

Parental alienation and digital manipulation: A socio-legal study on how technology enables emotional abuse of children after divorce

Mrs. Mayurika Chauhan¹ and **Dr. Amit Verma**²

¹ Research Scholar, Teerthanker Mahaveer College of Law and Legal Studies, Teerthanker Mahaveer University, Moradabad, Uttar Pradesh, Email: mayurika.chauhan9@gmail.com

² Associate Professor, Teerthanker Mahaveer College of Law and Legal Studies, Teerthanker Mahaveer University, Moradabad, Uttar Pradesh, Email: amitverma.law@gmail.com

Abstract---Divorce and separation, already painful experiences for families, have taken on a new and troubling dimension in the age of digital technology. This paper examines the intersection of parental alienation a process by which one parent psychologically manipulates a child to reject the other parent and the growing use of digital tools such as social media, smartphones, spyware, and messaging applications to facilitate and intensify such manipulation. Through a socio-legal lens, the paper explores the conceptual foundations of parental alienation, the various ways in which technology enables and amplifies emotional abuse of children post-divorce, the psychological impact on affected children, and the current legal framework in India that addresses or fails to adequately address this phenomenon. The paper argues that digital manipulation in the context of parental alienation constitutes a serious form of child abuse and calls for greater legal recognition, judicial sensitivity, and legislative reform to protect children from this invisible yet deeply damaging form of harm.

Keywords---Parental Alienation, Digital Manipulation, Child Custody, Emotional Abuse, Indian Family Law, Technology and Divorce, Child Rights.

I. Introduction

The breakdown of a marriage is never a solitary event. When children are involved, the consequences of separation extend well beyond the dissolution of a conjugal bond. Children of divorced parents often

How to Cite:

Chauhan, M., & Verma, A. (2026). Parental alienation and digital manipulation: A socio-legal study on how technology enables emotional abuse of children after divorce. *The International Tax Journal*, 53(3), 1527–1537. Retrieved from <https://internationaltaxjournal.online/index.php/itj/article/view/668>

The International tax journal ISSN: 0097-7314 E-ISSN: 3066-2370 © 2026

ITJ is open access and licensed under a Creative Commons Attribution-NonCommercial-NoDerivatives 4.0 International License.

Submitted: 09 March 2026 | Revised: 18 April 2026 | Accepted: 27 May 2026

find themselves caught in the middle of ongoing hostilities, loyalty conflicts, and psychological tug-of-war between their parents. One of the most harmful manifestations of this conflict is parental alienation a condition where one parent systematically turns a child against the other parent through lies, manipulation, and emotional coercion.

While parental alienation is not a new phenomenon, the digital revolution has dramatically changed how it is practised and perpetuated. Parents today have access to an array of digital tools social media platforms, instant messaging applications, smartphones, GPS trackers, parental control apps, and online forums all of which can be weaponised to manipulate a child's relationship with the other parent. A parent can now post derogatory content about an ex-spouse on social media, monitor a child's communications to block contact with the other parent, install spyware on a child's devices, or flood a child with biased messages all from the comfort of their home, often without any immediate legal consequence.

The socio-legal significance of this issue cannot be overstated. India is witnessing a steady rise in divorce rates, particularly in urban areas. With increasing divorce rates come increasing custody disputes, and with them, a rise in cases of parental alienation. Yet, Indian law does not expressly recognise parental alienation as a statutory offence, leaving courts to deal with it through general principles of child welfare enshrined in existing legislation. At the same time, the legal framework governing digital abuse remains largely focused on sexual offences, leaving emotional and psychological abuse facilitated by technology inadequately addressed. This paper presents a socio-legal study of parental alienation and digital manipulation. It analyses the concept of parental alienation, the modes through which technology enables it, its psychological impact on children, the Indian and comparative legal frameworks, and the need for comprehensive legal reform. The paper is structured as follows: Section II reviews the conceptual and theoretical foundations of parental alienation. Section III examines the digital tools used to perpetuate alienation. Section IV analyses the psychological impact on children. Section V surveys the legal framework in India. Section VI discusses comparative approaches. and Section VII offers conclusions and recommendations.

II. Conceptual and Theoretical Foundations of Parental Alienation

2.1 Definition and Origin

The concept of parental alienation was first formally introduced in 1985 by Dr. Richard Gardner, an American child psychiatrist who worked extensively on child custody cases. Gardner coined the term Parental Alienation Syndrome (PAS) to describe a situation in which a child, usually in the context of a custody dispute, campaigns of denigration against one parent the alienated parent without any justifiable reason. The alienating parent, Gardner observed, would engage the child in a series of manipulation techniques to generate hostility toward the other parent. According to Gardner, children affected by PAS exhibit eight characteristic signs:

- (a) a campaign of denigration against the alienated parent.
- (b) unfounded rationalisations for that hostility.
- (c) a dichotomy between parents, where one is all good and the other all bad.
- (d) the independent thinker phenomenon, in which the child insists the negative feelings are their own.
- (e) automatic support for the alienating parent.
- (f) absence of guilt over the mistreatment of the alienated parent.
- (g) the use of borrowed scenarios where the child employs adult language or phrases beyond their developmental level.
- (h) generalisation of animosity toward the alienated parent's extended family.

It is important to note at the outset that the concept of PAS remains contested in academic and clinical circles. The term is not included in the Diagnostic and Statistical Manual of Mental Disorders (DSM-5) or, as a separate syndrome, in the International Classification of Diseases (ICD-11), though parental

alienation as a relational problem can be coded under ICD-11 as a caregiver-child relational problem under code QE.52. Critics of PAS argue that it lacks robust empirical support and has, in some cases, been misused in family courts to discredit genuine allegations of domestic abuse particularly by women who raise safety concerns about their children's contact with an abusive father. This criticism is important and must be acknowledged. However, the existence of manipulative alienating behaviour as a real and documented phenomenon in post-divorce families is broadly accepted by child psychologists, family law practitioners, and courts across jurisdictions.

2.2 Parental Alienation as Emotional Abuse

Parental alienation, when deliberate and sustained, is increasingly recognised as a form of emotional abuse inflicted on children. The child becomes a tool in the hands of the alienating parent used as a weapon against the other parent while being psychologically harmed in the process. The child is forced to take sides, to suppress genuine feelings of love for the other parent, and to internalise false narratives that damage their sense of reality and identity.

The forms of alienating behaviour are numerous and varied. They include verbal invalidation of the other parent (name-calling, mocking), relational manipulation (spreading lies and rumours), emotional coercion (making the child feel guilty for loving the other parent), passive-aggressive tactics, psychological gaslighting (denying past events and distorting facts), and weaponising communication by using the child as a messenger. In the digital age, each of these behaviours has acquired a new channel of expression and amplification through technology.

2.3 Recognition in India

In India, parental alienation is not explicitly recognised as an offence under any statute. However, family courts have increasingly acknowledged alienating behaviour as a serious concern in child custody disputes. Indian courts have interpreted parental alienation as a form of emotional abuse that directly bears upon the welfare of the child the paramount consideration under both the Hindu Minority and Guardianship Act, 1956 and the Guardians and Wards Act, 1890.

Notably, the Delhi High Court, in a 2026 decision, upheld the transfer of custody to a father on the grounds of sustained parental alienation by the mother, finding that the mother's conduct had systematically undermined the children's relationship with their father. The Supreme Court of India has also stressed that courts must identify specific instances of alienating behaviour before invoking parental alienation allegations and that parental alienation claims must be supported by concrete evidence. This measured judicial approach reflects both the seriousness with which courts are beginning to take alienation and the caution needed to prevent the concept from being misused.

III. Technology as an Enabler of Parental Alienation

3.1 The Digital Transformation of Family Conflict

The proliferation of digital technology has transformed virtually every aspect of human life, and family conflict is no exception. After a divorce or separation, parents and children are no longer limited to in-person interactions they communicate constantly through smartphones, social media, video calls, and messaging applications. While technology can be a positive tool for maintaining parent-child relationships across distances, it is also capable of being weaponised as an instrument of manipulation and abuse.

Technology-facilitated abuse in the context of post-divorce family dynamics is a growing but often under-recognised problem. The ease, speed, and reach of digital communication mean that an alienating parent can now manipulate a child's perceptions of the other parent continuously, persistently, and at minimal effort sending messages late at night, posting public content on social media, monitoring communications through spyware, and even recruiting extended family members and online communities to participate in the campaign against the targeted parent.

3.2 Social Media and Digital Shaming

Social media platforms such as Facebook, Instagram, WhatsApp, and YouTube have become powerful arenas for parental alienation. An alienating parent may use these platforms to post derogatory, embarrassing, or misleading content about the other parent content that the child can easily access and that reinforces the negative narrative being constructed around the targeted parent. This may include sharing humiliating videos, posting sensitive personal information, fabricating stories and false allegations in public forums, creating fake profiles to impersonate the other parent, or leaving hurtful comments on the other parent's social media pages.

Such actions are particularly damaging because of the public and permanent nature of digital content. A post made on Facebook or a video shared on WhatsApp is not easily undone it can be seen by the child's friends, teachers, and extended family, multiplying the social stigma and embarrassment attached to the targeted parent. Courts in the United States have already begun treating social media posts as evidence in custody cases, recognising that a parent who consistently posts derogatory content about the other parent may be engaging in parental alienation. In India, electronic evidence is increasingly being admitted in family courts, though the procedural requirements for its admission remain a point of contest.

3.3 Digital Monitoring and Surveillance

Another deeply troubling form of technologically enabled alienation involves the use of digital surveillance tools to monitor and control a child's communications. An alienating parent may install spyware on the child's phone or tablet to read messages, listen to calls, or track the child's location all with the ostensible purpose of protecting the child but in reality designed to intercept and block the child's contact with the other parent. Parental control applications, originally designed for child safety, are increasingly being repurposed to prevent children from communicating freely with the non-custodial parent.

Beyond controlling the child's communications, digital surveillance is also used to spy on the other parent. GPS tracking devices may be hidden in a child's belongings when the child visits the other parent, enabling the alienating parent to monitor the targeted parent's movements. Spyware may be installed on shared computers or family devices to access private communications and gather material for use in custody litigation. These practices amount to serious violations of privacy and, in many cases, constitute forms of coercive control a concept increasingly recognised in domestic abuse law in several jurisdictions.

In India, digital surveillance in matrimonial disputes has been examined in the context of the Information Technology Act, 2000 and the right to privacy under Article 21 of the Constitution. Section 66E of the IT Act penalises violations of privacy through the capture, publication, or transmission of images of a person in private circumstances without their consent. The broader framework of the IT Act, however, does not specifically address the use of surveillance in parental alienation scenarios, leaving a significant gap in the legal protection available to targeted parents and affected children.

3.4 Messaging Platforms and Emotional Manipulation

Messaging applications such as WhatsApp, Telegram, and SMS have become primary vehicles for emotional manipulation in parental alienation. An alienating parent may flood a child with messages reinforcing negative narratives about the other parent, use the child as a conduit to send hostile messages to the other parent, or intercept and manipulate digital communications between the child and the targeted parent to create confusion and mistrust. In some extreme cases, alienating parents have been found to forge or misrepresent messages editing screenshots or fabricating text conversations to show the child that the other parent is abusive, uncaring, or threatening.

Equally harmful is the practice of using children as messengers in parental conflict a behaviour that has been facilitated by messaging technology. Instead of communicating directly with the other parent, the alienating parent uses the child to relay hostile, accusatory, or emotionally charged messages, placing the child in an impossible position and forcing them to participate in the conflict. This weaponising of

communication is a well-documented form of alienating behaviour that causes significant psychological distress to children.

3.5 Online Communities and Alienation Networks

A newer and less-examined dimension of digital parental alienation involves the use of online communities and social networks to amplify alienating narratives. Some alienating parents actively recruit relatives, friends, and even strangers through online groups to reinforce their negative portrayal of the other parent and to provide the child with a social environment uniformly hostile toward the targeted parent. These networks can validate and entrench the alienating parent's narrative, making it harder for the child to access a balanced perspective and creating a kind of digital echo chamber of alienation.

The reach of technology also means that alienating behaviour is no longer confined to private communications but can enter the public domain in ways that are humiliating, irreversible, and beyond the direct control of courts and child welfare authorities. A child who is regularly exposed to public online attacks on the other parent, or who sees their parent mocked and denigrated in online forums, suffers a form of psychological harm that the existing legal system is poorly equipped to address.

IV. Psychological Impact on Children

4.1 Short-Term Effects

The psychological harm caused by parental alienation whether facilitated through traditional means or amplified by digital technology is well-documented and severe. In the short term, children subjected to parental alienation exhibit symptoms including anxiety, depression, confusion about identity, difficulty forming trusting relationships, and a distorted sense of reality. The constant exposure to negative narratives about one parent creates emotional conflict, since children naturally love both parents and experience profound guilt when pressured to choose between them.

Children caught in digitally mediated alienation are additionally exposed to the amplified harm of online content. Unlike a verbal conversation that may be forgotten, a derogatory social media post or a manipulative text message can be revisited repeatedly, reinforcing the negative message and prolonging its psychological impact. The permanence of digital content means that the harm caused by digital alienation is not confined to a single moment but can accumulate and intensify over time.

4.2 Long-Term Effects

The long-term effects of parental alienation on children are profound and far-reaching. Research consistently shows that children who experience parental alienation in childhood are at elevated risk of developing low self-esteem, depression, substance abuse, difficulties in trust and intimacy, problems with identity, and dysfunctional relationship patterns in adulthood. A study examining the adult consequences of childhood alienation found that victims reported lasting damage to their sense of belonging, deep-seated anger and bitterness, and a tendency to either repeat alienating patterns in their own relationships or to entirely avoid forming close bonds.

Research published in peer-reviewed literature indicates that exposure to parental alienating behaviours in childhood has a profound and lasting impact on mental health. Children who are the victims of parental alienation may struggle with separation anxiety, irrational fears, sleep and eating disorders, educational difficulties, and, in severe cases, suicidal ideation. The exploitation of the child by the alienating parent, as Baker has noted, results in long-term damage to psychological development, including damaged self-esteem, shame, guilt, and insecure attachment, as well as the development of parental abandonment and trust issues that persist into adult relationships.

4.3 Specific Impact of Digital Manipulation

The specific impact of digital manipulation on children in the context of parental alienation adds additional layers of harm to those already caused by traditional forms of alienation. First, the constant availability of digital devices means that the child can never fully escape the alienating messages they

follow the child into the home of the other parent, into school, and into personal spaces that should be refuges from conflict. Second, the public nature of social media means that the child's private family situation is exposed to peers, creating social stigma and shame. Third, the use of surveillance tools by the alienating parent on the child's devices amounts to a violation of the child's own privacy, teaching the child that monitoring and control are normal aspects of relationships.

The Indian judiciary has begun to recognise that the emotional and psychological welfare of the child is as important as physical welfare in custody determinations. Courts have stated that the word welfare under Section 13 of the Hindu Minority and Guardianship Act, 1956 must be taken in its widest sense, encompassing moral, ethical, and psychological well-being. This expanded understanding of welfare is particularly relevant when assessing the harm caused by digitally facilitated parental alienation.

V. Legal Framework in India

5.1 Family Law and Child Custody

The primary legislative framework governing child custody in India includes the Guardians and Wards Act, 1890, the Hindu Minority and Guardianship Act, 1956, the Hindu Marriage Act, 1955, and the Special Marriage Act, 1954. None of these statutes expressly refer to parental alienation. However, the overarching principle applied by courts under all these legislations is the best interest of the child or welfare of the child, which courts have interpreted to include psychological and emotional welfare.

Section 26 of the Hindu Marriage Act grants courts the power to decide custody-related matters, and Section 13 of the Hindu Minority and Guardianship Act provides that the welfare of the minor shall be the paramount consideration. The Guardians and Wards Act, 1890, which applies to all children in India irrespective of religion, similarly provides that the welfare of the minor is the controlling consideration in all guardianship decisions. Under these provisions, courts have the authority to take alienating behaviour into account when making custody and visitation orders, even in the absence of specific legislative recognition of parental alienation.

Indian family courts have developed a range of judicial remedies for proven parental alienation, including transfer of custody to the alienated parent, alteration of the visitation schedule, mandatory supervised visitation, imposition of contempt sanctions for violation of custody orders, and appointment of a guardian ad litem or child psychologist to represent the child's interests. The Delhi High Court's 2026 judgment, which transferred custody of minor children to the father on the grounds of sustained parental alienation by the mother, is a significant recent affirmation of the courts' willingness to treat alienation as a serious breach of the child's welfare.

5.2 Digital Evidence in Family Courts

The question of how digital evidence is treated in Indian family courts is of critical importance in the context of technologically facilitated parental alienation. Courts are increasingly accepting WhatsApp messages, social media posts, emails, and GPS location data as evidence in custody and divorce proceedings. This development is significant because it means that parents who engage in digital alienation posting derogatory content, sending manipulative messages, or using surveillance tools leave a digital trail that can potentially be used as evidence against them.

The admissibility of electronic evidence in Indian courts is governed by Sections 65A and 65B of the Indian Evidence Act, 1872 (now re-enacted under the Bharatiya Sakshya Adhinyam, 2023), which require that electronic records be accompanied by a certificate from a responsible official to ensure authenticity. However, some courts have taken a more flexible approach in family matters, holding that digital evidence may be admitted even without strict compliance with Section 65B requirements if its authenticity can otherwise be established.

The challenge in parental alienation cases involving digital evidence lies not only in admissibility but also in establishing the link between the digital conduct of the alienating parent and the psychological harm suffered by the child. Courts require expert testimony from child psychologists and counsellors to establish this connection, and the involvement of mental health professionals in custody proceedings is increasingly recognised as essential.

5.3 Information Technology Act, 2000 and Allied Legislation

The Information Technology Act, 2000 (IT Act) is India's primary legislation governing cybercrime and digital conduct. While the IT Act does not specifically address parental alienation, several of its provisions are relevant to cases involving digital manipulation of children in the divorce context. Section 66C of the IT Act criminalises identity theft, which is relevant in cases where an alienating parent creates fake profiles impersonating the other parent. Section 66E penalises violations of privacy through the publication of images of individuals in private circumstances without consent. Section 67 prohibits the publication and transmission of obscene content, which could apply where an alienating parent circulates defamatory or humiliating material about the other parent online.

The Digital Personal Data Protection Act, 2023 (DPDP Act) introduces strong protections for children's personal data, requiring verifiable parental consent before any personal data of a child is processed, and prohibiting tracking or behavioural monitoring of children or targeted advertising directed at children. While the DPDP Act is primarily designed to address commercial data processing, its provisions regarding children's data protection are potentially relevant to cases involving the unauthorised digital monitoring of children by alienating parents.

The Protection of Children from Sexual Offences Act, 2012 (POCSO Act), while focused on sexual offences, provides a legislative model for the special protection of children in digital environments and underscores the State's commitment to protecting children from harm facilitated by technology. The Bharatiya Nyaya Sanhita, 2023, which replaced the Indian Penal Code, consolidates offences against children under a single chapter (Sections 93–99), providing a more integrated approach to child protection under criminal law.

5.4 Gap Analysis: What the Law Does Not Address

Notwithstanding the above legislative provisions, there are significant gaps in India's legal framework when it comes to digitally facilitated parental alienation. First, there is no specific statutory definition or recognition of parental alienation as a form of child abuse, which means that affected parents must rely on general principles of child welfare and the judicial discretion of individual judges. Second, while courts can and do take digital evidence into account, there is no specific procedure or standard for investigating digital manipulation in custody cases no established protocol for the court-ordered examination of a child's devices, no standard methodology for expert psychological assessment of alienation in digital environments, and no dedicated mechanism for reporting or investigating digital alienation.

Third, while the IT Act addresses various forms of cyber conduct, it does not specifically address the use of digital tools to emotionally manipulate a child in the context of family breakdown. The closest analogues cyberbullying and cyber harassment are not formally defined or specifically criminalised in Indian law, though various provisions of the IT Act and the Bharatiya Nyaya Sanhita may be invoked in extreme cases. Fourth, the DPDP Act's provisions on children's data protection, while valuable, are not directly applicable to parental surveillance and monitoring in the domestic context, leaving this grey area inadequately addressed.

VI. Comparative Legal Perspectives

6.1 United Kingdom

In the United Kingdom, the Children and Family Court Advisory and Support Service (CAFCASS) has developed a formal framework for identifying and responding to alienating behaviour in family proceedings. CAFCASS defines alienating behaviour as an ongoing pattern of negative attitudes and communications by one parent that has the potential to undermine or destroy a child's relationship with the other parent, and treats it as potentially constituting emotional abuse within the meaning of the Children Act, 1989. The Domestic Abuse Act, 2021 in the UK extended the definition of domestic abuse to include coercive and controlling behaviour, which can be digital in nature, providing a stronger legal basis for addressing technology-facilitated emotional abuse in the family context.

6.2 United States

In the United States, family courts across multiple states have long recognised parental alienation as a relevant factor in custody determinations, with courts in states such as Colorado explicitly treating proven parental alienation as a form of emotional abuse. Social media posts and digital communications are routinely used as evidence in custody cases, and attorneys routinely advise clients to be mindful of their digital conduct during divorce proceedings. Some US jurisdictions have introduced provisions in family law statutes that specifically address interference with parent-child contact through digital or electronic means.

Epidemiological data from the United States suggests the scale of the problem is significant: more than 30% of parents in the United States and Canada have reported believing they are being estranged from a child by the other parent, and an estimated 3 million children in the US are thought to be experiencing moderate to severe alienation from a parent.

6.3 Lessons for India

A comparative examination of these jurisdictions reveals several lessons for India. First, the formal recognition of alienating behaviour as a form of emotional abuse within family law statutes as in the UK provides a clear legal basis for judicial intervention without requiring the endorsement of the contested PAS diagnosis. Second, the integration of technology-related conduct within the definition of domestic abuse and coercive control as in the UK's Domestic Abuse Act 2021 closes the gap that currently exists in Indian law. Third, the use of standardised procedures for gathering and evaluating digital evidence in custody proceedings, along with mandatory involvement of child psychologists, enhances the reliability and fairness of adjudication. These are reforms that India would do well to consider.

VII. Socio-Legal Analysis: The Intersection of Technology, Abuse, and Law

7.1 Technology as a Force Multiplier for Abuse

Technology does not create parental alienation. It amplifies and accelerates it. The underlying dynamics of alienation—the desire to punish the other parent, to control the child's loyalty, to erase the other parent from the child's emotional landscape—are rooted in psychological and relational factors that predate the digital age. What technology does is remove the physical and temporal barriers to manipulative conduct, making it possible to engage in alienating behaviour anywhere, at any time, with minimal risk of immediate detection.

The asymmetry of power inherent in post-divorce parenting where the custodial parent typically has greater daily contact with the child and therefore greater opportunity to shape the child's perceptions is further exacerbated by technology. A custodial parent who controls the child's digital devices, monitors the child's communications, and curates the child's online environment has an unprecedented degree of control over the information and emotional experiences to which the child is exposed. This kind of digital control, when exercised manipulatively, amounts to a form of psychological captivity for the child.

7.2 The Child as Subject, Not Object

A critical perspective that must inform any socio-legal analysis of parental alienation is the recognition of the child as a rights-bearing subject, not merely an object of parental and judicial concern. Article 3 of the United Nations Convention on the Rights of the Child (CRC), which India has ratified, places an obligation on States to prioritise the best interest of the child as a primary consideration in all actions concerning children. Article 19 of the CRC requires States to protect children from all forms of physical or mental violence, including emotional abuse.

In the context of digital parental alienation, these principles mean that the child's right to maintain a relationship with both parents enshrined in Article 9(3) of the CRC is being actively violated when an alienating parent uses technology to sever or damage that relationship. The child's right to privacy recognised in Article 16 of the CRC and in Article 21 of the Indian Constitution is also violated when a

parent installs spyware on the child's devices or monitors the child's communications to control their relationship with the other parent.

7.3 Gender Dimensions

It is important to note that parental alienation is not a gender-specific phenomenon. While early discourse tended to frame alienating parents as predominantly mothers and targeted parents as predominantly fathers, research and case law from India and other jurisdictions show that both mothers and fathers can be perpetrators of alienation. The four case studies from India documented in peer-reviewed literature show that in two cases the alienating parent was the custodial mother, underscoring that alienation is driven by dynamics of conflict and control rather than by gender.

At the same time, the misuse of parental alienation allegations as a tactic to deflect genuine concerns about domestic abuse must be acknowledged. Research from the UK has documented instances in which women who raised legitimate safety concerns about their children's contact with abusive fathers were accused of parental alienation, resulting in children being placed in unsafe situations. This concern underscores the need for careful, evidence-based adjudication of parental alienation claims, with courts distinguishing between genuine alienation and justified protective behaviour by a parent.

VIII. Recommendations

8.1 Legislative Reform

India urgently needs a legislative framework that explicitly recognises parental alienation understood in its broader sense as deliberate, sustained emotional manipulation of a child to reject the other parent as a form of child abuse. This could be achieved through an amendment to the Protection of Children from Sexual Offences Act, 2012 or through the enactment of a standalone Child Protection (Emotional Abuse) Act that specifically covers psychological abuse, including alienating behaviour. The Information Technology Act, 2000 should be amended to include provisions specifically criminalising the use of digital tools to emotionally manipulate a child in the post-divorce context, including unauthorised monitoring of a child's communications for the purpose of blocking contact with the other parent.

8.2 Judicial Training and Expert Involvement

Family courts in India need to be equipped with the knowledge and tools to identify digital parental alienation. This requires mandatory training for judges in family courts on the psychological dynamics of parental alienation, the ways in which technology can be used to perpetuate it, and the evidential standards applicable to digital evidence in this context. The involvement of child psychologists and mental health professionals in custody proceedings should be standardised rather than discretionary, particularly in cases where alienation is alleged.

8.3 Digital Evidence Protocols

Clear and comprehensive protocols for the collection, authentication, and evaluation of digital evidence in family court proceedings should be developed. These protocols should address the admissibility of social media posts, messaging application records, GPS data, and digital surveillance records, and should specify the circumstances under which courts may order the forensic examination of digital devices as part of custody investigations.

8.4 Child Rights-Based Approach

Family law practice and adjudication in India must adopt a more explicitly child rights-based approach. Courts should recognise the child's right to maintain a meaningful relationship with both parents as a fundamental aspect of the best interest principle and should treat any conduct including digital conduct that deliberately undermines this right as a serious breach of the child's welfare. Child participation in custody proceedings, through in-camera interactions and the appointment of children's legal guardians, should be expanded to ensure that the child's own voice is heard in decisions that affect their lives.

IX. Conclusion

Parental alienation has always been a form of emotional cruelty, but the digital age has made it more powerful, more pervasive, and more difficult to detect and remedy. The smartphone, the social media platform, the messaging application, and the spyware app have become the new instruments of a very old form of manipulation: using a child's love and vulnerability to punish an ex-partner and to control a child's emotional reality. The consequences for children anxiety, depression, fractured identity, damaged attachments, and long-term psychological harm are profound and well-documented.

India's legal system is in a transitional phase. Courts are increasingly aware of parental alienation and are willing to treat proven alienating behaviour as a factor in custody determinations. Digital evidence is gradually being accepted in family court proceedings. Yet the legislative framework remains fragmented and inadequate. Parental alienation is not expressly defined or criminalised. The digital dimensions of alienation are not specifically addressed by law. Child rights in the digital context are protected only partially and in limited domains.

The path forward requires a comprehensive socio-legal response: legislative reform that gives explicit recognition to emotional and psychological abuse of children including its digital manifestations as a form of child abuse. judicial sensitisation to the complexities of technology-facilitated alienation. standardised procedures for digital evidence in family courts. and a robust, child rights-based framework for custody adjudication. The protection of children caught between warring parents in the digital age is not merely a family law issue it is a fundamental question of human rights, child dignity, and social justice.

References

Books

1. **Gardner, R.A.** (1992). *The Parental Alienation Syndrome: A Guide for Mental Health and Legal Professionals*. Creative Therapeutics.
2. **Baker, A.J.L.** (2007). *Adult Children of Parental Alienation Syndrome: Breaking the Ties That Bind*. W.W. Norton & Company.
3. **Baker, A.J.L., & Darnall, D.** (2012). *Working with Alienated Children and Families: A Clinical Guidebook*. Routledge.
4. **Warshak, R.A.** (2010). *Divorce Poison: How to Protect Your Family from Bad-mouthing and Brainwashing*. Harper Collins.
5. **Gardner, R.A., Sauber, S.R., & Lorandos, D. (Eds.)** (2006). *The International Handbook of Parental Alienation Syndrome*. Charles C. Thomas Publisher.
6. **Bowlby, J.** (1988). *A Secure Base: Parent-Child Attachment and Healthy Human Development*. Basic Books.
7. **Saini, M., Johnston, J., Fidler, B.J., & Bala, N.** (2012). *Empirical Studies of Alienation*. In K. Kuehnle & L. Drozd (Eds.), *Parenting Plan Evaluations: Applied Research for the Family Court*. Oxford University Press.
8. **Parkar, S.R., Dawani, V., & Weiss, M.G.** (2022). Parental Alienation: Case Series from India. *Indian Journal of Psychiatry*, 64(4), 388–393. PMC10159565.
9. **Verrocchio, M.C., Baker, A.J.L., & Marchetti, D.** (2018). Adult Reports of Childhood Exposure to Parental Alienation at Different Developmental Periods. *Journal of Family Therapy*, 40(3), 338–360.
10. **Harman, J.J., Kruk, E., & Hines, D.A.** (2018). Parental Alienating Behaviors: An Unacknowledged Form of Family Violence. *Psychological Bulletin*, 144(12), 1275–1299.
11. **D'Onofrio, B., & Emery, R.** (2019). Parental Divorce or Separation and Children's Mental Health. *World Psychiatry*, 18(1), 100–101. PMC6313686.

12. **Meland, E., Breidablik, H.J., & Thuen, F.** (2024). Parental Alienation — A Valid Experience? *Scandinavian Journal of Public Health*, 52(4). DOI: 10.1177/14034948231168978.
13. **Baker, A.J.L., & Ben-Ami, N.** (2011). To Turn a Child Against a Parent is to Turn a Child Against Himself: The Direct and Indirect Effects of Exposure to Parental Alienation Strategies on Self-Esteem and Well-Being. *Journal of Divorce & Remarriage*, 52(7), 472–489.
14. **Hines, D.A., & Sauber, S.R.** (2021). Empirical Research on Parental Alienation: A Descriptive Literature Review. *Children and Youth Services Review*, 120, 105712.
15. **Bhatia, R.** (2024). Gaslighting in Parental Alienation during Divorce: A Family Law Perspective. *International Journal of Law and Research Advancements (IJLRA)*.
16. **Prakash, N., & Duhan, R.** (2020). Computer Forensic Investigation Process and Judicial Response to Digital Evidence in India in Light of Rule of Best Evidence. *International Journal of Management and Social Sciences (IJMSS)*, 8(5).
17. **Iosrjournals.org.** (2023). Digital Age and Family Dynamics: The Role of Social Networks in Parental Conflict Post-Separation. *IOSR Journal of Humanities and Social Science*, 28(12), Series-8.
18. **Sharma, A.** (2024). Navigating Custody Battles: Analysing the Application of the Best Interest of the Child Principle in Indian Courts. *JSRN Working Paper*, Abstract ID: 4884586.
19. **National Law University Odisha (NLUO).** (2025). *The Best Interest of the Child in Custody Disputes*. NLUO Law Review. Available at: nluo.ac.in.
20. **Government of India.** (2000). *The Information Technology Act, 2000* (as amended in 2008). Ministry of Electronics and Information Technology. New Delhi: Ministry of Law and Justice; and **Government of India** (2023). *Digital Personal Data Protection Act, 2023*. New Delhi: Ministry of Law and Justice.