



THE IMPACT OF COHABITING COUPLES IN INDIA

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ABSTRACT

Social stigmatization of residential relationships is a major problem in India, a country with diverse traditions and religious practices. The purpose of this research is to provide insights into evolving societal trends, norms, and attitudes toward individuals in the context of their relationships, with particular emphasis on and the impact of attitudes on intergenerational attitudes toward unmarried couples involved in nonmarital relationships. Using a narrative review approach, the study examines the perspectives and experiences of modern Indian couples with the aim of understanding the dynamics of living relationships while considering the legal considerations that impact intimate bonds. The study focuses on the socioeconomic, cultural and religious factors that have shaped social norms in the past. The results of the study provide insight into the evolution of societal norms toward individuals involved in their relationships. The impact of these attitudes on the social and cultural attitudes of coexistence in India are discussed. The legal framework for civil partnerships in India has undergone significant developments that have contributed to both the recognition and, in some cases, the continued social stigmatization of such arrangements. While legal recognition and progressive initiatives are steps in the right direction, there is an urgent need for comprehensive legislation that not only protects the rights of individuals in such relationships but also contributes to broader societal acceptance and understanding. The study also discusses the impact of cultural and social norms on living relationships as well as ethical considerations in conducting this research.

KEYWORDS: attitudes, coexistence, narrative, non-marital, stigmatization

HISTORICAL BACKGROUND

Indian society has always valued relationships and marriages, with women and men viewed as equal in all aspects, including religion. In the early Vedic period, women and men were considered equal in all aspects, including religion. The Aryans viewed women as productive members of society, with the Rig Veda emphasizing their equal access to knowledge and status. Qualified women enjoyed a high status during this time.

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their jewellery. The sati debate in Indian society continues, with widows often forced into self-sacrifice, and the term \"widow\" refers to women who have lost their husbands and are considered inauspicious.

Widow Remarriage was taboo in India, especially among Hindus, making it difficult for widows to remarry. They were excluded from society and often faced unwanted sexual advances from male relatives. On the other hand, Malik (2013) found that widows face strict daily routines and are ridiculed by their in-laws, which restricts social activities and leads many to practice sati instead of living as widows. The dowry system is a harmful social practice that places a heavy burden on women and their families. Likewise, Paul (1986) argued that money had become a tool for improving social status, with dowry, be it money, inherited property or the bride's property, playing a significant role. Typically, the groom manages the property, even though it technically belongs to the bride. In addition to the above studies, N.R. (2013) examines dowry in Indian society, a gift exchange between the families of brides and grooms that serves to attract high-status grooms, compensate for health problems, and ensure future security for brides, especially in cases where they are not present are able to fulfil domestic duties.

INTRODUCTION

Marriage is a complex and deeply rooted concept in Indian society, dating back to 2350 BC. BC. BC in Mesopotamia. It is a union between a man and a woman with specific economic, sexual and childcare responsibilities. The concept of cohabitation has evolved over time, and some consider cohabitation to be a better option than divorce. Hindu religious beliefs emphasize the importance of marriage in realizing the four Purusharthas (ideals of life): Dharma, Artha, Kama and Moksha. In contrast, Western societies view marriage as a personal matter while Indians view it as a religious sacrament. The concept of \"life relationships\", which is hostile to the religious meaning of marriage, is causing anger among the common people of India. The rapid spread of modernity through industrialization and globalization has led to a shift from traditional morals towards convenience.

Although marriage has become a highly romanticized institution, the number of cohabitations is increasing and single parenthood has become more acceptable, making marriage a largely voluntary institution. Although marriage is considered a romantic ideal, more and more people are choosing to live together or be single parents, making marriage a voluntary choice. Stark et al. (2012) found that 86 women in a study took seriously intergenerational bonds influenced by their parents' long-term marriages.

On the other hand, Joseph & Inbanathan (2016), in their study of marital disharmony among working couples in urban India, highlight the changing landscape of marriages and partner preferences and challenge the traditional norms for marriage in India. Similarly, Seth (2011) in his study highlights the role of dating apps and matrimonial websites in enabling young Indians to seek relationships outside of arranged marriages despite societal norms and cultural influences. Live-in relationships that involve unmarried couples living together are increasing among young people, especially in major cities and tier-1 cities, testing their compatibility before marriage (Joshi et al., 2017). Similarly, Brown et al. (2008) found a cultural shift among young adults favoring cohabitation over marriage, with cohabitation increasing from 5% to 15%, suggesting a preference for cohabitation over marriage.

LITERATURE REVIEW

The meaning of \"living in a relationship\" is \"a way of life\" where the unmarried couple lives together to have a long-term relationship like marriage. Savita & Khan (2020) examine the sociological implications as well as advantages and disadvantages of cohabitation relationships and define them as long-term living arrangements between two people in an intimate relationship. Rajib (2015) discusses how civil partnerships influence traditional Indian society, which values marriage as a sacred institution. As India slowly embraces Western ideas such as cohabitation, Rabbiraj (2014) highlights India's societal problems and lack of legal rights for cohabiting couples, despite benefits such as reduced financial burden and emotional support. Live-in relationships challenge traditional norms and require individuals to conform to societal expectations. Similarly, Srijith et al. (2019) discuss India's increasing preference for civil partnerships over marriage, despite challenges such as lack of legal recognition, inheritance issues, unexpected pregnancies and exploitation in traditional society. Indian courts have ruled that civil partnerships are not illegal and people in such arrangements are not criminals and can lead to marriage in certain circumstances. Although civil partnerships

may not be widely accepted in Indian society, they are not specifically prohibited by law. Likewise, according to Ghosh (2022), Indian civil partnerships are not illegal, as portrayed in the Netflix series “Indian Matchmaking,” which humorously explores the Western fascination with arranged marriages in India.

RESEARCH PROBLEM

This research examines societal trends and attitudes toward individuals in nonmarital relationships, with a focus on intergenerational attitudes and couple well-being. Co-residents face challenges such as housing, healthcare, education, public disapproval, lack of legal protection and social stigma. Conflicts can be resolved through family or community support and on the basis of mutual understanding.

RESEARCH OBJECTIVES

The objectives of the research are as follows:

- a. To find out the cause of cohabitation.
- b. Interpret the sociocultural implications of such relationships.
- c. Analysis of the legality of civil unions and the legal status of cohabiting couples and their children.
- d. To find out the joint rights and responsibilities of couples living in the same household.
- e. Understand the shared rights and responsibilities of cohabiting couples.

RESEARCH QUESTIONS

The research aims to answer the following research questions:

- a. What is the attitude of different age groups towards unmarried and illegitimate couples in India?
- b. How do couples' attitudes towards living together affect their well-being in everyday life?
- c. What are the rules for civil partnerships in the Indian legal system?

RATIONALE OF THE STUDY

Since the 1970s, scholars have studied coexistence and coexistence, focusing on young adults, particularly university students. Half of those living together are university students, highlighting the need to understand societal attitudes and the impact of cohabitation on well-being and decision-making.

DISCUSSION

a. Social Stigma over Live-In Relationship

Scholars have been studying cohabitation since the 1970s, focusing on young adults, particularly university students. Half of those cohabiting are university students, highlighting the need to understand societal views and attitudes towards cohabitation, particularly in India. Cohabitation has increased worldwide, so there is a need to examine how different generations perceive this trend and what impact it has on couples' well-being and decisions.

Cohabitation is still considered taboo in India as the conservative Indian society believes in living together without marriage and premarital sex. Partners in shared apartments face rigorous scrutiny, difficulty finding housing, and social judgment. Children born from such arrangements are considered illegitimate and women are considered vulnerable. Same-sex partners in shared apartments are socially frowned upon.

b. Cultural and Religious Influences

The social stigmatization of cohabitation in India is strongly influenced by the complex interplay of cultural and religious factors that have shaped social norms in the past. India, a country with diverse traditions and religious practices, has long viewed marriage as a sacred institution and created a cultural background that plays a crucial role in the perception of alternative relationship structures. Religious teachings in India often emphasize the sanctity of marriage and portray it as a sacrament essential to spiritual and social well-

being. Hinduism, with its emphasis on Dharma (duty) and the concept of “Grihastha Ashrama” (household life), has traditionally advocated married life as a path to spiritual fulfilment. Other major religions in India, such as Islam and Christianity, also place great emphasis on formalizing relationships through marriage.

c. Family and Community Expectations

Indian families' value maintaining family honour and reputation, with marriages often viewed as alliances. Unconventional living arrangements can lead to tension and resistance, with different attitudes between generations contributing to stigmatization. Older generations may find it difficult to accept unconventional arrangements, while younger generations may be more open to alternative arrangements. Stigma extends to siblings and offspring, and societal judgments can impact marriage prospects. Arranged marriages contribute to cultural and religious discord and preserve traditional gender roles and patriarchal structures. Understanding these factors is crucial to promoting open dialogue and progressive social change in India.

d. Ethical Norms

Marriage is deeply rooted in the concept of marriage in India and is therefore taboo for opposite-sex sexual relationships. However, in major cities like Bangalore, Delhi, Mumbai and Chennai, live-in relationships are accepted as legitimate. Rural India has a negative attitude towards relationships and views them as a way to fulfil sexual desires. Marriage is a lifelong relationship and everyone has the right to decide on the compatibility of their partner. However, living in relationships can lead to negligence and negative impact in Indian society compared to the western world.

e. Legal Framework

The Supreme Court of India has significantly influenced the legal framework for civil partnerships, despite their recognition and sometimes social stigmatization. Landmark judgments in India like the case of *Indra Sharma vs. V.K. V. Sharma* recognizes adults' consent to cohabitation without marriage, but societal attitudes often lag behind, leading to social stigma and the lack of comprehensive legislation. The lack of clear legal requirements in non-marital relationships can lead to social condemnation and discrimination, especially for cohabiting couples. This legal ambiguity can be exploited by those seeking to increase social stigma. Property and inheritance rights in civil partnerships can be affected by unclear regulations. However, legal recognition is closely linked to a change in social attitudes and helps to confirm and eliminate the stigma associated with these relationships. India's states have implemented progressive laws such as the Domestic Violence Act 2005 to regulate civil partnerships, promote inclusivity and combat social stigma. However, comprehensive legislation is needed to protect individual rights and promote social acceptance and understanding.

f. The Roles of Policies in Cohabitation

India's civil partnership laws are unclear, but the Supreme Court has ruled that couples who have lived together for a long time are considered legally married unless proven otherwise. The landmark case of *S. Khushboo vs. Kanniammal* has shown that civil partnership falls under the right to life and liberty under Article 21 of the Indian Constitution. Cohabitation between two partners is permissible and cannot be considered unlawful or illegal. The court also ruled that children born of civil partnerships can inherit their parents' assets, although the rights to ancestral property are unclear. The Allahabad High Court recognized the concept of living in a relationship and observed that adult men and women can stay together without getting married. The case of *Revanasiddappa vs. Mallikarjun* clarified the legal status of civil partnerships and established that wrongful acts in the past can now be legitimate. The Indian Evidence Act guidelines prohibit cohabiting couples from adopting children, but cases like *Balasubramanyam vs. Suruttayan* presuppose the legitimacy and inheritance rights of a child. In the case of *Vidyadhari vs. Sukhrana Bai*, the court granted inheritance rights to children born from civil partnerships, but their right to ancestral property remains unclear. The Supreme Court in the case of *Bharat Matha vs. Vijaya Renganathan* held that children living in the household can inherit their parents' property despite the unclear right to ancestral property. The Allahabad High Court recognized the concept of living in a relationship in *Payal Der*. In the case of *Sharma vs. Nari Niketan* it is said that an adult man and an adult woman can stay together without getting married if they want and that is not illegal. In the case of *Badri Prasad vs. Director of Consolidation*, the woman lived

together for 50 years without getting married. The court also observed that the presumption is rebuttable, but the person who wants to deprive the relationship of its legal origin has a heavy burden of proving it that the wedding took place. Domestic Violence Act 2005 provides protection against domestic violence abuse. In India, women in live-in relationships have certain rights to protect themselves from abuse by their partners. The legal status of these relationships is unclear, but in cases such as *Tusa v. Durgatiya* the Supreme Court recognized that long cohabitation presupposes marriage. However, in the case of *D. Velusamy v. D. Patchaimmal*, the court held that women in live-in relationships are not entitled to maintenance. To receive alimony, the couple must be related to the spouses, be of legal age to enter into a legal marriage, and live together voluntarily. The 2013 Malimath Committee report expanded the definition of “wife” to include cohabitation, thereby securing financial support. The Domestic Violence Act 2005 provides protection against domestic violence abuse.

CONCLUSION

The increase in cohabitation couples is attributed to different generational perspectives non-traditional marriage norms. Younger generations like Gen Y and Gen Z are more accepting of live-in relationships due to their familiarity and comfort with the concept. In contrast, there is a lack of necessary generational research to assess family dynamics and the well-being of children in non-traditional relationships. Generation Z is advocating for legal recognition and ethical standards in non-marital relationships, signalling a possible shift toward this type of partnership over traditional marriage as societal attitudes continue to evolve. Civil partnerships are a growing form of family in India where a man and a woman live together without getting married. This rule has been around for centuries, with concubines being a common practice in ancient Rome and China. Modern life has led couples to seek a more flexible relationship, often to test compatibility or maintain single status. However, traditional Indian law is biased in favour of marriage, which is the foundation of family and society. Cohabitation lacks the legal rights and privileges of marriage, such as property, debt liability and custody of children, access to health care, inheritance and survivorship. To address these issues, couples can create a written agreement similar to a premarital agreement that outlines how they will divide expenses, own property, maintain joint or separate bank accounts, and distribute assets if one partner dies or leaves the relationship. Although there is no law in India prohibiting adult couples from living together without formal marriage, it has been legally recognized by the Supreme Court.

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