

Live-in Partnerships in India: An Interdisciplinary Analysis with Cultural and Legal Perspectives

Sandeep Kumar Sharma¹, Dr. Narendra Bahadur Singh²

¹PhD Research Scholar, (LL.M., UGC NET) Department of Law, Galgotia University Greater Noida, Uttar Pradesh.

²Professor, Department of Law, Galgotia University Greater Noida, Uttar Pradesh.

Abstract:

Live-in relationships, defined as cohabitation between partners without a legal marriage, have become a prevalent feature of modern Indian culture. This research study investigates the notion of live-in partnerships in India, looking at the cultural, sociological, and legal aspects of this emerging relationship type. This article examines sociological trends, cultural attitudes, legal frameworks, and repercussions for people and society to shed light on the intricacies of live-in relationships and their relevance in the Indian setting

Keywords: Cohabitation, live-in partnerships, sociological trends, legal viewpoints, and Indian society

Introduction

The idea of live-in partnerships has changed significantly in Indian society over the years, moving from being taboo to being more and more accepted. This paradigm shift on intimate relationships and partnerships is a reflection of greater shifts in cultural views, societal standards, and personal beliefs. In order to better understand live-in relationships in India, this research paper will examine the concept's historical development, cultural perspectives, social ramifications, and legal frameworks. This essay seeks to provide insights into the subtleties and difficulties of live-in relationships in the Indian setting by thoroughly analysing these elements.

Live-in partnerships have their origins in traditional Indian customs from long ago, when "Gandharva vivaha," or consenting unions, were conducted without official ceremonies or rites. But over time, social mores, religious convictions, and legal systems all contributed to the slow downfall of these agreements, pushing them to the periphery of acceptable behaviour. However, there has been a resurgence of interest in live-in relationships in modern India, driven by expanding ideas of personal autonomy and independence as well as changing cultural views and economic circumstances. This comeback is indicative of a larger movement away from conventional social institutions and towards individuality and secularism.

In India, there are many different and developing cultural perspectives on live-in relationships that are influenced by contemporary culture, generational divides, and traditional traditions. Younger generations, in particular, frequently see live-in agreements as a way to explore relationships, demonstrate independence, and test compatibility before formal commitments like marriage, even though conventional

standards may still view them with scepticism or contempt. Certain sectors of Indian culture, particularly those in metropolitan areas and among the educated middle class, have come to tolerate live-in relationships as a result of urbanisation, globalisation, and exposure to Western norms.

In Indian society, live-in relationships are still frowned upon by certain families and continue to face social stigma, legal uncertainty, and resistance. Legal rights and duties have become unclear due to the lack of explicit laws governing live-in partnerships, especially when it comes to property, inheritance, and child custody. However, by upholding partners' rights in historic rulings, the judiciary has contributed significantly to the clarification of the legal position of cohabitation.

Live-in relationships have numerous, intricate ramifications for both individuals and society. On the one hand, cohabitation gives couples the freedom to interact and be intimate without the limitations of a traditional marriage, giving them more control over the dynamics of their partnership. However, obstacles including social stigma, resistance from family members, and undefined legal situations might affect the welfare and social integration of those living with one another.

One dynamic and changing facet of modern Indian culture is the idea of live-in partnerships. Through an examination of its cultural conceptions, legal frameworks, historical development, and social ramifications, this research study seeks to offer a thorough knowledge of live-in relationships in India. Analysing the subtleties and complexity of live-in arrangements and their effects on people and society is crucial as perceptions about partnerships continue to change

Evolution throughout history

In Indian society, live-in partnerships have a long history that is based in customs and cultural norms. The idea of "Gandharva vivaha" from ancient Indian texts is one important forerunner of modern live-in partnerships. Gandharva vivaha, a term used in Vedic literature, describes voluntary partnerships between people that don't require official ceremonies or rites. Without the influence of families or social norms, these relationships were founded on the love and permission of the couples. In ancient India, Gandharva vivaha was seen as a legal type of matrimony and was frequently connected to passionate love and individual preference.

But as time went on, cultural expectations and religious convictions started to influence the Indian institution of marriage. Hindu texts like the Manusmriti and Dharmashastras had a strong effect and highlighted the value of customs, rites, and family approval in marriage. Caste, familial prestige, and economic ties were the driving forces behind the Brahmanical social order's promotion of arranged weddings as the ideal type of relationship. As a result, Gandharva vivaha became less common as people began to see it as a departure from both religious and social standards.

In Indian civilization, the idea of informal partnerships endured, albeit in different forms, after the Gandharva vivaha declined. There have been cases of people cohabiting in voluntary partnerships outside of the legal framework of marriage throughout history. These partnerships were frequently seen as abnormal and were accepted or scrutinised to differing degrees on the periphery of society.

Due to altering ideas about personal independence and autonomy, economic concerns, and changing cultural views, live-in partnerships have seen a rebirth in modern India. Urbanisation, globalisation, and the impact of Western culture have all contributed significantly to the questioning of established conventions and the increased acceptance of nontraditional relationship forms. In particular, younger generations are coming around to the notion of living together before to marriage as a way to assess compatibility, make an independent statement, and put their own needs first

In India, the prevalence of live-in partnerships is also influenced by economic reasons. Young individuals now marry later and are more financially independent due to factors including rapid urbanisation, growing living expenses, and shifting work habits. Consequently, a lot of people decide that living together with their spouses is a more sensible and economical option than getting married.

Furthermore, a reassessment of conventional gender roles and cultural expectations around marriage has resulted from evolving ideas of personal freedom and autonomy. Particularly women are questioning patriarchal conventions, demanding greater equality in partnerships, and claiming their agency and autonomy in terms of marriage and relationships.

The historical development of cohabitation in India is a reflection of the intricate interactions between social, cultural, and economic elements. Although the idea of informal unions has roots in antiquated customs like Gandharva vivaha, modern live-in partnerships have arisen in reaction to altering concepts of personal autonomy, economic realities, and cultural views that are changing. Live-in partnerships, which represent the variety and vibrancy of contemporary relationships, are probably going to continue to be an important part of Indian society as it develops

Cultural Perceptions and Societal Trends

In India, societal opinions towards cohabitation display a wide variety of viewpoints that are a reflection of the intricate interactions between modern influences, generational divides, and traditional traditions. While live-in arrangements have traditionally been seen with suspicion or condemnation by conventional values and norms, there has been a discernible movement in perspective towards increased acceptance and normalisation of these arrangements, especially among younger generations.

India's traditional cultural values have historically placed a strong emphasis on marriage as a holy institution approved by social norms, religious rites, and family approval. In this setting, live-in partnerships were frequently seen as a break from social norms, questioning established hierarchies and family structures. As a result, they encountered scepticism, moral condemnation, and social shame, especially in rural or conservative areas where traditional values are still strongly upheld.

However, in recent decades, there have been major shifts in society trends and cultural ideas surrounding live-in relationships, especially with reference to younger generations. Relationship and marriage-related views have been greatly influenced by urbanisation, globalisation, and exposure to Western values. The acceptability of alternative relationship patterns, such as cohabitation before marriage, has increased due to the impact of Western media, entertainment, and lifestyle trends.

In metropolitan areas, younger generations are coming around to the notion of cohabitation as a way to evaluate compatibility, explore intimacy, and assert independence prior to entering into a legal marriage. Within the confines of a traditional marriage, live-in partnerships give couples the flexibility to pursue their relationships on their own terms in a fast changing socioeconomic landscape that values personal fulfilment and individual autonomy.

Furthermore, the number of young adults living together has increased due to financial reasons such growing living expenses, shifting work trends, and postponing marriage. People may decide to put off getting married and instead select cohabitation as a sensible and economical option as they prioritise their personal, professional, and educational objectives.

Despite increased acceptance of live-in relationships in various areas of Indian culture, social perceptions remain broad and vary. Conservative views, moral judgements, and social stigma continue to be prevalent in many communities, particularly in rural or traditional settings where cultural standards are strictly

followed. Family influences, cultural expectations, and social status concerns may all have an impact on people's decisions about relationships and marriage.

In India, societal attitudes about live-in relationships are changing dramatically as a result of shifting cultural perspectives, generational upheavals, and modern influences. While traditional values and conventions continue to affect opinions in some parts of society, live-in relationships are becoming more accepted and normalised, particularly among younger urban generations. As Indian culture evolves, it is critical to recognise the range of opinions and experiences surrounding live-in relationships, as well as to develop open communication and understanding among communities

Framework for Law and Judiciary Interpretation

The lack of particular legislation governing live-in relationships in India has resulted in a complicated and ambiguous legal structure around them. The legal status and rights of partners in live-in relationships have been significantly shaped by the court, despite the fact that live-in partnerships are not specifically recognised or governed by Indian law. Significant precedents and interpretations pertaining to the rights and duties of persons in cohabiting relationships have been established by the Supreme Court of India through landmark rulings.

The historic ruling in *Indra Sarma v. V.K.V. Sarma* (2013) is one of the major judgements that helped live-in relationships get legal status in India. In this instance, the Supreme Court ruled that the Protection of Women from Domestic Violence Act, 2005 grants maintenance rights to women in cohabiting relationships. The court decided that a woman in a domestic partnership, married or not, might ask her spouse for maintenance and be entitled to protection from domestic abuse. This ruling upheld the rights of women in live-in relationships to assistance and protection from the law, representing a dramatic divergence from conventional understandings of domestic partnerships.

D. Velusamy v. D. Patchaiammal is another noteworthy case that further established the legal position of cohabitation (2010). The Supreme Court established particular standards in this decision to ascertain if a live-in relationship exists and what each partner's rights are. According to the ruling of the court, a partnership needs to meet several requirements in order to qualify as a live-in relationship, such as cohabitation, mutual consent, and projecting a couple image to the public. The ruling upheld the partners' legal rights to property, inheritance, and maintenance as well as essential rules for courts to follow when resolving conflicts resulting from live-in partnerships.

The Supreme Court's historic rulings have set significant legal precedents and interpretations pertaining to the responsibilities and rights of people living together. Although live-in relationships are not specifically regulated by law in India, the courts have acknowledged them as legitimate partnerships that are entitled to legal protection under current statutes, such as those pertaining to inheritance, domestic abuse, maintenance, and property rights.

Even Nevertheless, there are still a lot of unanswered questions about the legal standing of cohabiting couples. The lack of comprehensive laws pertaining to these agreements has resulted in a state of uncertainty and inconsistent implementation of the law. Furthermore, people in live-in relationships may face difficulties due to societal attitudes, cultural beliefs, and resistance from family members, which may have an impact on their social standing and legal rights.

Even though India's laws governing live-in partnerships are complicated and open to interpretation, significant rulings from the Supreme Court have recognised the rights of partners in these kinds of relationships and offered crucial assistance. In order to guarantee that people in live-in relationships have

legal protection and that their rights and dignity are respected, legislators, policymakers, and the court must resolve the legal ambiguities as Indian society develops.

Ramifications for both people and society

With its own dynamics and liberties, live-in relationships have a big impact on people's lives as well as society. They give couples the opportunity to experience intimacy and companionship outside of the traditional marriage, but they also come with risks that may affect the participants' social integration and general well-being.

As an alternative to traditional marriage, live-in relationships provide people the chance to prioritise their own happiness, test their compatibility, and demonstrate their independence. People can share their lives, create a home together, and enjoy companionship without the formality and legal responsibilities of marriage by living with their partners. Those who value independence and self-determination in their relationships may find this flexibility especially appealing.

Furthermore, living together may provide people a feeling of autonomy and control over their private life, empowering them to choose their partners in accordance with their own needs, beliefs, and preferences. People in live-in relationships can negotiate their own conditions of partnership by rejecting typical marriage roles and expectations, which promotes greater equality and mutual respect in their partnerships. Live-in partnerships can present difficulties, though, which may affect the participants' social integration and general well-being. The stigma and disapproval of non-traditional relationship types in society is a serious obstacle. Live-in relationships are still frowned upon in many parts of society, especially in traditional or conservative societies, despite their increasing popularity. For those living together, this stigma can cause feelings of social exclusion, prejudice, and marginalisation that can negatively impact their mental health and general wellbeing.

The legal status and rights of partners in live-in arrangements remain unclear in many jurisdictions, which presents issues for those involved in these arrangements. Even though significant court rulings have given people in live-in relationships some recognition and protection, many legal concerns remain unsolved due to the lack of complete law. People may feel uncomfortable and uneasy due to this lack of legal clarity, especially when it comes to issues involving property rights, inheritance, and child custody.

Furthermore, because families may reject or disapprove of non-traditional relationship choices, familial resistance can provide substantial obstacles for those in live-in relationships. The difficulties experienced by people in live-in arrangements can be exacerbated by family expectations and demands, which can strain relationships and cause conflict and alienation.

In spite of these difficulties, cohabitation can benefit society by encouraging more independence, adaptability, and variety in interpersonal dynamics. Promoting comprehension, acceptance, and support for people in live-in relationships is crucial in order to ensure that they can manage their relationships with dignity, respect, and fulfilment as society views and legal frameworks continue to change in response to shifting norms.

Conclusion

In conclusion, live-in partnerships in India are a reflection of how modern families and partnerships are developing. Live-in relationships provide people with a flexible and alternate approach to intimacy and companionship as individual preferences and society conventions continue to change. For many people in

these kinds of relationships, navigating the complexity of cultural views, legal frameworks, and personal decisions, however, continues to be difficult.

This research paper has examined the many aspects of live-in relationships in India, providing insight into their social ramifications, legal status, cultural perspectives, and historical development. This article adds to the continuing conversations in India about relationships, family dynamics, and societal transformation by offering a comprehensive view of live-in relationships. It is critical to promote more tolerance, acceptance, and support for those in live-in relationships since perspectives on marriage and partnerships keep changing. Addressing social stigma, advancing legal safeguards and transparency, and encouraging candid discussion and communication within communities are all part of this. We may endeavour to create a more fair and inclusive society where all types of partnership are accepted and cherished by acknowledging the varied experiences and choices of persons in live-in relationships.

References:

1. Dharmalingam, A., and Sharmistha Sinha. "Living Together in India: A Growing Alternative to Marriage?" *Economic and Political Weekly*, vol. 49, no. 29, 2014, pp. 80-88.
2. Gupta, Chandra S. "Live-in Relationships in India: Legal, Social, and Cultural Perspectives." *Man in India*, vol. 99, no. 1-2, 2019, pp. 309-321.
3. Jha, Suryakant. "Live-in Relationships: Socio-legal Analysis in the Indian Context." *IOSR Journal of Humanities and Social Science*, vol. 22, no. 6, 2017, pp. 38-43.
4. Kumar, Ravi, and Ajay Gupta. "Live-in Relationship: A Legal and Socio-economic Analysis in Indian Context." *International Journal of Management, IT and Engineering*, vol. 8, no. 3, 2018, pp. 280-292.
5. Malhotra, Anmol. "Live-in Relationships in India: A Socio-legal Study." *International Journal of Advanced Research and Publications*, vol. 4, no. 12, 2020, pp. 264-271.
6. Mishra, Preeti. "Changing Dynamics of Live-in Relationships in India: A Sociological Study." *International Journal of Humanities and Social Science Research*, vol. 5, no. 5, 2019, pp. 51-58.
7. Sharma, Renu. "Changing Trends of Live-in Relationships in India: A Sociological Analysis." *International Journal of Scientific Research and Review*, vol. 9, no. 3, 2020, pp. 52-60.
8. Yadav, Rajesh, et al. "Live-in Relationships in India: A Socio-legal Perspective." *International Journal of Trend in Scientific Research and Development*, vol. 3, no. 4, 2019, pp. 1145-1150.
9. Kumar, Arvind. "Live-in Relationships in India: A Socio-Legal Study." *Indian Journal of Social Research*, vol. 7, no. 3, 2016, pp. 45-62.
10. Desai, Sujata. "Changing Family Norms in India: Is Live-in Relationship a Solution?" *International Journal of Scientific and Research Publications*, vol. 6, no. 4, 2016, pp. 225-227.
11. Pathak, Neha. "Live-in Relationships: A Societal Perspective in India." *International Journal of Innovative Research in Social Sciences and Humanities*, vol. 5, no. 2, 2018, pp. 44-52.
12. Bharati, Anurag. "Live-In Relationships in India: A Sociological Perspective." *Journal of Indian Law and Society*, vol. 7, no. 2, 2016, pp. 91-110.