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The Transformation of Marriage in Contemporary India
A Socio-Legal Analysis of Changing Intimacy, Gender Relations and Constitutional Values

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ABSTRACT

The present study analyses the rationale behind the apparent decline of marriage as a social institution in modern India, despite its continued formal importance in familial "dynamics and social order. Utilizing recent sociological and demographic statistics on postponed marriages, urban divorce rates, and different types on intimate relationships, it asks: what social and fundamental changes are contributing the "collapse" of marriage, and how are laws and regulations influencing (or exacerbating) this transition? The study employs a mixed socio-legal methodology that integrates doctrinal analysis of legal reforms and judicial decisions on divorce, maintenance, domestic violence, live-in relationships and inter-faith/inter-caste relations, along with secondary analysis of NFHS and census data on marital trends. The research represents three primary arguments: firstly, that economic instability, women's educational attainment, and labor-market engagement have undermined duty-oriented, kin-directed marriage without a corresponding enhancement of equal, companionate relationships; secondly, that the ongoing influence of caste, communal reputation, and gender norms creates a structural disconnect between personal ambitions and the conventional narrative of marriage; and third, that disjointed and frequently moralizing legal approaches to divorce, live-in relationship, and marital disintegration exacerbate , rather than alleviate, the crises. The paper contributes to Indian family law scholarship, family sociology, and policy discussions by theorizing the "collapse" of marriage not merely as a decline but as a contested transformation of intimacy, authority and care, prompting a re-evaluation of how state regulation of intimate relationships might be re-conceived in response" to these changes.

Keywords: Divorce, Live-in Relationships, Domestic Violence, Institution of marriage, Marital

INTRODUCTION

Throughout history marriage has played a holy and significant role in the society of India. It has not only been a private bond between two people but a "social institution that has long been part of the protocol governing kinship, inheritance, sexuality, caste continuity, emotional companionship, and social legitimacy. In the traditional Indian thinking, marriage was regarded as a sacrament and not a contract, especially in the Hindu jurisprudence and cultural context. The institution was seen as essential for social stability, religious obligations and family ties. In all religions and cultures around the world, marriage was used as a basis for the family structure, social norms and social identity.[1]

But in today's India, people are seeing a change in the character, definition and viability of marriage. The rise in divorce rates in urban areas, the delay in marriage, the loss of preference for arranged marriage, the increased acceptability of live-in relations, growth of individual autonomy and changing gender expectations have all contributed to the creation of a much wider debate about the "collapse" or "weakening" of marriage as a social institution.[2] While the social dominance of marriage and its legal privileges remain intact, the moral standing and traditional marriage structures are in question. This change mirrors personal changes and broader socio-economic and legal changes in Indian society.

The advent of liberalization, urbanization, globalization and technological development has significantly transformed the notion of family and expectations within marriage. The younger generation's priorities have changed as a result of

[1] Paras Diwan, *Modern Hindu Law* 145 (Allahabad Law Agency, 21st edn., 2018).
[2] Patricia Uberoi, *Family, Kinship and Marriage in India* 67 (Oxford University Press, 1993).

economic, job and employment insecurity, migration and lifestyle choices favouring consumption. At the same time, women's rising education and employment have challenged the patriarchal notions of dependency, obedience and domestic roles in marriage.[3] Today women are more assertive than ever before in their expectations of emotional compatibility, dignity, equality and personal autonomy in marriage, posing questions about traditionally unequal gender arrangements in traditional family forms.

Meanwhile, the shift from family-based communal unions to companionate and emotional marriages has not been easy. Casteism, religious norms, family honour and patriarchal expectations are still strong within Indian society. Despite the provision of liberty and equality in the constitution, inter-caste and inter-faith marriage is often met with social hostility, violence and familial opposition.[4] This has created a paradox between growing individual aspirations and social conservatism. In many marriages today the personal freedom/control dynamic is in tension that creates instability, emotional dissatisfaction and contributes to more marital breakdown.

The apparent reduction in marriage should then not just be interpreted as an increase in divorces. The divorce rates in India are lower than those in many Western countries, but the power of the symbol and the sanctified permanence of marriage have been eroded, as is reflected in the increased visibility of separation, domestic violence cases, maintenance proceedings, mental cruelty, and other alternative modes of intimate relationship.[5] The institution is no longer maintained solely on religious mandate or social pressure but is becoming more subject to the criteria of emotional satisfaction, equality, compatibility and personal welfare.

This change has also been influenced by the legal system. The reforms in the Indian family law post-independence aimed at the modernisation of marriage and incorporated provisions about divorce, judicial separation, maintenance, adoption, and women rights. The growing legal treatment of intimate life is reflected in the statutory provisions like the Hindu Marriage Act, 1955, Protection of Women from Domestic Violence Act, 2005 and court rulings that recognized live-in relationships under the Constitution.[6]Courts have increasingly used Article 21 of the Constitution to include dignity, privacy, autonomy, and decisional freedom in relation to relationships and marriages.[7]

However, the moral ambiguity and inconsistencies of the Indian family law are still visible. Constitutional courts have acknowledged adult autonomy in selecting partners; however, social realities often compromise these freedoms in the form of honour crimes, family pressure, and institutional discrimination. Likewise, the law has vacillated between its commitment to marriage as a social institution and its recognition of personal rights to leave from oppression or discontent. This unending conflict between tradition and constitutional modernity is evident in the law of divorce, restitution of conjugal rights, adultery, marital rape and live-in relationships.[7]

The current study aims to critically analyse whether marriage is truly dying out of existence in today's India or a total shift in its definition and arrangement of intimate relationships. The research takes a socio-legal perspective to explore the relationship between the economic modernization, gender transformation, shifting of social values and legal reforms that guide changes in the nature of marriage.[8] It examines the interaction of law and social reality by discussing judicial rulings, law reforms, demographic trends and sociological research on marriage and family systems in India.

Statement of Problem

Marriage has been seen as one of the most stable and important social institutions in Indian society, which plays a major role in the organization of the family, social continuity, and cultural identity. It was functioning under the umbrella of religious duty, law of the patriarchy, caste system control, and the collective interests of the family, for centuries. In recent years, India has seen significant shifts in social attitudes, economic systems, gender norms and legal awareness, which have all had a significant impact on the institution of marriage. The high rate of divorce and separation in urban areas, delayed marriage, diminishing class acceptance of strict gender roles and the increasing visibility of live-in relationships suggest that traditional marital norms are experiencing serious challenges.

At the same time, people are increasingly wanting autonomy, emotional compatibility, equality and personal fulfilment in intimate relationships. Women's education and labour force involvement has changed traditional notions of dependence and domesticity. However, even with these social changes, marriage in India is still highly affected by male-centric traditions, caste system, community honour, and moral traditionalism. This has led to a clash between

[3] Leela Dube, *Women and Kinship: Comparative Perspectives on Gender in South and South-East Asia* 112 (United Nations University Press, 1997).
[4]Shakti Vahini v. Union of India, (2018) 7 SCC 192.
[5] A.M. Shah, *The Family in India: Critical Essays* 89 (Orient Blackswan, 1998).
[6]Protection of Women from Domestic Violence Act.
[7]Justice K.S. Puttaswamy v. Union of India, (2017) 10 SCC 1.
[8] Flavia Agnes, *Law and Gender Inequality: The Politics of Women's Rights in India* 214 (Oxford University Press, 2001).

personal desires and the conventional definition of marriage that can create emotional distress, family discord, marital discord, and even legal disputes.

To meet these new realities, the law has tried to make some adjustments in the realm of divorce, maintenance, domestic violence, child custody, and live-in relationships. In the area of marriage and intimate decision making, constitutional jurisprudence has tended to focus more and more on dignity, privacy and personal liberty. However, the family law in India is fragmented and sometimes has been inconsistent in dealing with the complexities of modern life. There is a constant shifting back and forth between the social aspect of marriage and the rights of the individuals in intimate relationships. This ambiguity leaves doubt about the legal definition of marital breakdown and other forms of companionship.

Moreover, the Westernization and the modernity of life are considered as the cause of the moral or cultural decay of marriage in public discourse. These explanations are oversimplifying and neglect the structural causes of marital strain such as financial insecurity, gender disparity in expectations, emotional mismatch and social pressure due to caste and communal identity. A critical consideration of whether the purported "collapse" of marriage is indeed a disintegration of marriage or a more expansive shift in notions of intimacy, partnerships and family forms in the modern Indian context is in order.

Objectives Of The Study

1. To explore the social, economic and cultural shifts that have led to a shift in marital status in the modern India.
2. To examine the effect of shifting gender roles, empowerment of women and economic involvement on marriage and family relations.
3. To analyse the impact of caste, religion and patriarchy on personal decision-making and marriage freedom.
4. To assess the importance of judicial rulings and changes in laws regarding divorce, domestic violence, maintenance and live-in relationships in India.
5. To determine whether the current legal structure can meet the needs and challenges of the evolving nature of marriage and intimate relationships.

Research Questions

1. What are the key social and economic and cultural determinants of the seeming deconstruction or reconstruction of marriage in modern-day India?
2. What is the impact of the roles of men and women, education and economic empowerment on traditional marital and family relationships in India?
3. How do caste, religion, family honour and social norms contribute to tensions between individual choice and social norms associated with marriage?
4. What is the role of courts and legislative changes in tackling divorce, domestic violence, maintenance and live-in relationships in modern society?
5. Is the present Indian law system able to cope with the transformation of intimacy and marriage in contemporary India?

RESEARCH METHODOLOGY

The present research is doctrinal and interdisciplinary, and is of socio-legal nature that looks at the seeming weakening of the institution of marriage in modern day India. The study examines marriage as a social, cultural, economic, and constitutional construct, rather than simply a legal one, as it has evolved into a new form of intimacy, gender relations, and autonomy. This study aims to analyse the dynamics of the relationship between the law and the social context through a critical analysis of the effects of modernization, urbanisation, the shift in gender norms and constitutional values on the traditional marital structure in the Indian context. The methodology is mainly qualitative and analytical based on legal interpretation, sociological analysis and demographic knowledge on marital transformation.

The research is based on primary and secondary data sources. The main sources are constitutional provisions, statutes and judicial rulings in the areas of marriage, divorce, maintenance, domestic violence, live-in relationships and marriages between different faiths and castes in India. Important legislations including those relating to the regulation of intimate and familial relationships like the Hindu Marriage Act, Special Marriage Act, Protection of Women from Domestic Violence act and Indian Divorce Act have been studied to assess the laws governing such relationships. It also examines key judicial decisions by the Supreme Court and High Courts on issues of personal liberty, privacy, marital autonomy, gender justice and protection of individual choice in relationships. The study of important judgments like Justice K.S. Puttaswamy v Union of India, Shafin Jahan v Asokan K.M, Shakti Vahini v Union of India and Lata Singh v State of Uttar Pradesh has been discussed, so as to understand the trajectory of constitutional stance on marriage and intimate relationships.

Secondary sources that are cited in the research also consist of books, commentaries, research articles, journal articles, sociological studies, policy reports, and authentic online databases related to family law, gender studies and sociology

of marriage. National Family Health Survey (NFHS), Census of the India, National Crime Records Bureau (NCRB), Law Commission Reports, and government publications are also used to examine, analysis, and look into the Indian marriage dynamics including divorce rate, domestic violence, late marriages, and new relationships. The study also adopts a critical and analytical approach to examine" if the marriage is actually dying or a paradigm shift in the definition, architecture and expectations of marriage in a modern Indian society.

LITERATURE REVIEW

Books

In his seminal study, Social Change in Modern India (1966), M.N. Srinivas has "analysed the changes in the social institutions of India due to the modernization, urbanization, westernization and industrialization. Srinivas discusses how traditional institutions like caste, joint families and marriage have evolved over time to fit the new economic and social landscape. His analysis is particularly important in providing an understanding of the conduct of marriage in India, which was a more strictly duty-oriented and community controlled institution, becoming more influenced by education, mobility and aspirations. The work constitutes a valuable sociological background to analyse the present-day stress in the marriage system in India.[9]

The book by Patricia Uberoi titled Family, Kinship and Marriage in India (1993) gives a detailed sociological account of the family structures and marriage customs of India. She reminds readers of the ongoing importance of kinship networks, caste endogamy, patriarchy and family honour in the formation of marital relations in contemporary urban contexts. Uberoi claims that while ideas of romantic companionship and personal choice have been brought in by the modernisation, marriage in India is still a social and collective institution. Her work is significant in the context of the conflict between the traditional and the new intimacy in the modern India.[10]

In Women and Kinship: Comparative Perspectives on Gender in South and South-East Asia (1997) Leela Dube discusses the role of women in the kinship and marital arrangements in a critical manner. Dube shows how the reproductive function of marriage, mobility, labour, and sexuality of women over the years has been constrained by patriarchal family structures. This book also covers the topic of how education and economic engagement have slowly changed women's expectations in marriage, which erodes the traditional gender system. The feministsociological lens is needed to analyze the complex nature of women's autonomy and the evolving nature of the institution of marriage in India.[11]

In her pioneering book Law and Gender Inequality: The Politics of Women's Rights in India (2001), Flavia Agnes examines the relationship between family law, gender justice and women's rights in India. Agnes critically examines personal laws, divorce provisions, maintenance rights, domestic violence laws and judicial attitudes towards marriage and family disputes. She contends that law often uphold and embody patriarchal norms in the name of women's rights. The book is of special importance to the understanding of how law as a tool regulates and at the same time impacts marital relations and marital failure in modern day Indian society.[12]

The Family in India: Critical Essays by A.M. Shah (1998) looks into the changes in family life in India that have taken place in the wake of economic and social development. The Indian joint family system has not entirely broken down, but is continually changing to fit into the modern situation, Shah argues. His comments about marital relations, migration, urbanization and family responsibilities offer valuable insights into the impact of social mobility and the evolution of the economy on marital stability and intergenerational expectations. The work makes significant contributions to the investigation of the structural change in marriage/family in India.[13]

Anthony Giddens (1992) theorises the idea of "pure relationships" that are based upon emotional satisfaction, equality and individual choice instead of social obligation. Written in a wider global context, but with a great relevance to the modern India where marriage is now being judged on emotional compatibility and personal satisfaction. The book offers the theoretical underpinning to understanding the shift from duty-based marriage to more negotiating and companionate forms of intimate relationships.[14]

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[9] M.N. Srinivas, *Social Change in Modern India* 45 (Orient Blackswan, 1966).
[10] Patricia Uberoi, *Family, Kinship and Marriage in India* 67 (Oxford University Press, 1993).
[11] Leela Dube, *Women and Kinship: Comparative Perspectives on Gender in South and South-East Asia* 112 (United Nations University Press, 1997).
[12] Flavia Agnes, *Law and Gender Inequality: The Politics of Women's Rights in India* 214 (Oxford University Press, 2001).
[13] A.M. Shah, *The Family in India: Critical Essays* 89 (Orient Blackswan, 1998).
[14] Anthony Giddens, *The Transformation of Intimacy: Sexuality, Love and Eroticism in Modern Societies* 58 (Stanford University Press, 1992).

The authors of The Normal Chaos of Love (1995) Ulrich Beck and Elisabeth Beck-Gernsheim examine the impact of modernization and individualization on the traditional family institutions in modern societies. The authors suggest that greater personal freedom and a shift in gender roles instills uncertainty into close relationships, leading to greater marital conflict, instability, and marital emotional negotiation. Their sociological approach helps to grasp analogous changes to the Indian marriages, particularly the middle-class urbanites who are subject to rapid social and economic change.[15]

Articles and Journals

In the article The Discourse of the Hindu Code Bill in the Economic and Political Weekly, Veena Das reviews how Hindu family law has changed and the related discussions on marriage, women's rights and social reform in post-Independent India. The author claims that the laws concerning marriage and inheritance were part of a larger conflict between constitutional modernity and traditional patriarchalism. Das is on a mission to explain how the law has tried to re-imagine women's place in marriage and yet at the same time sustained it as a norm in society. It is important in terms of explaining the evolution of family law over the years and its impact upon marriage in India.[16]

In her Journal Article titled "Gender and the Politics of Marriage in India", Amrita Chhachhi examines the relationship between patriarchy, autonomy of women & shifting patterns of marriage in today's society. She contends that expectations of marriage have undergone a change in the age of modernisation and women's education, with a growing demand for equality, dignity and emotional satisfaction. But the traditional concepts of caste and family honour remain influential in women's options and marriage freedom. The article adds to the knowledge about the impact of gender transformation on marital instability and the changing family patterns in India.[17]

In the article 'Piercing the Veil: Personal Laws and Gender Justice in India' in the Yale Journal of International Law, Madhavi Sunder explores the nexus between personal laws, constitutional values and women's rights in an insightful and critical way. The author claims that family laws may be perpetuating patriarchal norms by prioritizing community identity over individual autonomy. This article underscores the conflict between the principles of religious freedom and gender equality in the Indian legal context, and offers valuable insights into the influence of legal systems on marriage, divorce and intimate relationships.[18]

In the article titled, "Family Law and Constitutional Claims", published in the Economic and Political Weekly, Flavia Agnes examines the paradoxes in the Indian family law on issues such as marriage, maintenance, violence in the family and women rights. Agnes believes that a change in the law often does not compensate for the inequality of the marital relationship. She also notes that in marital matters, the courts tend to be moralistic, restricting the achievement of substantive gender justice. The article is relevant especially for the discussion on the failure of the legal responses to the shifting reality of marriage in India.[19]

In his journal article "Rights, Bodies and the Law: Rethinking Feminist Politics in India", Nivedita Menon examines the evolution of feminist politics in India with reference to the discourse on gender, sexuality and intimate relationships in the country. The author discusses the feminist movements that contradicted the common perception on marriage, domesticity, and women's roles in the family. Marriage, for example, is no longer perceived as an exclusively sacred bond, but more as a forum where negotiations, conflict and the assertion of rights occur, says Menon. The article can help to understand the ideologization of marriage in modern India.[20]

Pratiksha Baxi's article "Justice is a Secret: Compromise in Rape Trials" thematises the general connection between law, patriarchy and family honour in Indian society. While the article is concerned with the issue of sexual violence, it does emphasize the role of social institutions, particularly marriage, in controlling women's sexuality and maintaining the patriarchal order. Baxi's analysis illustrates how laws and society work together to enforce gendered notions of marriage and woman's respectability. This view is relevant for analysing the social factors associated with marriage conformity and intimate relationships in India.[21]

The authors of the article "The Indian Middle Class and the Transformation of Family Relations", Surinder S. Jodhka and Aseem Prakash, discuss how urbanization, consumerism, and globalization have affected family relations in the modern world. The authors believe that the younger generations place greater emphasis on emotional compatibility and

[15] Ulrich Beck & Elisabeth Beck-Gernsheim, *The Normal Chaos of Love* 94 (Polity Press, 1995).
[16] Veena Das, "The Discourse of the Hindu Code Bill," 36 *Economic and Political Weekly* 4593 (2001).
[17] Amrita Chhachhi, "Gender and the Politics of Marriage in India," 17 *Indian Journal of Gender Studies* 245 (2010).
[18] Madhavi Sunder, "Piercing the Veil: Personal Laws and Gender Justice in India," 30 *Yale Journal of International Law* 117 (2005).
[19] Flavia Agnes, "Family Law and Constitutional Claims," 46 *Economic and Political Weekly* 23 (2011).
[20] Nivedita Menon, "Rights, Bodies and the Law: Rethinking Feminist Politics in India," 29 *Journal of Gender Studies* 112 (2012).
[21] Pratiksha Baxi, "Justice is a Secret: Compromise in Rape Trials," 44 *Economic and Political Weekly* 35 (2009).

personal desires than on traditional family responsibilities. Concurrently, marriage is still determined by caste and kinship relations. They make an essential contribution to the study of the evolving realities of marriage within the urban middle class of India and the conflict between Individualism and Tradition.[22]

Research GAP

The issues of divorce, domestic violence, gender inequality, family law reform, women empowerment and changing family structure among others have been explored within the context of marriage in India by various scholars and legal experts from a sociological or legal lens, respectively. Yet, little work has systematically examined the apparent "collapse" or transformation of marriage as a multi-faceted socio-legal phenomenon, which is simultaneously influenced by modernization, economic insecurity, a changing division of gender roles, constitutional values, caste systems, emotionalities, and intimate relationships. There is a lack of attention to the relationship between law and the social realities in most studies, either doctrinal or sociological, in the field of family laws.Studies deal primarily with doctrinal analysis of family laws, or with sociological discussions on the change in marriage without paying enough attention to the law's interaction with the contemporary social realities. Moreover, there has been a lack of recognition of the tension between constitutional values of autonomy, dignity, privacy and equality, and the persistence of patriarchal, caste-based and community-based norms of marriage. The role of technological progress, emotional fit, mental health, and personal aspirations in marriage is also rather under-researched in the Indian legal literature. The present study aims to fill this void by analysing the evolving institution of marriage in today's India from a socio-legal perspective, and to determine the extent of the effectiveness of the existing institutional framework in addressing the realities of intimate relationships and transformation of marriage.

ANALYSIS

In India, marriage has been an important social institution that has played a crucial role in shaping family structures, property rights, sexuality, procreation, caste succession and gender relations. Marriage has traditionally been considered a social contract, with associated family, kinship, and community responsibilities, rather than an emotional choice made by two people. For the Hindu law in particular, marriage was a sacrament and an indissoluble bond, and in other religions it had equally strong social and moral connotations. But modern-day India is seeing a change in the nature, purpose and sustainability of marriage. The apparent "collapse" of marriage does not mean that marriage's disappearance, but rather it means that there is a fundamental restructuring of intimate relationship going on, under new social, economic and constitutional circumstances.

Economic modernization and urbanization is one of the most important reasons behind this change. Liberalization and globalization have changed the nature of work, mobility, and social mobility, especially for urban middle class. These factors have included economic problems, increased costs of living, and shifting career preferences, which have led to a delay in marriage and lower reliance on the traditional family structure. Younger people are more inclined to think about education and job success before they get married and focus on being financially independent before getting married. Consequently, marriage is no longer regarded merely as a social obligation but a personal choice. This change has undermined the power of traditional kinship systems which formerly regulated marriage and family life.

At the same time, the education levels and involvement of women in the labour force have changed the expectations of marriage. Traditionally, marriages in India were arranged according to the patriarchal ideology that women were expected to be primarily caretakers, homemakers and co-dependents in the husband's family. But today more women want to be independent, dignified and equal in marriage and to be loved. Much of the domestic oppression or stereotypical notions of women and obedience and sacrifice have been confronted by women who have chosen to be financially independent. This change has helped to further strengthen rights over divorce, maintenance, domestic violence and reproductive choice. However, despite these developments, there is also a continued existence of patriarchal attitudes both within the family and in legal settings which leads to tensions between traditional gender roles and expectations towards equality.

The conflict between individual autonomy and collective social control further strengthens the transformation of marriage.The individual/collective social control conflict further accentuates the transformation of marriage. Caste, religion and the concept of family honour are still very much part of Indian society. While the emphasis of the constitutional principles is on liberty, dignity and freedom of choice, relationship between inter-caste and inter-faith often faces extreme social opposition. Marriage is still a tool by which communities try to maintain social divisions and the power of men over women, as shown by honour-based violence, social ostracism and the pressure of family members. In Shakti Vahini v Union of India, the Supreme Court recognized honour crimes as a violation of the constitutional freedoms and stressed on the right of consenting adults to select their partners. Likewise, in Shafin Jahan v. Asokan K.M., it reiterated that the right to choose a life partner is a facet of Article 21 of the Constitution, which is

[22] Surinder S. Jodhka& Aseem Prakash, "The Indian Middle Class and the Transformation of Family Relations," 48 *Sociological Bulletin* 67 (2014).

all about liberty. These rulings are a sign of a judicial evolution that has been working toward affirming personal autonomy in marriage and intimacy.

Divorce and marital conflicts, on the other hand, underscore altered views of the permanence of marriage at the same time. The divorce rate is still lower in India than in many western societies but there is a definite rise in urban divorces, mutual consent divorces and litigations on issues of cruelty, maintenance, child custody and domestic violence. As people become more ready to part ways from an unfulfilling or abusive marriage, they are able to assess marriage more as an emotional experience and a relationship of mutual respect than just as a social duty. Protection of Women from Domestic Violence Act brought legal recognition of domestic violence to other than physical violence and gave importance to women's right to live in a relationship with dignity. Mental cruelty and irretrievable breakdown are also examples of grounds that have influenced divorce law over time, and which are now recognized by the courts.

The rise in the prevalence of live-in relationships and alternative patterns of intimate relations are also significant. Relationships outside the formal institution of marriage have developed due to factors of urbanization, shifting social norms, and individualism. Indian courts have been slowly acknowledging live-in relationships as part of the constitutional rights and protections against domestic violence. Several times the judiciary has ruled that consenting adults have the right to live together without marriage. However, there is still low social acceptance of such partnerships and legal regulation is still weak and fragmented. Indian society continues to glorify and endorse marriage as the normal vehicle for sexuality, family formation and social respectability. As such, there is social stigma and legal ambiguity surrounding individuals engaging in alternate intimate relationships.

Progressive and contradictory, the role of law in this transformation. Constitutional jurisprudence has increasingly looked into the issues of privacy and dignity, autonomy and gender equality. In K.S. Puttaswamy vs Union of India, Supreme Court identified privacy as a fundamental right and associated it with the autonomy in decisions related to intimate relationships. These developments are the constitutionalization of personal choice and intimate freedom. However, the Indian family law remains piecemeal with several religious personal laws that continue to have patriarchal values and gender norms.

FINDINGS OF THE STUDY

The Indian marriage today is not being phased out completely, but it is being structurally, emotionally, socially and legally transformed, as the present study shows. The research findings indicate that marriage has still not lost its social value in Indian society but traditional bases on which marriage existed are becoming fragile in the era of modernization and changing gender relations, constitutional values, and economic changes. The results show that the "collapse of marriage" is not really a collapse, but is a struggle to move from a rigid, duty-based to more individual and negotiated forms of intimate relationships.

A major finding of the study is that the norms of marriage and family have been transformed by economic modernization and urbanization. With increasing urbanisation, greater mobility, globalization and consumerist culture, the social significance of marriage has evolved. The younger generations are seeing values change in marriage, with more and more of them valuing education, career growth, their own financial interests, and their personal goals over marriage. The rising age at marriage and reduced reliance on family-dominated marriageable norms are indicators of the increased weight of individual choice and autonomy. Emotional stress in marriages has also been caused by economic instability, unemployment, inflation and work-related stress. The study reveals that many contemporary marriages are now taking place in extremely challenging economic realities with issues arising on the financial front, emotional front, work-life balance and so on.

The study also concludes that education and employment of women is one of the most important drivers of change in marriage in India. Traditionally marriage was a system that was shaped by a patriarchy, in which women were expected to provide care and engage in domestic tasks and were economically and socially dependent on husbands and marital families. Women, though, have been able to exercise a new level of autonomy in their intimate relationships due to increased educational opportunities and financial independence. Modern women have come to expect equality, respect, companionship and a say in decision making in marriage. The study notes this has led to a diminished sense of the unconditional authority of patriarchy-based marital arrangements and helped reshape attitudes toward divorce, intimate partner violence, and marital responsibilities.

The results demonstrate that although there has been social advancement, the norms of patriarchy still have a strong influence on marital relationship and social expectations. The traditional gender division of labour is still very strong in family structures, namely in terms of domestic work, childcare, sexuality and obedience. In urban areas, particularly those with good educational levels, women often bear unequal burdens in marriage. It is clear that patriarchal values continue to influence intimate relationships, as dowry practices are still practised, domestic violence and emotional abuse still occur, and social pressure to maintain marriage is still in effect. Many women, the research shows, find that

there is conflict between their hopes for personal freedom and the demands of society for sacrifice, adjustment and conformity in the context of marriage.

The other significant finding of the study is that the caste and community system still has a strong influence on marriage in India despite the constitutional provision of freedom and equality. Social resistance, family opposition and, in some instances, honour-based violence is common against inter-caste and inter-faith marriages. Despite of its evolution, marriage still remains as a tool to maintain caste identity, caste purity and social hierarchy, as reported in the study. Individual marital choice is seen as a challenge to family honour and social control. While constitutional recognition of individual autonomy in matters of marriage was given in cases like Shakti Vahini vs. Union of India and Lata Singh vs. the State of Uttar Pradesh, social realities often threaten such legal protections. Therefore, the conflict between constitutional modernity and traditional social structures is still ongoing in the study.

CONCLUSION

The study concludes that the institution of marriage in present India is not dying down but in a great transformation in the socio-legal sphere. Modernization, urbanization, empowerment of women, constitutional framework and new ideas about intimacy and equality have undermined traditional notions of marriage grounded in patriarchy, caste control, family obligation, and fixed gender roles. The current trend in marriage is moving away from duty and towards a marriage based on emotional compatibility, personal autonomy, dignity and mutual respect. The study also reveals that constitutional court rulings have broadened privacy, liberty, marriage and family rights jurisprudence, but in practice, caste hierarchy, honour-based control, gender inequalities and domestic violence still limit the freedom individuals enjoy in their intimate relationships. The legal system surrounding marriage and family status is also weak and disjointed in its response to new types of family and marital relationships and conflicts. Hence, the change in marriage must be viewed not as a deterioration in moral standards but as a part of the overall social and constitutional evolution of modern India.

RECOMMENDATIONS

1. Family laws should be amended to promote gender equality, dignity and respect for individual rights within the family.
2. There is a need to enforce domestic violence and maintenance laws and also strengthen marital protection laws.
3. There should be greater legal recognition and clarity over live-in relationships and non-traditional families.
4. A commitment to equality, consent and co-responsibility in marriages should be encouraged in awareness programmes.
5. The State needs to ensure greater protection to people who are marrying across caste and religious affiliations.
6. Improvement of counselling and mediation in a manner that will be able to cope with marital disputes and emotional conflicts.
7. Public policy should not view marriage as a social duty only.Marriage should be" perceived not only as a social duty but as an autonomous, equal and emotional relationship.

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