systems. Consequently, as adults, ill-treatment children are at stake of behavioral, physical and mental health problems.

Poverty

Poverty is a financial condition where the basic needs of food, clothing, and shelter are not being met. Poverty affected families fail to enjoy a standard level of living determined by the government. Most of the parents of poor children works but on low wages and unstable employment leave their families struggling to make ends meet. Research is clear that poverty is the single greatest threat to children's well-being. Poverty can impede children's ability to learn and contribute to social, emotional, and behavioral problems. Poverty also can contribute to poor physical and mental health. Risks are greatest for children who experience poverty when they are young and experience deep & persistent poverty (Rahman and Mia, 2022).

Remarriage

Children do not always understand the reasons behind divorce or remarriage; they might only see it as a bad thing. It is very difficult for a child to accept seeing one of his patent with someone else than the other parent. They suffered adjustment problems and if it is not handled properly serious impact may fall upon them. Utmost consideration from parents is required for the children to cope up with the situation of remarriage.

Neglectful parents

Neglectful parenting, sometimes, referred to uninvolved parenting, is a style characterized by a lack of responsiveness to a child's needs. These parents have little emotional involvement with their kids. They are often indifferent, dismissive or even completely neglectful. While they provide for basic needs like food and shelter, they are uninvolved their children's lives. Children raised by uninvolved parents suffer the fear of becoming dependent on other people, are often emotionally withdrawn, Tend to exhibit more delinquency during adolescence.

Unsound parents

The majority of children who have a parent with a mental illness find it difficult to adapt because they do not have the maturity and adapting tools to deal with certain complex situations. Parents cannot control the fact that some illness, especially mental illnesses, can last a longer time, and may come back. In these situations, many children blame themselves for their parents' illness. This may lead to them feeling depressed. In some cases, they may develop the same illness. The risk of having similar illness can be higher within families. This can be reduced if the child is helped to see that they are not part of the illness, and they are able to have a good relationship with their parents. Even when children have all the right supports and explanations, they may still feel upset, frightened, worried by, or ashamed of their parents' illness or behavior all the times.

Child abuse

Child abuse causes a range of anti-social and destructive behaviors, according to the website Healthy Place.com. This is because abused children try to adapt and to understand why they are being abused. Parents who abuse their children may make their children to be aggressive and violent, to experience learning problems and even to become involved in drugs or alcohol. Parents who abuse children by providing opposite to what a child needs to grow up healthy destroy the inside and outside world of child.

Effects of the Parental Problems on the Children

Research reveals some children are badly affected by negative family conflicts while other children survive without significant problems. Many children have great strength, resilience and coping skills which can help them to adapt in order to function as normal as possible. Others do not adapt so readily and face a multitude of problems. In families where there is a high level of conflict and animosity between parents, children are at a greater risk of developing emotional, social and behavioral problems, as well as difficulties with concentration and educational achievement. Frequent parental problem also has a negative impact on children's sense of safety and security which affects their relationships with their parents and with others. Parental conflict that focuses on children is also linked to adjustment problems, particularly when children blame themselves for their parents' problems. If we combine all the problems that are suffered by the children owe to parental problems, we might find following points;

Solving skill and behavior problem

Children who experience parental conflict are often at a higher risk for a number of psychological and behavioral problems. It is more common when their parents are fighting or separating. Children can become very insecure. Insecurity can cause children to behave like they are much younger than their actual age and therefore bed-wetting, clinginess, nightmares, worries or disobedience can all occur.

Frustration

As a result of family conflicts Children and Teenagers get frustrated and may show their distress and frustration off by misbehaving or withdrawing into themselves. They may find it difficult to concentrate at school.

Social problems

Children from problematic families find difficulty to mingle with the community. They grow an anti-communal behavior which is combined with;

- 1) loneliness
- 2) Loss of confidence
- 3) Schooling problem
- 4) Learning disorder
- 5) Anxiety and depression

Discipline problems

Family problems from mild to severe will challenge every family at some point. These can result from behavioral and mental health issues and as a result of that serious discipline problems can be found on children;

- 1) Selfishness
- 2) Defiance

- 3) Unstable behavior
- 4) Recklessness
- 5) Deceitfulness
- 6) Violence
- 7) Disruption

Educational problem

Research at Cardiff University, UK has found "What Children experiences at home can have a direct impact on their performance at school" https://www.sciencedaily.com/releases/2005/05/050509114047.ht m recent findings from the South Wales Family Study, suggest that the quality of relations between parents not only affects children's long-term emotional and behavioral development but also affects their long-term academic achievement. As a result, it decreases the learning ability & academic achievement.

Becoming addicted or consumption of drug

It is wholly observable that children who grow up amongst drug abuse, alcoholism and criminality tend to join into these activities. Teenage is a vulnerable period of life as teens are to navigate the precarious bridge between childhood and adulthood. They fall into addiction to get pleasure to rid of the painful situation arising from their parents' activities.

Suicide

After Accidents and Homicide, Suicide is the third-leading cause of death for 15 to 24 years old, according to the Centers for Disease Control and Prevention (CDC). Suicide is quite rare among children. The rate of suicides and suicide attempts increases greatly during adolescence. The risk of suicide increases melodramatically when children and teens have to witness acute Parental problems. Surely, it's a time of fabulous possibility, but it can also be a period of anxiety and apprehension.

There are pressures to fit socially, to perform educationally, and to act maturely. Along these when they have to compact with the problems made by their parents, situation gets worse for them to cope with. Some adults feel that children who say that they are going to injured or kill themselves are "just doing it for attention." It is important to realize that if teenagers are over-looked seeking attention, it may increase the chance of harming themselves (https://kidshealth.org/en/parents/suicide.html)

Losing respect for parents

Parents greatly affect their children's behavior. Children are like sponges, they model everything a parent does. It is important that parents set the right examples for their children. When a child purposefully sees his parents are replying rudely to each other, he also learns to disrespect them. Children who witness severe, ongoing and un-solved interparental dispute can develop a nill-mannered attitude towards their parents.

Suggestion for Resolving or Improving the Conditions

Avoiding conflicts in front of the children

Children wish that their parents do not argue with or competition between each other. Disputes are a regular phenomenon in family life. Though family quarreling is inevitable but there had to be a better way to handle it in the presence of children. Some guidelines on how to avoid conflicts in front of child are pointed below;

- 1) Try to evade arguing in front of the children.
- When negotiations become extreme, take a "break" and continue the discussion when child are not around.
- 3) Set away time to have discussions when the children are not present (such as when they are in bed, at school, visiting grandparents or relatives, etc.).
- 4) Exhibit courteous and polite behavior with Partner in front of the children.
- 5) Emphasis on maintaining a good relationship with the children.
- 6) Be careful about not sharing too much information with the children about conflict that occurs.

Family counseling and therapy

Parents should be open minded in solving family problems to take help from Professionals. The involvement of a third party who is trained to help resolving dispute can be beneficial. It can be useful in detecting ineffective resolution plans that parents may be evolving in.

Parental education and training

By giving proper educational training on Parents how to nurture children and how to ensure a healthy family relation so that the child can get a proper atmosphere where he can develop satisfying all his physical and mental wants.

Social support

Social support is inevitably important for keeping good physical and mental health for the children coming from sticky family. Most of the time of family crisis society fails to give positive support. Social support means being able to access people that a person can depend upon if needed. Positive social support of family and friends can play an important role in children's ability to make healthier choices.

Marriage guidance

Marriage guidance or marriage counseling is a psychotherapy designed for the couple who are thinking to enter into marital life for building a strong bond of their upcoming. There should be a "Marriage Counselor", who is a professional and is trained to listen to speak about the relationship or individual challenges with understanding and expertise. It helps couples to explore, recognize, and solve disputes with the goal to improve their relationship and interactions.

Law enforcement

There are laws and child protection programs on protecting the children from the abuse of outside world but what about the inside world! Is a child fully safe in his own family? If the answer is investigated in this perspective, it would be a "No". Laws are to be made keeping both the demand of security of children's physical and mental health from the violence and maltreatment of outer and inner world.

CONCLUSION:

Problems are common and indispensable part of family lives. However, these should not be resolved in harsh ways as it creates adverse consequence for both parents and children. Parents should find more fruitful methods of solving family problems and conflicts by their own for having a strong parents-children relationship.

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CONFLICTS OF INTEREST:

The authors declare they have no conflicts of interest.

REFERENCES:

- Hannibal, Mary Ellen, and Ina Gyemant, (2002). Good Parenting Through Your Divorce: How to Recognize, Encourage, and Respond to Your Child's Feelings and Help Them Get Through Your Divorce, New York: Marlowe & Company.
 - https://www.goodreads.com/book/show/102622
- 2) Islam MJ, Arifuzzaman M, and Khan JA. (2022). "Practical scenario of implementation of the children act, 2013 in Sylhet metropolitan area and rule of law", *Br. J. Arts Humanit.*, **4**(1), 23-31.
 - https://doi.org/10.34104/bjah.022023031
- 3) MacGregor, Cynthia, (2004). The Divorce Helpbook for Teens, *Atascadero, CA: Impact Publishers*.
- 4) Masurel, Claire, and Kady MacDonald Denton, (2003). Two Homes. Cambridge, *MA:* Candlewick Press.
 - https://www.alibris.com/Two-homes-Claire-Masurel/book/6862638
- 5) Rahman MA., and Mia MM. (2022). Victims of child labor and delinquency: an empirical study in Tangail city, *Asian J. Soc. Sci. Leg. Stud.*, **4**(6), 209-216.
 - https://doi.org/10.34104/ajssls.022.02090216
- 6) Reilly, Natalie June, and Brandi J. Pavese (2002). My Stick Family: Helping Children Cope with Divorce. Far Hills, NJ: New Horizon Press Publishers.
 - https://archive.org/details/mystickfamilyhel0000 reil
- 7) Samenow, Stanton, (2002). In the Best Interest of the Child: How to Protect Your Child from

- the Pain of Your Divorce, New York: Crown Publishers.
- 8) Wallerstein, Judith S., and Sandra Blakeslee (2003). What about the Kids? Raising Your Children Before, During, and After *Divorce*. *New York: Hyperion*.
 - https://www.amazon.com/What-About-Kids-Raising-Children/dp/B000S6KF4M

Periodicals

- "A Kid's Guide to Divorce." Kids Health, April 2002. Available online at -http://www.kidshealth.org/kid/feeling/home_family/divorce.html
- Cohen, George. "Helping Children and Families Deal with Divorce and Separation." *Pediatrics* (November 2002): 1019 -23. https://doi.org/10.1542/peds.2016-3020
- 3) "Helping Your Child through a Divorce." The Brown University Child and Adolescent Behavior Letter (December 2002): S1–S2.
- 4) "Intervention for Children of Divorce Prevents Future Mental Disorders." Mental Health Weekly (October 21, 2002): 3 4. http://www.cps.ca/english/statements/PP/pp00-01.htm
- 5) Martin, Paige D., *et al.* "Expressed Attitudes of Adolescents toward Marriage and Family Life." *Adolescence* (Summer 2003): 359–67.
- 6) Shansky, Janet. "Negative Effects of Divorce on Child and Adolescent Psychosocial Adjustment." *J. of Pastoral Counseling* (Annual 2002): 73 87.
- 7) Winslow, Emily B. "Preventive Interventions for Children of Divorce." *Psychiatric Times* (February 1, 2004): 45. https://www.psychiatrictimes.com/view/preven

tive-interventions-children-divorce

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