

MARRIAGE TO LIVE- IN- RELATIONSHIP: A TRANSFORMING APPROACH IN INDIA

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Abstract :-

Marriage is an important social institution prevailing all over the world. In India this institution owes highest respect as two people of different sex, family background come together to start a family together. Hindu marriage is considered as a "sacrament". The married couple are bound to be with each other for fulfilment of some basic desires and the aims of Hindu life, Such as Dharma, Artha, kaam and ultimately moksha. Marriage is a social event which has religious sanctioning to it. Indian marriage system is very ancient in nature and widely accepted. In the modern days, live-in-relationships are well in Trend. After the supreme courts judgement in favour of it, many young people prefer live in relationships over marriage. This paper gives special attention to describe the transformation of the ageold marriage institution to the modern days Live in relationships in its all prospectives.

Keywords :-

Marriage, Live-in-relationships, Transformation, Approaches

Objectives :-

This research paper is developed keeping in view two major objectives:-

Firstly, To explore the journey of marriage as an institution to its changing nature of live in relationships.

Secondly, To identify the basic changes of the main institution of marriage.

Methodology :-

For the current study, the methodology used is qualitative in nature. This study focuses to find out the changes in marriage institution and acceptance of live in relationships as an alternative to it. To find out minute details of both marriage and live- in-relationships. Secondary resources of data has been used for this study, and a conclusion has been drawn at

the end. Secondary sources of data used for this research paper was taken into consideration, are the articles published in newspaper, research articles of different journals and some books are being reviewed .

Introduction :-

Marriage is an age old institution . It is the union between a man and a woman with social and families sanctioning to it. This process is accomplished by several rituals and ceremonies. In Hindu religion marriage is one of the Sanskaras. It is important to study the sociology significance of marriage before studying the traditional and modern approach to it. Marriage is considered to be the most deepest and complex human relationships. To enter into a marriage, social sanctioning is at most needed. This is the union of two persons of opposite sex to indulge into a sexual relationship to lead a family life and have their own children after some civil and religious ceremonies. To quote Dr. Sarvepalli Radhakrishnan (the former President of India) " Marriage is not a Mire convention, but an implicit condition of human society . It is an institution diverse for the expression and development of love. It's purpose is not only the generation and nurturing of children but also the enrichment of the personality of the husband and wife through the fulfilment of their need for a permanent comradeship in which each may supplement the life of the other and both may achieve completeness".

Concept of Marriage :- Every individual has to go through 4 purusharth during his lifetime. Dharma, Artha, kaam and moksha.

Dharma :- The individual has to lead a religious life throughout his life time. To perform different religious works and to be on a right path is a target set for him throughout life.

Artha :- To satisfy many of the economic activities he has to earn his livelihood with

honesty and dedication. He has to take care of the family with his earning till the time he can work .

Kaam :- To satisfy his sexual desire he has to get married and expand his family with social sanctioning . He has to take care of the wife in all ups and downs and vice versa.

Moksh:- this is the ultimate goal of all individuals to get salvation. The soul desires for moksha and the individual works hard to reach the ultimate goal .

While discussing more about marriage, it is a primary relation of all human beings. Major functions of marriage are categorised into ;

1. Gratification

2. Social control

It gratifies biological (sex satisfaction) psychological (love , affection and belongingness) and economic needs (food , clothing and shelter) of the individuals. They show some kind of morality to each other . It controls the sexual evils in the society. Sociologically it is observed that individuals has to pass through many roles during his lifetime . Family is the place where every relations raised. Father , mother , Son , daughter, brother, and sister, etc. the person prepares himself or herself to fit into all the positions whenever needed and training is being given from time to time by the parents, and the counselling of elders, etc.

Live in relationship in India :- live in relationship termed as domestic cohabitation denotes a scenario where two persons romantically reside together without formalising their union through marriage . In this arrangement, the unmarried couple share a common house and engage in consensual sex relationship. They restrict themselves from legalizing their relations under matrimonial vows. In this arrangement, the couple enjoys the cohabitation and collaborative decision making. Share household duties and responsibilities. They enjoy the autonomy of dictate their lifestyle choices without any external interference. Live in relationships gives the couple a chance to assess mutual compatibility and commitment levels before considering the prospects of matrimonial commitment.

In modern India live in relationships seen during mid 70s. Which changed in the landmark case of Badri Prasad vs. Deputy director of consolidation in 1978 where the supreme court declared these relationships as valid if the requisites of a valid marriage such as mental capacity , age of parties , free consent, prohibited degree of relationship etc are satisfied . The court emphasizes the cohabitation is protected under article 21 of the constitution of India . This landmark decisions strength in the existence of live in relationships and encouraged human beings to exercise their personal choices . This is not during the mid 70s. Live in relationships came into existence in India. It was an ageold practice, in vedic period and in medieval period too. Gandharv Vivah represents the forms of marriage where the couples opted for collaborating without seeking societal approval or performing formal rituals. It was restricted during the Mughal and British colonial era with laws discouraging relationships outside marriage. Today the practice is prevalent among the young generation, often seen as a means to elevate societal pressure and responsibilities . Such relationships are accepted in bigger cities while rural India is yet to accept this. Live in relationships has some loopholes and need to overcome this smoothly. The national commission for women on 30th June 2008 recommended to the ministry of women and child development that the definition of wife under section 125. Code of criminal procedure 1973 section 144 of Indian penal code.

Malimath committee : - Justice malimath committee was set up in the year 2000 by the supreme court. Aim to address gaps in maintenance rights for women in secondary relationships with married men. This committee suggested amendments in the original draft of section 125 in the year 2003.

Right to maintenance and property:- in the case of Abhijeet becaset versus state of Maharashtra 2009, the supreme court observed that a woman is not required strict formal marriage to claim maintenance under section 125 . This means a woman in a live in relationship also can play maintenance as the

wife in a marriage. The supreme court also observed that the couple who lives under living relationships to be considered as husband and wife and any child of them will be considered as legitimate .

Advantages of living relationship :- every relationship Passion Pro and cons. Here are some prose listed out

1. Enhance compatibility testing .
2. Improved communication .
3. Financial benefits
4. Emotional support
5. Greater freedom
6. Learning together
7. Trial run for marriages

Challenges of living relationship:-

1. Difference in expectations
2. Conflict overshadow responsibilities
3. Commitment fears
4. Balancing personal space and time
5. Social pressure and judgement
6. Parental concerns
7. Separation challenges

Conclusion:-

the evolution of societal norms around marriage and live in relationships in India reflects a significant cultural shift that challenges traditional paradigms. As more individuals enhance live in arrangements as a viable alternative to conventional marriage , it becomes evident that this relationships of a

unique opportunities for personal growth , mutual understanding, and partnership based on equality. This transforming approach allows couples to navigate the complexities of modern life while fostering emotional and financially independence living relationships serves As a testing ground for compatibility , building a foundation of trust , commitment . This not only empowers individuals to make choices and reserminate with their values, but also encourages a broader acceptance of diverse relationship structure .

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