

EXCLUSION OF CHILDREN OF DIVORCED FAMILIES IN PUNE CITY OF MAHARASHTRA: A REALITY ANALYSIS THROUGH CASE STUDIES.

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Abstract

Family is foundation for harmonious community and society. Faith for the family is power source and fundamental for happiness. It is the starting point of peace where development of each member can be possible through mutual respect and encouragement. Individual can experience world peace in the miniature in family only (Toda 2016). However, there are changes found in relationship. In India, we have different form of marriages in traditional and contemporary era. Marriage has come to be regarded more as a matter of personal choice and individual self-fulfillment, a space has been created for new knowledge concerned with human relationship, sexuality and psychological well-being. The real tension has probably always been between those who advocate personal discipline and self-control and those who favour self-exploration and personal freedom as means of managing these human issues (Rodger 1996). Divorce is becoming increasingly prevalent in our society, significantly affecting all parties involved, particularly children. Divorce is painful and private unravelling for families and sea of change for society. For parents and children ,divorce publicly marks the unfolding of long and difficult struggle; it is also the beginning of redefining family relationship, as renegotiation that may take as long be every bit as painful as coming apart. For society divorce is sharp break from tradition a changed and still evolving definition of family, a burden on legal institutions, and a challenge for those concerned with financial support and emotional wellbeing of children and single parents.

This paper elaborates the features of divorcee family in light of Indian culture that are pertinent to emotional effect. The paper is based on primary data conducted case studies about how children in divorcee families are excluded to practice their rights by their own parents.

Key words: Children, Divorce, Exclusion, Indian family systems, Rights



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Introduction:

Social exclusion describes a state in which individuals are unable to participate fully in economic, social, political and cultural life, as well as the process leading to and sustaining such a state.

Family is basic unit of Indian society and children are asset of the nation. The basic



characteristics of family are members tied with each other by kin, blood, marriage and adoption. Through this relationship members get emotional security, sense of belonging, social identity (Deshmukh 2008). Power is used strategically at macro level and in interpersonal relationship at micro level (Morris & Mason, 2009).

As a reproductive socializing group, the family provide the primary model of social relations for child. Expectations of hierarchical order, importance of matching conduct to context or switching role behaviour as social situation changes is daily learned by the child in household (Milton and Bernard 2007). Power is understood in negative sense is where one is victim and other is exploiter It also involves domination and subordination in relationship (Deshmukh 2008).

Families in India are undergoing vast changes like increasing divorce and separation rates, domestic violence, inter-generational conflicts, social problems of drug abuse, juvenile delinquency etc. These changes indicate the inability to cope with the pressures of the modern life. Yet, the majority seem to have survived and are able to modify, adjust and adapt to changing social norms, values and structures, and have demonstrated a unique strength in keeping together despite the growing stress and strain. (Sonawat, 2001).

Each child and each family are obviously unique, and have strengths and weaknesses, different personalities and temperaments, and varying degrees of social, emotional, and economic resources, as well as differing family situations prior to divorce. Even though these differences, divorce has been shown to diminish a child's future competence in all areas of life, including family relationships, education, emotional well-being, and future earning power. There are clearly negative long-term consequences of divorce—children, parents, and society all suffer. (Anderson J2014)

Though India has lowest rate of divorce in the world but since last decade it has been increasing day by day. It was found that upward trend and significant variations in divorce and separation by region, religion, rural and urban residence, and number and sex of children. Marriage among better-educated women is more durable and the difference between less-educated and better-educated women has widened over time (Dommaraju, Premchand 2016) Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community, recognizing that the child, for the full and

harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding. Thus, United Nation adopted Convention on the Rights of the Children in 1989 and 194 countries ratified it (UNCRC 1989).

Global divorce rate has been increased by 10% in 20-years. 87% in Luxembourg followed by 65% in Spain and 55% in France. India has very lowest rate among twenty countries. Very highest rate found in Christian and lowest in Hindu communities. Incompatibility is major reason. In India Maharashtra is leading and in Maharashtra Mumbai followed by Pune had more divorce cases filed.

For Indian women, divorce may not be the best option because they would be considered as opposing the rules and tradition of the Indian society. In addition, women have to shoulder the high cost of divorce.

Though the family is important social institution for meeting affection as well as physical and psychological needs, the family with retarded child are vulnerable. Divorce is personal issue and have distinctiveness in its social context. Hence to understand the how the child is deprived in his own family? The paper will present case studies of children from diverse strata and highlights realities of family relationship and exclusion of children in practicing their rights in divorcee families. The paper will be focused on socio economic and psychological elements support to this exclusion.

Literature Review

J Pediatr (2009) conducted study on impact of divorce on the quality of life in school-age children. The results of this study show that divorce affects children's quality of life. Child Health Quality -Parent Form scores were lower in children of Divorce Families than in those of Married Families for various domains, namely time impact on family, social-emotional functioning and behavior, self-esteem, mental health, behavior and finally the psychosocial summary score integrating all these variables. These results agree with those reported in a quality-of-life survey conducted in a group of Austrian elementary school children

To reverse the effects of social exclusion on the developmental, behavioural, and health outcomes in children in the United States will require public policies that address the root causes of social exclusion as well as the supports that can be provided to children and families. The research studies included in this report all suggest the need for dynamic interventions related to income distribution, employment, childcare, education, health

resources, and telecommunications

Njeru M(2017) concludes that there was a positive significant correlation between parental divorce and social wellbeing. The study also concludes that there was a positive significant correlation between parental divorce and emotional wellbeing. It can also be concluded that there is a positive relationship between parental divorce and spiritual wellbeing. The study further concludes that parental divorce appears to lower the well-being of children.

Studies show that, divorce is challenging issue in India. Status and importance of children in family depends upon their gender, normality, performance. About 70 percent of US couples with disabled children get divorced (Dick S.2004)

Sociologists and psychologists have identified that the effects of divorce depended on the child's age at the time the divorce occurred (Mattoo & Ashai, 2012). The child's gender, personality, the number of conflicts with the parents, and the support of family and friends all contribute to the effects of divorce on a child

Many children of divorce believed that they caused the divorce or that they did something wrong that made one or both parents not want to be with them. These feelings can cause a child to feel sad, depressed, and angry.

McNulty and Fincham who contend that "forgiveness may not always be so beneficial...Rather, forgiveness is a process that can be either beneficial or harmful, depending on characteristics of the relationship in which it occurs (McNulty & Fincham, 2012)

Previous research posits that children can have a major effect on individual happiness, particularly in the mother (Taraban et. al. 2017).

Many children of divorce believe that they caused the divorce or that they did something wrong that made one or both parents not want to be with them. (Thadthil & Sriram 2019)

Article 10 (family reunification) Governments must respond quickly and sympathetically if a child or their parents apply to live together in the same country. If a child's parents live apart in different countries, the child has the right to visit and keep in contact with both of them (UNICEF 2019).

Article 9 (separation from parents) Children must not be separated from their parents against their will unless it is in their best interests (for example, if a parent is hurting or neglecting a child). Children whose parents have separated have the right to stay in contact with both parents, unless this could cause them harm (UNICEF 2019)

Research Questions:

1. How socio-cultural background is affected on nurturing of children of divorcee families?
2. What nature of exclusion of children in divorcee family?
3. How role and power structure manipulate the child's life?

Method:

Divorce is very personal issue of family; thus, cases were selected from different organisation who were working in this field with the consent of mother of children. This issue is so sensitive that few parents were allowed the researcher to meet their children personally and few of were discussed on behalf of their children. Present qualitative study was conducted with the help of civil society organisations from Pune City. To understand the in-detail exclusion process of children in their own family and environment case method was used. Unit of analysis was children of divorcee families. Subject of analysis were ten children from diverse strata. Six-girl child and four boys were selected in case study.

Type of Strata (Divorcee Family)	Families with differently able children	Differently able parents	Family with twins	Destitute family	Parents living with HIV	Rural Family	Urban family with different socio-economic group
Number of cases studies	1	2	1	1	1	1	3

Case study1:

This case was selected because he was 12 years normal child of deaf-mute parents, staying in urban area with good economic condition of family background. Child was 10 years old and speaks very clearly and emphatically. He is staying with his father and his grandmother is taking care of the child. His father is aggressive and had done violence on her mother hence she has taken divorce. In his mother's family all members are deaf mute.

Child want his both father and mother should stay together. He is deprived of getting love from his mother. He felt that his mother is ignored him. She gives love to her sister's children but not him. He felt excluded in school because his friends are coming with their mother and he is missing with his one parent. He saw his uncle aunty and

their child so felt jealous. Want to go for outing with both parents, want his family intact. Though he was small child taking initiative and perform role of interpreter. He felt helpless as trying a lot to get them together. He was becoming much mature than his chronological age. "I am doubtful whether my mother will come back to home or not, she didn't love me'. His mother was staying in half an hour distance but still he was deprived from her love.

Actually, its love marriage, both were from open social category. Here the grandparents have double responsibility of differently able son and grandson. So, they were ready to accept their daughter in law again for their grandson and don't want to do remarriage of their son with another lady. Experts who are working with these deaf-mute people said that they cannot think or imagine about future situation.

Case study 2:

She was 6 years old child of deaf-mute parents. As she was girl child her mother's family did not take custody of that child because further responsibilities mainly education and marriage are quite difficult to perform. She was premature baby and hence nurtured in very protective environment. Custody of the child was with his father but she was meeting her mother once in six months. Her mother's parents said that she was much pressurized that she never cries in a painful condition too. She was suppressing her emotions and having fear to mix with the other children. It will definitely harmful for her personality.

This girl child was deprived of getting love from her mother because her grandparents were thought that their daughter is deaf mute and she can remarry then who will take the responsibility of this daughter and being a daughter their multiple responsibilities so it was not possible for them and they even not bother about their consent. However, there was violation of rights of both mother and daughter to stay together. However, her mother is not ready to remarry and very much emotionally involved in her daughter. She became very disturbed when she saw her brother's positive relationship with his wife and son. Thus, she told her brother angrily to stay separately and never go to his house.

Its arrange marriage, both were from open social category staying in semi urban area. Mother's parents felt that marriage was deception. It shows that because if one relation spoiled how others are involuntarily get disturbed. Actually, her mother was very brave and dashing kind of lady and working in a company so easily able to take responsibility

of daughter. But without support of parents and dependability on others, decision making is difficult.

Case study 3

She was 4 years normal child and custody is with her mother. The family was belonging to open class and staying in semi urban area. His father was economically sound and stable life but emotionally both daughter and father were very disturbed. As per court order once, a week, she should meet her father but her mother and grandfather given some excuses. She wants to meet her father and loves him a lot but mother did not allow meeting him regularly. Even not allowed her to speak on phone and if he wants to speak, he should buy new mobile for them.

When they met at his house, they both enjoyed a lot. Her father playing with her daughter and made one dolls house, some toys. She shows anger on her grandfather and understood that he the only who spoiled her mother and father's relationship. She was asking her father when they will stay together. She doesn't want to stay in her mother's house so keep her engage. For last four years he was struggling for performing role of father.

Her father said that it arranges marriage, but due to interference of his father-in-law his wife hardly 4 months stayed in his house.

Case study 4

He was 7-year-old and custody is with mother. Her parents were normal. Its love marriage but mother said that she was educated but father was lacking behind in educational, income level. Thus, differentiation found in thinking and standard of living. The family is belonging to Other Backward Class and was staying in urban area. Actually, this adjustment in this separation was quite difficult for him. He was facing lots of problems in school. He wishes he was able to spend more time with his father. Because of separation of father and mother, many times he felt very sad and lonely. He always experienced that both parents did not understand his emotions. Instead of parents, his grandparents entertaining him and spending time with him. He keeps himself busy doing lots of activities at school, and don't want to stay at home. He was also trying to understand that this is tough time for both of them and felt that he was supposed to pick side of one parent. He even felt that after this separation his parents criticized him more. He was trying to become good boy after separation.

It was found that parents were separated but never have thought process about how they will deal with the emotions of child and at what level it will have effect on child? In this adjustment process of separation, the child missed his childhood totally.

Case study 5

Here is girl child with genetic disorder and her elder sister too. Both parents belong to rural area very rich and had political background. The family belongs to schedule caste. Though it was arranged marriage, her mother was experienced harassment and violence immediate after marriage.

Actually, the first daughter was very small and mother don't want second child, but in-laws did the gender determination test and found out that it was girl. Her husband compelled her to go through the second pregnancy. It was found that both daughters had genetic disorder and may be survive around twenty years.

Due to this disability, her father left them her mother and mother shouldering all the responsibility of both daughters. He remarried. Here these girls were unable to express their feelings; they were totally discriminated in the family. This was against the humanity.

Case study 6

These were the twins 7 years old, staying in semi urban area and low socio-economic group. It was arranging marriage and married in her family relative itself. The father was very aggressive and patriarch in nature. He was very insensitive towards his children and used to beat her up. Mother was trying to cope up with all situations, but when her husband strangled the 8 months old boy the same point, she decided to should not stay with her husband and children are not safe her. As they were twins' father was said that son is mine but I am not father of girl.

Here the child is not safe in his own environment in family and the right to survival or protection was violated. Socio economic background was definitely affected on the safety of child. These twins were not at all attached to father; even they don't know who their father is.

Case study 7

The boy was 8 years old and staying in residential institute due to destitute nature of his mother. It was arranged marriage but father was never attached to the child. Actually, she was deserted by her husband for a year and he filed divorce papers.

As she was destitute, she has taken shelter of residential institute and trying a lot to get

her child his family back. Though both of them were staying in institute the child was deprived of getting family environment, love, affection of both parents. As part of routine, he was behaving in the institute but he was not happy at all and asking his mother about when they will go to their home.

Case study 8

The girl was 13 years old and HIV positive. It came to know that when 7 years old was. Belonging from schedule caste and staying in urban slum with her mother. Her mother was working with an NGO, thus working whole day. Actually, she was very vulnerable because she was staying alone at home when came from school.

She was always reluctant to take medicine regularly and asking about why I should take this. What is my fault? As she is in adolescent stage and more care was taken by her mother. Earlier when mother and father were quarrelling between each other and father was beating her mother, she was very fearful and still sometimes become emotionally unstable. She had negative image of male figure and always telling her mother not to talk to any male.

There was fear in her mind that if her friends came to know her HIV positive status she will be ignored and thus very conscious about it.

Case study 9

The girl was 14 years old and studying in 8th standard belonging from Rajput family with lower socio-economic group. Gaining money was ultimate aim for them. This girl was facing negligence and denial, violence from her conception only. It added fuel to the fire and grandparents started harassing her mother even more for additional responsibility. Her father was very casual and irresponsible kind of person and very dominating. His behaviour was bizarre. When mother was under treatment at the maternity home, he instructed doctors not to treat his wife and threatened to file a case for sex determination test against them if they refuse to comply. As a result, doctors refused to treat.

When mother delivered a baby girl, her in-laws never considered bringing her back home. Here major issue starts of her survival. Her father never met.

Case study10

She was studying in 10th standard in rural area. Her mother was deserted with her when she was 2 years old. Her father remarried. So, from that age she did not have proper shelter. Then mother was working in the MIDC of that rural area for bread and butter.

She used to stay either with maternal grandparents or with neighbours.

Now her mother was struggling for maintenance and other issues in the court. Her father was asking her custody so that he should pay any amount for her nurturing and education. He will finalised her marriage at early age, so now he was trying to talk to her daughter, make her ready to come to his house. But she did not like her father as when she his love he keeps her away from him and family.

In this case there is politics and manipulations in relations on which we believe more secure and safe.

Discussion

All above mentioned cases were selected from diverse strata: geographical location, health status, socio economic group, age, gender, children of differently able and differently able children of normal parents, destitute families etc.

It was found that consequences of divorce were depending upon all the above socio-economic aspects. In the case one child had accepted his differently able parents but he was excluded due to inability to understand his psychological needs.

In the second case on the basis of gender, disability of mother and responsibilities related to it, she was deprived of getting her right to live with mother. She had strong psychological trauma that she won't be able to express her emotions.

In case three, girl is normal belonging from rich family but very much psychologically pressurised by her mother and grandfather for not to meet her father. They were creating bad image of father in her mind. Thus, she was deprived of the affection of the other parent during his formative years. She regularly wants to meet her father but she was excluded of availing right to participation, related to give her opinion, express her emotions.

In case four child was feeling lonelier and being criticised. Separation of parents majorly effects on emotions of child, and guessing its long-term effect on her personality. (Christensen & Brooks, 2001)

Case five was totally dependent because of genetic disorder and hence had to face discrimination on the basis of gender and disability. Due to pseudo-stigma attached to such disabilities, father kept them away from his because of fear that they would be victims of disgrace and indignity and thereby family members lose the status or acceptance they enjoy in the community (Janardhana, et.al 2015)

Case six here are twins belonging from low socioeconomic group. Acceptance is major

problem for them. Father himself trying to kill his son, thus right to survival violated. Though father was alive children has to live in single parent family.

In the seventh case, there was no support to his mother hence he was institutionalised, which is last option mentioned in United Nations Convention on the Rights of the Children, 1989.

Case eight was staying with her mother but always under the pressure of not to disclose the identity of health status. She was excluded from exercising the right to life and right to development.

Case nine was in adolescent stage of middle-class family never met her father who was excluded her from family love and affection. Being girl, she was discriminated and also facing problems of with peers as child of divorcee. Children are worst affected by the loss of love, care and affection of the mother or father.(Emmanuel 2012)

Case ten was belonging from rural area and rich family. Being girl initially she was rejected by her father. Now want to take her custody to make him free from maintenance.

Conclusion

There were two boys and eight girls with different age group and they were belonging from different socio-cultural background. Only one child had custody with father and other nine were with mother. It shows that women and girls were excluded from getting their rights.

Family has strong influence of cultural norms, patriarchy, geographical location, social status, normality and it effect on exclusion of children in getting their rights. However, in relation to conflict theory children were being caught in the middle of the situation. Power structure was always found in the family and everybody was insecure in their own role and trying to dominate other spouse and children suffer a lot in the context of physical, mental health, identity issues, trust building, etc. Basically, support system of divorcee women was weak, stigma is attached to this issue, thus it was found that all these children were solely staying with their mother only or maternal family support as per need. They and their mother were excluded to participate in family and cultural programs. Feeling of insecurity is more in children and parent with child custody hence trying to keep away from another ex-spouse.

Social worker can intervene through pre marriage education, training related to coping in post-divorce life to soften the impact on children and support group for divorcee and is necessary for intervention.

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