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Live in Relationships: In Prospective of Family Law

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I. INTRODUCTION

Cohabiting relationships, a modern alternative to conventional marriages, offer personal freedom but face challenges due to legal and social barriers. While they provide a flexible living arrangement, the lack of formal legal recognition and societal acceptance, particularly for women and children, poses significant difficulties. To address these issues, a comprehensive strategy is needed that combines legal reforms, proactive judicial interventions, and increased societal awareness to create a more inclusive and equitable environment for cohabiting individuals. This introduction serves as a foundation for an in-depth exploration of these topics, emphasizing the urgent need for comprehensive solutions to safeguard the rights and well-being of all parties involved.

[1]Live-in relationships, defined by the cohabitation of two individuals without formal marriage, signify a notable transformation in conventional societal norms. These arrangements have increasingly gained popularity worldwide, particularly in urban and progressive communities, where they are frequently seen as a manifestation of individual freedom and changing social perspectives. While this phenomenon indicates a shift away from traditional family structures, it also presents various legal, social, and psychological issues that particularly affect women and children.

In India, the emergence of live-in relationships reflects the changing landscape of contemporary society, driven by urban development, financial empowerment, global exposure, and shifting gender norms. However, these relationships often exist within a legal and cultural ambiguity, as traditional Indian society continues to uphold the sanctity of marriage. The lack of formal legal acknowledgment often leads to significant vulnerabilities for women and children, making them susceptible to systemic and societal challenges.

[2]Legally, live-in relationships challenge the limits of family law, which is predominantly focused on the institution of marriage. Indian family law mainly regulates the rights and responsibilities of

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[1] Linda H. Edwards, *Legal Writing and Analysis* 16 (4th ed. 2015).

[2] Daniel C.K. Chow & Edward Lee, *International Intellectual Property: Problems, Cases, and Materials* 45 (2d ed. 2012).tarlton.law.utexas.edu

individuals within married couples, leaving cohabiting couples outside its framework. This absence of legal clarity means that women in live-in arrangements frequently face difficulties in asserting rights to maintenance, property, or inheritance. In instances of separation, their capacity to seek recourse for emotional or financial grievances is constrained by the lack of formal protections akin to those afforded in marriage. Although the judiciary has made notable achievements in partially recognizing live-in relationships—such as permitting a woman's right to maintenance under specific circumstances—these safeguards remain irregular and heavily reliant on judicial interpretation.

For [3]children birthed from live-in relationships, the challenges are even more pronounced. Issues regarding legitimacy, inheritance rights, and parental obligations often arise, resulting in both legal and social dilemmas. Despite progressive judicial interpretations aimed at affirming the rights of these children, societal attitudes continue to stigmatize them, leading to discrimination that can have lasting psychological and social effects. The absence of explicit regulations governing the custody and guardianship of children born to unmarried parents further complicates these situations, leaving their welfare vulnerable to inconsistent legal interpretations.

Social stigma is a widespread obstacle in live-in relationships, especially in conservative cultures like India, where marriage is viewed not merely as a personal commitment but also as a social obligation. Women in live-in relationships often encounter judgment and social exclusion, undermining their dignity and sense of autonomy. This stigma can intensify the vulnerabilities they experience in cases of abuse, abandonment, or separation, as their choices are frequently regarded as morally dubious. Children resulting from such partnerships often suffer from societal bias, which negatively impacts their opportunities and emotional health.

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The interplay between live-in relationships and gender issues further emphasizes the obstacles faced by women. [4]Traditional patriarchal standards frequently disadvantage women in these relationships, making them more vulnerable due to financial dependence, societal scrutiny, and limited legal options. While men in live-in arrangements may experience fewer repercussions, women often carry the extra burden of pursuing justice while dealing with social stigmatization. This conversation regarding live-in relationships also connects to larger discussions about the advancement of family law and its adaptability to shifting social contexts. Conventional family

[3] Charles A. Reich, The New Property, 73 Yale L.J. 733, 737–38 (1964).

[4] Catharine A. MacKinnon, Feminism, Marxism, Method, and the State: An Agenda for Theory, 7 Signs 515, 520 (1982).

law systems, grounded in patriarchal and heteronormative beliefs, often neglect to recognize the varied types of relationships that define modern society. The lack of inclusive legal frameworks not only places women and children in live-in relationships at risk but also underscores the pressing need for legal reforms that emphasize equity, justice, and dignity.

II. INDIAN CULTURE VS LIVE-IN RELATIONSHIPS

The clash between traditional Indian values and live-in arrangements highlights the complex relationship between cultural principles and contemporary influences. While Indian society places great importance on marriage and family, the rise in cohabiting partnerships reflects evolving social dynamics and individual choices. Bridging these contrasting perspectives requires an open-minded approach that respects cultural traditions while also accepting the diversity of modern relationships. By fostering dialogue, understanding, and legal protections, Indian society can evolve to embrace new norms without sacrificing its cultural heritage. Indian culture, deeply embedded in its traditions, values, and social norms, places a high value on marriage as the fundamental element of family and societal life. Marriage is viewed as a sacred and enduring bond that connects not only two individuals but also their families. In this framework, live-in relationships—where two people live together without formalizing their union through marriage— challenge established ideals, igniting discussions on morality, legality, and societal acceptance.

1) [5]Cultural Importance of Marriage in India- Marriage in India is more than a personal vow; it serves as a social, religious, and cultural institution. It is associated with rituals, traditions, and religious significance, representing the union of two souls. The family unit, which underpins Indian society, is typically built around marriage. Key cultural principles like duty (dharma), responsibility, and lineage are strongly connected to marital bonds. Married individuals are perceived as fulfilling societal expectations, whereas those who diverge from this convention— such as those in live-in relationships—are often seen as challenging the established social order. Furthermore, marriage is regarded as providing a legitimate framework for procreation and raising children, thereby reinforcing its significance in Indian culture.

2) [6]Live-In Relationships: A Contemporary Viewpoint- Live-in relationships offer an alternative to marriage, defined by mutual

consent and personal freedom. They provide individuals the chance

[5] Nancy Fraser, Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy, 25 Soc. Text 56, 60 (1990).

[6] Robert D. Putnam, Bowling Alone: America's Declining Social Capital, 6 J. Democracy 65, 70 (1995).

to engage in companionship and intimacy without the formal obligations associated with marriage. This arrangement appeals to urban, educated, and financially independent individuals who prioritize personal compatibility, autonomy, and flexibility over conventional marital structures. Worldwide, live-in relationships are increasingly accepted as a modern choice. Nonetheless, in India, they continue to be a contentious issue, mainly due to their perceived discord with traditional cultural values.

3) Conflict of Ideals: Indian Culture vs. Live-In Relationships- The tension between Indian cultural values and live-in relationships arises from several core differences:

Moral and Social Perspectives: In Indian society, live-in relationships are frequently associated with moral decline, promiscuity, or a lack of commitment. Individuals in such scenarios, particularly women, face judgment, alienation, and even harassment. This moral policing originates from the belief that live-in relationships diminish the sanctity of marriage and disrupt traditional societal structures.

Importance of Family and Community: Indian culture places great emphasis on family and community in personal relationships. Marriage is regarded as a bond that strengthens familial ties and brings honor to the family. Live-in relationships, by minimizing family involvement, are often seen as self-centered or irresponsible choices that overlook family expectations.

Legitimacy of Offspring: In Indian culture, children born within marriage are deemed legitimate and have rights to inheritance and social recognition. Live-in arrangements contest this belief, as children born from such relationships encounter questions about their legitimacy, inheritance rights, and social stigma. Religious and Cultural Opposition: Many Indian religions underscore the importance of marriage through rituals and teachings. Live-in relationships, which lack religious endorsement, are often criticized for going against spiritual values and traditional principles.

4) Changing Perspectives on Live-In Relationships- Despite cultural pushback, Indian society is slowly observing a transformation in perspectives, especially among the urban youth. This change is fueled by several factors:

Urbanization and Globalization: Exposure to global cultures has impacted Indian youth, promoting acceptance of various lifestyles and personal choices.

Financial Autonomy: Economic independence has given individuals, especially women, the power to question traditional norms and

5) [7]Barriers to Social Acceptance- Although live-in relationships are becoming more prominent, their acceptance is still confined to certain segments of society. The following obstacles illustrate the cultural resistance they encounter:

Patriarchal Norms: In a society rooted in patriarchy, women in live-in relationships are often perceived as lacking virtue or moral fiber. This societal stigma discourages many from opting for such arrangements.

Generational Divide: Older generations, who were brought up with traditional beliefs, frequently find it challenging to comprehend or accept live-in relationships, resulting in conflicts between generations.

Rural-Urban Divide: While some metropolitan areas exhibit a degree of acceptance for live-in relationships, they are largely frowned upon in rural regions, where cultural traditions are more entrenched.

6) Consequences of Cultural Resistance- The cultural pushback against live-in relationships has notable repercussions for individuals who pursue this lifestyle:

Social Ostracism: Couples engaged in live-in arrangements often endure societal scrutiny, exclusion, and even harassment, with women facing most of this backlash.

Legal Vulnerabilities: Even with judicial acknowledgment, live-in relationships lack robust legal systems to handle matters like property ownership, maintenance, and child custody, leaving partners, particularly women, at risk.

Mental and Emotional Toll: The ongoing necessity to justify their choices against societal standards can impact the psychological health and emotional well-being of individuals in live-in relationships.

7) [8]A Path Forward- To align Indian cultural values with contemporary relationship dynamics, a well-rounded strategy is essential:

Awareness and Education: Increasing societal awareness about the changing landscape of relationships and the significance of personal agency can encourage more acceptance of live-in partnerships.

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7 Sherry B. Ortner, Is Female to Male as Nature Is to Culture?, 1 Feminist Stud. 5, 10 (1972).

8 Anthony Giddens, The Globalizing of Modernity, 22 Contemp. Soc. 445, 450 (1993)

Legal Reforms: Enacting comprehensive laws that recognize live-in relationships and tackle issues related to maintenance, inheritance, and custody can offer legal safeguards and reduce societal opposition.

Promoting Gender Equality: Challenging patriarchal beliefs and empowering women can help alleviate the stigma surrounding live-in relationships.

Respect for Personal Choice: Fostering a culture of mutual respect for varied lifestyles can help reconcile traditional values with modern realities.

8) 9Current scenario in India's life

Live-in relationships in India illustrate a mix of modern values and traditional resistance, reflecting the nation's intricate path to balancing personal freedom with cultural heritage. Despite legal acknowledgment establishing a basis for these relationships, societal endorsement continues to vary. The present situation highlights the necessity for forward-thinking reforms and cultural growth to guarantee the rights and dignity of every individual, irrespective of their relationship preferences.

India's life relations reflect the rapid social scenery that has been motivated to improve urbanization, social standards, and improve legal awareness. However, they remain confused by the difficulties of constant social stigma and the lack of the integrated law. Below is a detailed analysis of the current scenario:

9) Emerging Social Trends- Live-in relationships are increasingly prevalent among the urban, educated, and financially independent demographic, particularly in metropolitan cities such as Mumbai, Delhi, and Bengaluru. Factors contributing to this trend include:
Changing attitudes: Influenced by globalization and Western culture, younger Indians are embracing cohabitation relationships as an alternative to traditional marriage, prioritizing compatibility and personal freedom.
Economic factors: Due to the high cost of living in urban areas, cohabitation is often encouraged as a viable solution. This arrangement allows couples to pool resources without going through the formalities of marriage.

[9] Arjun Appadurai, Disjuncture and Difference in the Global Cultural Economy, 7 Theory, Culture C Soc'y 295, 300 (1990).

Personal autonomy: [10]With a focus on professional and personal growth, cohabiting relationships offer flexibility and involve a lower level of commitment compared to marriage. Despite these changes, cohabitation remains far less common in rural India, where conservative values dominate social norms.
*10)*Recognition and Legal Framework- The Indian legal system has gradually expanded the recognition and rights of persons living in residential relationships through judicial interpretations, although there is no specific legislation:
Constitutional Protection: Article 21 of the Indian Constitution, which guarantees the right to life and personal liberty, forms the basis for the legal confirmation of the residential relationship. The courts have repeatedly emphasized that two consenting adults have the right to live together without marriage.
Women's rights: The law on women's protection against domestic violence in 2005, which is related to the nature of marriage, provides the same means of abuse in women's life contracts, and provides the same as married women. In accordance with Article 125 of the Criminal Procedure Code in 1973, the court allowed women to demand the maintenance of life. Children's Rights: In the landmark case Tulsa v. Durghatiya (2008), the Supreme Court ruled that children born out of marriage are legitimate and have the right to inherit property acquired from their parents, although their right to inherit ancestral property remains uncertain.
Presumption of Marriage: Long-term cohabitation can give rise to a presumption of marriage, giving the couple legal protection in case of separation or property disputes.
*11)*Problems and Public Resistance: Despite increasing legal recognition, cohabitation relationships continue to face significant challenges.
Social Prejudice: Conservative attitudes, especially in rural areas, view cohabitation relationships as morally unacceptable and at odds with traditional Indian values centered on marriage and family. Women in cohabitation relationships often face harsher social prejudices as their personalities and lifestyles are subject to greater scrutiny than men.

[10] Ulrich Beck, The Reinvention of Politics: Towards a Theory of Reflexive Modernization, 36 Thesis Eleven 1, 5 (1993).
Legal Ambiguity: [11]While courts recognize certain rights for domestic partners, the lack of comprehensive legislation means enforcement is inconsistent. For example, property rights and alimony are often subject to judicial discretion.
Practical obstacles: Couples living together face difficulties in renting accommodation, as landlords often refuse to rent properties to unmarried couples. This problem is particularly acute in conservative neighborhoods.
Custody and inheritance issues: Children born to cohabiting partners are considered legitimate, but ambiguities in custody and inheritance laws make the legal situation complicated.

III. RECENT DEVELOPMENTS AND LEGAL DECISIONS

Despite notable progress in acknowledging live-in relationships within Indian legislation, there are still gaps in societal acceptance and legal safeguards for women and children that need addressing. The relationship between legal advancements and cultural shifts will influence the future standing of these relationships in India. The legal and social landscape for live-in relationships in India, particularly concerning women and children, has evolved significantly over the years. While judicial interpretations have established some rights, societal acceptance and legal protections remain areas of contention. Here's a detailed analysis:

1) Status of Women in Live-In Relationships

Legal Protections: Protection Against Domestic Violence: Women in live-in relationships are protected under the Protection of Women from Domestic Violence Act, 2005 (PWDVA). Section 2(f) of the Act includes "relationships in the nature of marriage," providing these women access to legal remedies for abuse, akin to those available to married women.

Right to Maintenance: Judicial interpretations, such as in the case of Chanmuniya v. Virendra Kumar Singh Kushwaha (2011), have allowed women in live-in relationships to claim maintenance under Section 125 of the Code of Criminal Procedure, 1973. Courts assess whether the relationship is "marriage-like" based on factors such as shared household responsibilities, financial interdependence, and duration of cohabitation. Presumption of Marriage: Long-term cohabitation can lead to a presumption of marriage under Indian law, enabling women to claim

[11] Pierre Bourdieu, The Forms of Capital, in *Handbook of Theory and Research for the Sociology of Education* 241, 245 (John G. Richardson ed., 1986).

rights like those of a wife. However, proving this presumption often requires meeting criteria established by the judiciary.

Challenges Faced by Women:

Social Stigma: Women in live-in relationships face severe judgment, especially in conservative communities. They are often seen as deviating from societal norms, which can lead to familial rejection and discrimination.

Ambiguity in Property Rights: Women in live-in relationships do not have automatic rights to their partner's property. They can only claim rights to assets they have contributed to financially or proven to have acquired jointly during the relationship.

Lack of Comprehensive Legislation: The absence of a specific statute for live-in relationships results in inconsistencies in how courts interpret and enforce rights. Women must rely heavily on judicial precedents, which may vary case by case.

2) Status of Children Born Out of Live-In Relationships

Legal Recognition and Rights Legitimacy: The Supreme Court of India has consistently held that children born out of live-in relationships are legitimate. In Tulsa v. Durghatiya (2008), the court ruled that if parents cohabited for a substantial period, children from such unions cannot be deemed illegitimate

Inheritance Rights: Children born from live-in relationships are entitled to inherit their parents' self-acquired property. However, they do not automatically have rights to ancestral property unless specified through legal instruments like a will.

Maintenance and Custody: These children are entitled to financial support from their parents under laws that protect minors, regardless of the marital status of their parents. Custody battles may arise, but courts prioritize the child's welfare.

3) *Challenges Faced by Children*

Social Discrimination: Children often face societal discrimination, particularly in conservative communities, where their parents' relationship is viewed as immoral or unconventional.

Inheritance Ambiguities: Despite legal recognition of legitimacy, inheritance laws for children born of live-in relationships remain unclear, particularly for ancestral properties.

Identity and Stigma: Societal biases may affect a child's identity formation and social acceptance, potentially influencing their mental health and opportunities.

Judicial Contributions and Precedents: The judiciary has played a pivotal role in shaping the status of women and children in live-in relationships:

Velusamy v. D. Patchaiammal (2010): The court provided guidelines to identify "marriage-like relationships," emphasizing factors such as mutual dependence and the intention to establish a family.

D. Velusamy v. D. Patchaiammal: The judgment extended the definition of "domestic relationships" to provide maintenance rights for women in live-in relationships

4) Key Issues and the Way Forward

Legal Ambiguity: There is a pressing need for a dedicated legal framework to provide clarity and uniformity in rights and obligations for live-in partners and their children.

Social Awareness: Educating society about the legal and human rights of individuals in live-in relationships can help reduce stigma and discrimination.

Gender Sensitization: Women in live-in relationships disproportionately bear societal judgment. Advocacy for gender equality and sensitization is crucial to changing societal perceptions.

Child-Centric Reforms: Stronger provisions to safeguard the rights and well-being of children born in live-in relationships are needed, including clarity on inheritance and protection from social discrimination.

IV. COURTS ON LIVE-IN RELATIONSHIPS

The acknowledgment of live-in relationships in India, especially concerning women and children, marks a step forward for personal freedom and equality. Nevertheless, prevailing social norms and legal deficiencies persistently hinder the full attainment of these rights. Closing these gaps necessitates a blend of legal reforms, proactive judicial measures, and shifts in societal attitudes to provide complete protection and acceptance.

1) S. Khushboo v. Kanniammal (2010)- [12]This case was crucial in affirming the legitimacy of live-in relationships in India. The Supreme Court determined that consensual live-in partnerships among adults were legal, if they were agreed upon by both parties. The Court underscored the Right to Life and Personal Liberty as outlined in Article 21 of the Constitution, which assures individuals the freedom to make personal decisions, including partner selection. The Court noted

[12] Emile Durkheim, *The Division of Labor in Society* 75 (W.D. Halls trans., 1984).

that society's moralistic views on relationships should not obstruct individuals' constitutional rights to cohabit without marriage.
Impact: This ruling established a precedent for acknowledging live-in relationships as lawful, even though it did not equate them to the legal status of marriage.

2) Lata Singh v. State of Uttar Pradesh (2006)- This case centered on a woman, Lata Singh, who was in a live-in relationship with a man named Rajesh Kumar. When her parents disapproved of the relationship and attempted to arrange her marriage to someone else, she filed a petition asserting that her right to choose her life partner should be upheld. The Supreme Court ruled in favor of Lata Singh, reinforcing that consensual live-in relationships among adults were not illegal. The Court stressed that it was unconstitutional for parents to interfere with adults' choice of partner, especially in situations where the relationship was consensual and not of a criminal nature. Impact: This case bolstered the view that consenting adults in live-in relationships should be permitted, and that personal liberty must be upheld.

3) Velusamy v. D. Patchaiammal (2010)- This case defined the criteria that determine if a live-in relationship is like marriage under the Protection of Women from Domestic Violence Act, 2005 (PWDVA). The Supreme Court examined whether a woman in a live-in relationship could seek protection under the Act. The Court indicated that not every live-in arrangement qualifies as a "relationship in the nature of marriage." To meet this classification, the relationship must be long- term, stable, and resemble a marriage. The couple must be mutually dependent and of legal marriageable age. The ruling clarified that women in live-in relationships fitting these criteria are entitled to protection under the PWDVA.
Impact: This decision provided women in enduring live-in relationships with legal protections akin to those available to married women.

4) Chanmuniya v. Virendra Kumar Singh Kushwaha (2011)- This case involved a woman seeking maintenance from her live-in partner following the dissolution of their relationship. The Supreme Court ruled that women in live-in arrangements could claim maintenance under Section 125 of the Code of Criminal Procedure (CrPC), if the relationship resembled marriage. The Court determined that a woman who has cohabited with a man in a marriage-like relationship and is financially dependent on him has the right to maintenance.
Impact: This judgment expanded the legal entitlements of women in live-in relationships, ensuring they are supported after separation, similarly, to married individuals.

5) Indra Sarma v. V.K.V. Sarma (2013)- In this case, the Supreme Court examined the legal rights of women in live-in relationships and whether such relationships qualify for the same legal protections as marriages under the Protection of Women from Domestic Violence Act, 2005 (PWDVA).
The Court classified live-in relationships into four categories:
1) Domestic relationships resembling marriage.
2) Relationships between a married man and an unmarried woman (often termed as adultery).
3) Cohabitation without the desire for marriage.
4) Pre-marital cohabitation.

Only those relationships that mirror marriage—where the parties cohabit with the intent to form a family—are granted legal protection under the Act. Impact: This ruling further defined which cohabiting relationships could be regarded as "marriage-like" and thus be eligible for legal protections. It reaffirmed that simply cohabiting is insufficient; the relationship must exhibit characteristics like marriage.

6) Tulsa v. Durghatiya (2008)- In this matter, the Supreme Court examined the inheritance rights of children born from cohabiting relationships. The Court ruled that children born in a live-in relationship are legitimate and have the same rights as those born within a marriage. The Court noted that such children are entitled to inherit their parents' property, particularly their self- acquired property, but not ancestral property.

Impact: This decision clarified the legitimacy of children born from cohabiting relationships and expanded their inheritance rights under Indian law.

7) D. Velusamy v. D. Patchaiammal (2010)- This case focused on the issue of maintenance and the rights of women in cohabiting relationships. The Supreme Court provided criteria for determining whether a relationship is "in the nature of marriage" and if a woman is entitled to maintenance under Section 125 of the CrPC. The Court highlighted that a woman in a live-in relationship can seek maintenance if she can demonstrate that the relationship was long-term and like marriage.

Impact: This ruling offered significant guidance on how cohabiting relationships should be assessed regarding maintenance claims.

Impact of Court Rulings- The judgments in these cases have significantly influenced the legal standing of cohabiting relationships in India. The courts have frequently decided to endorse the legality of live-in relationships and have extended various protections to women and children involved.

Legal Protections for Women: Women in cohabiting relationships are entitled to maintenance and protection from domestic violence, provided the relationship fulfills specific criteria resembling marriage.

Rights of Children: Children born in live-in relationships are recognized as legitimate and granted inheritance rights, ensuring they face no discrimination.

Social and Legal Challenges: Despite these rulings, obstacles remain regarding societal acceptance and the absence of clear legislation governing live-in relationships.

V. STATUS OF LIVE-IN RELATIONSHIP IN OTHER COUNTRIES

The status of cohabiting relationships globally shows differing levels of legal acknowledgment and societal acceptance. Nations such as Canada, Australia, and certain regions in the United States and the UK provide substantial legal protections for couples living together. Conversely, countries like China and Italy hold more traditional perspectives, with legal acknowledgment developing at a slower pace. As societal attitudes shift, many nations are modifying their legal systems to offer improved rights and safeguards for those in cohabiting arrangements. Nonetheless, there are still obstacles to overcome. The legal and societal perceptions of live-in relationships differ greatly from one country to another due to varying cultural values, legal structures, and societal customs. In this comprehensive examination, we investigate how live-in relationships are perceived and regulated in the United States, United Kingdom, France, Italy, China, Canada, and Australia. The acceptance and legal status of live-in relationships differ significantly across various countries, with both societal attitudes and legal frameworks changing over time. For instance, nations such as the USA, Canada, and Australia provide strong legal protections for couples living together, whereas countries like China and Italy hold more conservative or traditional perspectives. In Europe, countries like France strike a balance by recognizing these partnerships through civil unions, while the UK has made strides in acknowledgment but still requires many rights to be clarified through personal agreements. Similarly, India is moving towards more defined legal structures, yet it continues to face both social and legal obstacles. Indian courts have significantly influenced the legal recognition of live-in relationships, offering protections for women and children while prioritizing personal liberties. Nevertheless, prevailing societal views and inadequate laws persist in hindering the full realization of these rights. To close the existing gaps and ensure clear, consistent rights for everyone involved, comprehensive legislation on live-in relationships is essential.

A. United States

In the United States, live-in relationships (also referred to as cohabitation) are permissible but are not consistently regarded under the law. The nature of these relationships differs by state, with varying legal rights and protections based on a couple's place of residence. Legal Recognition: Partners who cohabit are not automatically regarded in the same light as married couples. Nevertheless, some states, including Alabama, Georgia, and South Carolina, do acknowledge "common-law marriages" for couples who reside together for a designated duration (typically 7 years or more) and present themselves as married.

Common-law marriage grants legal entitlements concerning asset division, spousal support, and inheritance, like a formal marriage.
Common-law marriage: Although common-law marriage is acknowledged in certain states, in other locations, couples may need to formally create an agreement for property rights and other legal matters.
Property and Support Rights: In several states where common-law marriage is not acknowledged, cohabiting partners may not automatically possess rights to property or financial support after separation. This underscores the importance of legal contracts such as Cohabitation Agreements to specify the division of property, financial support, and other issues.
Social Acceptance: In metropolitan areas, particularly along the East and West coasts, cohabitation is broadly accepted, and statistics indicate that millions of Americans cohabitate without marital commitment. This transformation in family structures mirrors evolving societal norms that emphasize individual choices over traditional institutions like marriage.
Challenges: Legal complications frequently emerge when a relationship dissolves, particularly regarding property disagreements and financial assistance. In the absence of formal marriage, cohabiting partners lack automatic spousal rights to inheritances, social security benefits, or healthcare benefits. Cohabitation agreements are vital for safeguarding their interests legally.

B. United Kingdom

In the United Kingdom, live-in relationships are legal, and the population of cohabiting couples has consistently grown. However, couples who cohabit do not possess the same automatic legal rights as those who are married.
Legal Recognition: Cohabiting couples are acknowledged under family law in the UK, but there is no distinct legal status equivalent to marriage. The law does not automatically grant property rights or spousal maintenance to unmarried couples. Cohabitation Agreements are crucial for offering legal safeguards for such couples. These agreements can clarify property rights, financial support, and other matters in the event of separation.
Cohabitation and Rights: Cohabiting partners may have claims to property rights or maintenance, but these entitlements are conditional on the circumstances and the agreements established between the parties. For example, under the Children Act 1989, both parents (whether married or cohabiting) are obligated to provide financial support for their children. However, in terms of financial assistance between the partners themselves, they are treated differently from married couples, and spousal maintenance is typically not granted.
Social Acceptance: Societal views in the UK have become significantly more accepting of cohabiting relationships, especially among younger generations. Recent research shows that an increasing number of individuals prefer cohabiting prior to marriage, and many view this arrangement as a substitute for formal marriage. The rise in cohabiting couples reflects these shifting social attitudes.
Challenges: A significant problem for cohabiting couples in the UK is the absence of legal protection when their relationship concludes. Unlike married couples, there is no standard division of assets or financial assistance unless it is specifically arranged through legal means. Furthermore, if one partner contributes notably to the relationship financially or in terms of household duties, they might not receive any compensation upon separation unless there is undeniable proof of such contributions.

C. France

In France, cohabiting relationships are broadly accepted, and there exists a robust legal framework that supports cohabitation via the Pacte Civil de Solidarité (PACS).
Legal Recognition: The PACS, established in 1999, permits couples (both same-sex and opposite- sex) to form a legally binding contract. This arrangement provides various advantages like tax benefits, social security coverage, and inheritance rights. Although PACS is not equivalent to marriage, it grants substantial legal protection for cohabiting couples, particularly concerning shared property and benefits.
Cohabitation Without PACS: Couples who cohabitate without seeking PACS still experience a considerable level of social acceptance. However, these couples lack legal safeguards in matters such as inheritance, social security, and joint property if they do not enter PACS. For instance, if one partner passes away without a will, the surviving partner does not automatically inherit.
Social Acceptance: Generally, French society is accepting of cohabiting relationships, particularly in urban centers. The PACS framework allows couples to legally formalize their relationship without the complete commitment of marriage, and many individuals opt for this as an alternative to marriage. This mirrors the country's wider cultural transition towards valuing personal autonomy and freedom in romantic partnerships. Challenges: Although PACS provides a level of legal protection, it is inadequate in areas such as adoption rights and certain aspects of inheritance. It also lacks the same legal rights granted by marriage, especially regarding parental rights and the authority to make medical decisions for a partner.

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D. Italy

In Italy, live-in relationships are acknowledged legally, but their acceptance has historically been limited due to the country's strong Catholic influence. Nonetheless, legal acknowledgment has seen improvement in recent years.

Legal Recognition: The Italian Civil Union Law (Legge Cirinnà) enacted in 2016 conferred legal recognition to both same-sex and opposite-sex couples who cohabitate. Civil unions enable couples to gain access to rights concerning inheritance, healthcare benefits, and social security; however, they do not possess the same rights as married couples, particularly in matters such as adoption.

Cohabiting Couples: Prior to the Civil Union Law, cohabiting couples enjoyed very few legal protections, and their rights were not automatically acknowledged. Couples frequently needed to appeal to the courts to claim property or inheritance rights. Following the law's introduction, a greater number of cohabiting couples have pursued civil union recognition to obtain legal assurances.

Social Acceptance: The societal acceptance of live-in relationships is slowly advancing in Italy, particularly in bigger cities. However, traditional values continue to hold considerable influence in smaller communities, and couples living together may still encounter social stigma in rural areas.

Challenges: Although the Civil Union Law offers legal acknowledgment and rights, it still does not provide some of the extensive protections that marriage entails. For instance, matters such as joint property and the authority to make medical choices for a partner are not consistently addressed. Couples living together without civil union status remain at risk of legal ambiguities.

E. China

In China, cohabiting relationships are not broadly accepted due to cultural influences and traditional familial values.

Legal Recognition: Cohabiting relationships lack legal acknowledgment in China. The family law system in the nation primarily concentrates on marriage and structured family units. Couples who live together do not possess the same legal privileges concerning property, inheritance, or social welfare unless they actively enter into legal agreements.

Social Acceptance: Although acceptance of cohabitation has been increasing in urban regions, especially among younger people, the traditional focus on marriage and family is still prevalent in Chinese society. Couples cohabiting may experience societal disapproval, particularly in rural locations or more conservative communities.

Challenges: Legal obstacles for couples living together in China involve matters such as inheritance rights, property possession, and child custody. Couples who cohabit do not inherently have legal entitlements to property or other advantages unless a formal agreement is made, and in instances of separation or death, they may encounter considerable legal difficulties.

F. Canada

In Canada, live-in relationships enjoy legal recognition, and common-law marriages share many of the same rights as official marriages across various provinces.

Legal Recognition: In provinces like Ontario, British Columbia, and Quebec, individuals who have cohabited for a specified duration (typically 3 years or more) are recognized as common-law partners. This designation provides them rights akin to those of married individuals, including property distribution, maintenance, and inheritance rights.

Social Acceptance: Cohabitation enjoys widespread acceptance in Canadian culture, with numerous couples opting to live together prior to marriage or in lieu of marriage. Canadian law reflects this shift by extending legal safeguards for common-law partners in aspects such as property rights and social services.

Challenges: A challenge arises from the variability of laws across provinces, with not all jurisdictions automatically recognizing common-law relationships. Additionally, concerns regarding inheritance rights or asset division upon separation may necessitate legal measures to clarify the couple's entitlements.

G. Australia

In Australia, live-in relationships (referred to as de facto relationships) are recognized under the law and provide comparable rights to those of married couples after a designated period of cohabitation.

Legal Recognition: According to the Family Law Act 1975, de facto couples who have lived together for no less than two years are entitled to the same rights and responsibilities as married couples, especially concerning property distribution, partner maintenance, and child custody. This legislation applies uniformly to both opposite-sex and same-sex couples. Social Acceptance: Cohabitation is prevalent in Australia, and many couples reside together prior to marriage. The legal acknowledgment of de facto relationships has fostered social acceptance, and the law now grants substantial protections for couples who cohabit.

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Challenges: Although the legal framework is extensive, difficulties may occur in situations where the relationship lacks formal recognition, or when the two parties have disputes regarding property division or financial support. In certain instances, it might be essential to prove a de facto relationship in court.

VI. LIVE-IN RELATIONSHIP AS MARRIAGE

Although both marriage and live-in relationships involve significant personal commitments and shared living spaces, they differ notably in terms of legal acknowledgment, societal acceptance, and associated rights and responsibilities. Marriage automatically confers legal protections and is commonly viewed as a lasting institution in many cultures. Conversely, while live-in relationships are gaining acceptance, they often do not have the same legal recognition and may necessitate additional legal measures to secure protections and rights for both partners and their children. The increasing acceptance of live-in arrangements, especially among younger individuals, reflects a change in social attitudes and a preference for more adaptable relationship formats. Nevertheless, the legal framework still lags in several countries, putting individuals in live-in relationships at greater risk of legal issues, particularly concerning property rights, inheritance, and child custody.

As societal perspectives continue to change, it is probable that legal systems will evolve to provide more extensive protections for cohabiting couples, assisting them in finding a balance between personal autonomy and legal safety. A live-in relationship and marriage are both forms of intimate partnerships between two individuals, albeit with notable differences in areas such as legal acknowledgment and social perceptions. While both can encompass shared living situations, emotional connections, and financial interdependence, there are crucial distinctions in the legal, social, and cultural frameworks surrounding them. Below is a comprehensive examination of the similarities and differences between live-in relationships and marriage.

A. Legal Acknowledgment

Marriage: In many nations, marriage is a legally recognized union that grants a multitude of rights and obligations to the parties involved. These encompass rights related to inheritance, division of property, tax advantages, medical decisions, social security, insurance, and child custody. For instance, in India, married couples automatically acquire legal rights regarding inheritance, property ownership, and spousal support.

Marriage licenses are official documents acknowledged by governments, and the relationship is regulated by specific family laws such as the Hindu Marriage Act in India or marital statutes in the United States.

Live-in Relationship: Live-in arrangements are frequently not recognized as marriages under the law, except in situations where individuals qualify for common-law marriage (in certain U.S. states) or national regulations. In numerous countries, including India and the United Kingdom, live-in partners do not possess the same legal rights unless they formalize their arrangement through documents like Cohabitation Agreements.

For example, in the U.S., some states may acknowledge long-term cohabitating couples as common-law spouses, granting them rights akin to those of married couples after a specified duration. However, this acknowledgment is not consistent across the board, and the rights of cohabiting partners differ based on state legislation.

In India, the Supreme Court has recognized live-in relationships in specific instances, providing certain protections concerning domestic violence and child custody, but it does not extend similar rights for property division and inheritance as marriage does.

B. Social and Cultural Views

Marriage: In many cultures, marriage is regarded as the formal and socially endorsed union. It is typically perceived as a lifelong commitment and has profound religious, cultural, and societal significance. Numerous societies, especially those influenced by religious customs, view marriage as a sacred bond, establishing it as the preferred framework for romantic partnerships.

Marriage generally includes formal rituals (religious or secular), festivities, and public acknowledgment from families and communities. It is widely recognized as the most suitable arrangement for raising children.

Live-in Relationship: Live-in arrangements, although gaining greater acceptance, particularly in urban environments and progressive societies, continue to encounter social stigma in various regions. In nations like India, cohabitation without marriage may be perceived as immoral or contrary to cultural values, particularly in rural or conservative areas.

While younger generations in countries such as the U.S., the UK, and Australia may increasingly consider live-in relationships to be commonplace, more traditional societies or communities may view the notion of living together without marriage with disapproval or disdain from families and older generations.

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C. Legal Rights and Responsibilities

Marriage: Entering marriage establishes a wide array of legal obligations and advantages. In most legal systems, spouses are deemed legally accountable for each other's welfare and hold various rights concerning finances and property. This encompasses the right to inherit assets from one another, joint tax submissions, health benefits, and even authority in the event of a partner's medical crisis. Moreover, marriage typically entails shared duties, including raising children and safeguarding their rights. Being married automatically bestows parental rights upon both partners and grants them the authority to make medical or educational choices for their kids.

Live-in Relationship: Conversely, live-in relationships do not inherently provide legal rights and responsibilities. Partners who choose to cohabit may need to establish formal arrangements, such as cohabitation agreements, to secure their interests regarding property, income rights, or inheritance. Children from live-in partnerships possess the same legal entitlements to inherit as those from marriages, although their legal circumstances in areas like parental rights, custody, or involvement in decision-making may be more complex and reliant on specific legal assessments. Should one partner exit the relationship, they may encounter financial and legal obstacles, particularly concerning the distribution of property, support obligations, and child custody, unless prior legal agreements have been established.

D. Duration and Commitment

Marriage: Marriage is typically seen as a lifelong pledge that entails considerable emotional, financial, and legal implications. It is founded on the expectation of a lasting partnership, and dissolving a marriage (divorce) can be a challenging legal process that involves asset distribution, spousal support, and custody arrangements when children are present. Divorce regulations exist in numerous countries, including clear protocols in regions like India and the U.S. for legally terminating a marriage, addressing asset division and child custody matters. Live-in Relationship: In contrast, live-in relationships are usually less formal and can be dissolved more readily than marriages. Given that they often lack legal contracts in various jurisdictions, partners can separate without undergoing a formal legal procedure (although issues regarding property or custody can still necessitate legal considerations).

Nonetheless, in long-term cohabiting situations, there may exist emotional and social commitments akin to those found in marriage, despite the absence of the legal permanence associated with marital status.

E. Child Custody and Parental Rights

Marriage: In a matrimony, both parents acquire automatic legal rights concerning custody and decision-making for their children. Divorce legislation in most nations further defines the determinants of custody and child support.

Live-in Relationship: For couples in live-in arrangements, although children born to them have identical legal rights to those of children born in wedlock, the legal rights of the non-biological parent may not be granted automatically unless specific legal measures are undertaken. For example, in certain instances, the non-biological parent may lack authority to make decisions on behalf of the child, unless legally acknowledged by the court or unless the couple formalizes their relationship through legal means.

F. Legal Protections in Case of Abuse

Marriage: Married individuals, especially in countries such as the U.S., India, and numerous Western nations, benefit from various laws offering support in instances of domestic violence, spousal abuse, and neglect. Such laws frequently permit immediate legal remedies, including restraining orders or divorce settlements.

Live-in Relationship: In some jurisdictions, live-in partners may be protected under laws intended for married couples, especially in cases of domestic violence. For example, the Protection of Women from Domestic Violence Act, 2005 in India allows women in live-in relationships to seek protection from abuse, like married women. However, in some countries, the legal protections for live-in partners are less clear and may not extend as far as those for married spouses.

G. Key Similarities between Marriage and Live-in Relationships

1- Emotional and Financial Commitment: Both marriage and live-in relationships involve a high degree of emotional and financial commitment. Partners in both arrangements may share responsibilities related to household expenses, property ownership, and children.

2- Co-habitation: In both types of relationships, couples typically share a living space and engage in domestic life together. This includes emotional support, raising children, and living under a shared roof.

3- Raising Children: Both arrangements may include the parenting of children, and child custody rights, responsibilities, and welfare are significant factors in both situations.

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VII. LEGISLATIVE APPROACH ON LIVE-IN RELATIONSHIP

The legislative framework surrounding live-in relationships in India is still in a state of development. Judicial decisions have acknowledged the rights of people involved in live-in relationships, especially in areas like domestic violence, maintenance, and child custody; however, there is still a notable lack of legislative clarity. The Protection of Women from Domestic Violence Act of 2005 marked a significant advancement in providing legal safeguards for women in live-in relationships, yet further legal reforms are necessary to ensure that live-in partners possess the same rights and obligations as those who are married, particularly regarding property, inheritance, and separation.

Due to the absence of a consistent legislative framework, it is crucial for individuals in live-in arrangements to establish clear legal contracts to safeguard their rights. The ongoing discussion about whether live-in relationships should be regarded as equivalent to marriage persists, but it is evident that India is gradually progressing toward a more inclusive and forward-thinking perspective on this matter.

In India, the legal framework surrounding live-in relationships is shifting, though it remains marked by uncertainty, with notable advancements in judicial interpretation. Although live-in relationships are not prohibited, they do not inherently afford the same legal rights and protections as marriage. The legal environment is intricate, reflecting the struggle between progressive developments and traditional societal norms. The legal stance on live-in relationships is influenced by various court rulings and statutory provisions that seek to offer some level of protection to partners in such arrangements, especially regarding matters like domestic violence, inheritance rights, child custody, and maintenance.

1) Legal Status of Live-in Relationships- Historically, live-in relationships in India have been met with skepticism due to the country's longstanding cultural and religious beliefs that elevate marriage as the socially accepted form of union. Nevertheless, judicial rulings have gradually begun to acknowledge live-in relationships under specific circumstances.

Judicial Interventions- Supreme Court Decisions: The Indian judiciary has been crucial in determining the legal status of live-in relationships in the nation. Important rulings have granted legal acknowledgment to live-in relationships, primarily concentrating on the rights of women and their protection from domestic abuse.

Indra Sarma v. V.K.V. Sarma (2013): The Supreme Court issued a landmark decision clarifying the legal standing of live-in relationships under the Protection of Women from Domestic Violence Act, 2005 (PWDVA). The Court confirmed that women in live-in relationships are entitled to the same protections under the Act as those who are legally married. However, it insisted that for a woman to receive legal protection, the relationship must be enduring and not simply a transient arrangement.

Khushboo v. Kanniammal (2010): The Supreme Court affirmed the legality of live-in relationships, declaring that cohabitation without marriage does not constitute an offense and is neither illegal nor unlawful, provided it does not infringe upon public morality or decency. This decision clarified that cohabitating outside of marriage is not intrinsically a criminal act.

D. Velusamy v. D. Patchaiammal (2010): In this pivotal case, the Supreme Court recognized specific rights for women in live-in relationships under the Domestic Violence Act. The Court ruled that women living in such relationships could claim maintenance, property rights, and protection against domestic violence, so long as the relationship was long-term and marked by commitment.

2) Domestic Violence Act and Live-in Relationships- The Protection of Women from Domestic Violence Act, 2005 (PWDVA) offers legal safeguards to women in live-in relationships, enabling them to seek justice for domestic violence, akin to those in marriages. The Act outlines a domestic relationship as one that includes individuals sharing a household, regardless of marital status. In the case of Indra Sarma v. V.K.V. Sarma (2013), the Supreme Court indicated that women in live- in setups are eligible for protection under the Domestic Violence Act, provided their relationship is both "stable" and "continuing." The PWDVA aims to protect women from physical, emotional, and financial abuse, providing a variety of remedies such as protection orders, residence orders, monetary compensation, and child custody. This grants women in live-in relationships significant legal avenues for recourse in instances of violence and exploitation.

Maintenance: Under the PWDVA, women in live-in relationships can also request maintenance, a right affirmed by courts in cases like D. Velusamy v. D. Patchaiammal. However, the Court noted that the relationship must transcend a mere temporary encounter and must demonstrate mutual understanding between the partners to qualify for these protections.

3) Child Custody and Inheritance Rights- Children born to parents in cohabiting relationships possess the same inheritance and maintenance rights as those born to married parents. The Hindu Minority and Guardianship Act, along with the Hindu Adoption and Maintenance Act, recognizes the legitimacy of children from live-in relationships, enabling them to seek inheritance from both their parents.

Nonetheless, the rights of fathers in cohabiting relationships may not be presumed automatically, particularly if the couple has not legally formalized their union. This matter has been a source of debate, and while the Supreme Court has upheld the rights of

children from such relationships, custody issues for children remain legally intricate and are influenced by each case's specific circumstances. Regarding inheritance, children born from live-in relationships are not barred from claiming their inheritance based on their parents' relationship status. In the case of K.K. Verma v. Union of India (2014), the court affirmed that children from live-in relationships can inherit from their biological parents, reinforcing the legal position of these children in inheritance matters.

4) Property Rights- When it comes to property rights, unlike marriage—which automatically grants a spouse rights to jointly own and inherit property—live-in relationships do not inherently bestow such rights to partners unless there is a formal agreement in place. The legal acknowledgment of cohabiting relationships in terms of property remains restricted.

In India, couples in live-in arrangements who wish to share property rights must draft a cohabitation agreement. This contract can outline how properties, assets, and liabilities should be divided in the event of a separation or death. However, without a standardized law governing live- in relationships, property conflicts are typically resolved using general contractual and family laws, tailored to the unique situation. Upon the dissolution of a live-in relationship, a woman might not have the same property rights as a spouse would after a marriage, though courts have granted some relief in various cases. The issue of maintenance for women following a separation is contentious, as there is no legal requirement for men in live-in relationships to provide maintenance, unlike their married counterparts.

5) The Indian Law Commission's Recommendations- In its 2009 report titled "Legal Recognition of Live-in Relationships," the Law Commission of India proposed amendments to the Hindu Marriage Act and other personal laws to acknowledge provisions for live-in relationships. The Commission also suggested that long-term live-in partners be entitled to maintenance and rights like those of married couples. However, these recommendations have yet to result in significant legislative changes, leaving personal laws mute regarding live-in relationships.

6) Challenges and Controversies- Despite judicial strides, live-in relationships continue to encounter social stigma in numerous regions of India, particularly in rural settings and conservative families. The legal endorsement of cohabiting relationships is often perceived as incompatible with traditional values, complicating their acceptance in society. The absence of comprehensive legislation creates a legal grey area, leading to many issues being addressed on a case-by-case basis, which results in inconsistent rulings and uncertainties.

An ongoing debate centers around whether live-in relationships should be considered an alternative to marriage. Proponents assert that affording legal recognition to live-in relationships would provide women with the same rights and safeguards as those in marriage. Conversely, opponents argue that legalizing such arrangements could weaken the institution of marriage and introduce additional social complexities.

VIII. STATUS OF CHILDREN BORN OUT OF RELATIONSHIP

Children born to parents in live-in relationships in India now possess legal rights like those of children born within marriage, especially regarding inheritance, maintenance, and custody. The Indian judiciary has made significant moves to guarantee that these children are not denied their rights and are recognized as legitimate heirs under the law. Yet, despite these advancements, societal stigma and the lack of a complete legal framework governing live-in relationships still create obstacles. As public perceptions of non-marital relationships continue to shift, it is probable that India will further improve its legal strategies to provide more extensive protections for children born outside of marriage. In India, the legal status of children from live-in relationships has been a topic of changing interpretation and development. Although cultural attitudes and societal norms often view children born outside of marriage unfavorably, Indian law has gradually adopted a more progressive approach. Children born to parents in live-in relationships now generally receive legal acknowledgment and protection regarding inheritance rights, parental rights, and other related legal issues. Nonetheless, certain difficulties persist due to the complexities associated with live- in relationships, which are not entirely recognized in all their legal and social aspects.

A. Legal Status of Children Born Out of Live-in Relationships

Children born to parents engaged in live-in relationships are recognized legally as legitimate in India, and their rights are safeguarded under Indian legislation, including the rights to inheritance and maintenance. This ensures that these children are entitled to the same legal advantages and protections as those born to married partners.

Inheritance Rights: The Hindu Succession Act, 1956, the Indian Succession Act, 1925, and other pertinent inheritance laws make it clear that children from live-in relationships have the right to inherit from both parents. This encompasses the right to inherit any property, whether ancestral or acquired by the biological parents.

According to the Hindu Minority and Guardianship Act, 1956, there is no differentiation between children born within marriage and those from live-in relationships. Hence, children of live-in couples have the same guardianship rights and the right to receive maintenance from both parents. The Indian Succession Act, 1925, guarantees that children of unmarried parents or those in live-in arrangements can legally claim inheritance rights from their biological father. The Supreme Court of India has repeatedly affirmed in various cases that children born from live-in relationships should not be deprived of their inheritance rights. In the K.K. Verma v. Union of India case (2014), the court confirmed that children of live-in couples possess the same inheritance rights as those born to legally married couples.

Legitimacy and Parental Rights: The legal acknowledgment of children from live-in relationships bestows upon them parental rights. Despite the absence of a formal marriage, children from these arrangements are regarded as legitimate, which is crucial for ensuring their access to parental support, education, and maintenance. However, without a formal marriage, the parental rights of the non-biological parent may not be automatically granted. For example, a father's rights might need to be established through legal action in situations where the parents decide to part ways. While the child has a right to financial support from both biological parents, navigating legal guardianship can be complicated if the parents separate, particularly if there is no official recognition of the non-biological parent's involvement.

B. Legal Protections Under the Law

Although children from live-in relationships enjoy equal rights to inheritance, their accessibility to other legal protections, such as maintenance and custody, can be more complicated than for those children born within marriage.

Maintenance: As per Section 125 of the Criminal Procedure Code (CrPC), any woman or child who is unable to support themselves has the right to request maintenance from the individual responsible for their welfare. This law applies to children born in live-in arrangements. For instance, the Protection of Women from Domestic Violence Act (PWDVA), 2005, protects women in live-in relationships, allowing them to claim maintenance for children born from such unions. Likewise, under the Hindu Adoption and Maintenance Act, children born to live-in couples have the right to maintenance from both parents until they attain adulthood. Although the law stipulates maintenance for children born in live-in relationships, its application can occasionally be erratic, as the informal nature of the relationship may not always be officially recognized unless explicitly covered by contracts or formal agreements. Consequently, conflicts may arise concerning the level of maintenance or custody.

Custody and Guardianship: Regarding custody, children from live-in partnerships possess the same legal rights as those born within marriage. However, custody conflicts can emerge when one parent refuses to acknowledge the other's role, especially during separations. The Guardian and Wards Act, 1890 addresses matters related to child custody and guardianship, and courts decide custody based on the child’s best interests. In the event of a separation, it is vital for parents to reach a mutual agreement on custodial and guardianship issues, or they may need to involve the court. If the relationship lacks formal recognition, the rights of the non-biological parent might not be automatically recognized by the legal system.

Challenges in Legal and Social Contexts: While the legal framework acknowledges the rights of children from live-in relationships, several challenges persist:

Social Stigma and Recognition: Despite being legally recognized, children born from live-in relationships frequently experience social stigma. In India, where traditional marriage is highly valued, children from these relationships may encounter discrimination, particularly in conservative or rural communities. This societal perspective can negatively impact the child's social standing and acceptance within the family or community.

Absence of Formal Marriage Framework: In contrast to children born to wed couples, those from live-in partnerships may struggle with documentation and official acknowledgment of parentage. For example, when a live-in relationship dissolves, the formal acknowledgment of paternity by the father may not occur, creating obstacles in securing the child's rights.

Judicial Precedents Regarding Children Born in Live-in Relationships: Through various cases, the Indian judiciary has upheld the rights of children born to live-in relationships:

Khushboo v. Kanniammal (2010): The Supreme Court clarified that live-in relationships are not illegal, and children from such unions enjoy the same rights as those born to legally married couples.

D. Velusamy v. D. Patchaiammal (2010): This case established that children from live-in partnerships have the right to maintenance from both biological parents, and women can seek protection under the Domestic Violence Act, extending rights to the children as well.

K.K. Verma v. Union of India (2014): This ruling confirmed that children born in live-in relationships are legitimate and should receive the same inheritance rights as those born to married couples.

Legislative Reform and Future Prospects: Despite these judicial rulings, India does not possess comprehensive legislation specifically addressing live-in relationships and their children. The Law Commission of India, in its 2009 report, recommended that live-in relationships should gain legal recognition and equivalent rights and responsibilities as marriages, particularly concerning property rights and maintenance obligations. However, many legal issues are still unresolved because these relationships lack a formalized structure, especially when it comes to guardianship, property division, and the legitimacy of non-biological parents. It is expected that laws will eventually change to better protect adults and children in live-in relationships as societal attitudes change and the legal acceptance of these relationships grows.

IX. DOMESTIC VIOLENCE IN LIVE-IN RELATIONSHIP

Although women in live-in relationships are now afforded legal safeguards against domestic violence, the path to complete acknowledgment and equal standing under the law remains ongoing. The Protection of Women from Domestic Violence Act offers an important framework to shield women from various types of abuse, yet societal stigma, legal uncertainties, and the absence of formal legal acknowledgment of live-in relationships pose significant obstacles for many women. As the legal framework advances, ongoing initiatives for clearer legislation and greater societal acceptance of live-in relationships will be vital in ensuring comprehensive protection for women and children who experience domestic violence within these arrangements.

Domestic violence in cohabiting relationships is a multifaceted and delicate topic in India, presenting both legal and societal obstacles. Although live-in relationships have slowly received some legal acknowledgment in India, mainly through court decisions, they continue to operate in a somewhat ambiguous legal space. This lack of clarity also applies to domestic violence issues, as women in such arrangements may encounter considerable challenges when attempting to obtain support and safety.

1) Understanding the Legal Framework of Domestic Violence- Domestic violence usually entails one partner exhibiting abusive behavior toward the other in intimate relations, encompassing physical, emotional, verbal, sexual, and financial mistreatment. The main legislation addressing domestic violence in India is the Protection of Women from Domestic Violence Act (PWDVA), 2005, which offers a broad definition of domestic violence, covering acts of physical, emotional, sexual, and economic harm within domestic settings.

According to the PWDVA, a domestic relationship transcends the boundaries of legally married partners. It also includes individuals who have cohabited in a shared household for a considerable duration, such as those in live-in arrangements. This comprehensive definition enables women in such relationships to seek protection from domestic violence, even in the absence of formal legal acknowledgment of their partnership as a marriage.

2) Legal Safeguards for Women in Live-in Relationships Against Domestic Violence- A significant feature of the Protection of Women from Domestic Violence Act (PWDVA) is its provision of legal safeguards for women in live-in relationships. The Act was specifically established to shield women from physical, emotional, and financial abuse within domestic settings, regardless of the legal status of their relationship.

Key Aspects of the PWDVA Supporting Women in Live-in Relationships:

Protection Orders: Women residing in live-in arrangements can apply for protection orders under the Act. These orders can prevent the abuser from exerting any form of violence, including physical, emotional, or financial mistreatment, and can also bar the abuser from entering the shared household.

Residence Orders: If a woman is compelled to vacate her home due to domestic abuse, she can request a residence order from the court, ensuring her right to continue living in the shared household or being allocated a different place of residence.

Financial Compensation: Women experiencing economic abuse or being denied their financial rights within a live-in relationship are entitled to claim monetary relief under the PWDVA. This includes reimbursement for medical expenses, lost wages, and other financial losses incurred due to the abuse.

Custody Rights for Children: The Act grants women the right to seek custody of children born from the live-in relationship, ensuring the child's welfare remains a priority.

3) Judicial Interpretation Regarding Domestic Violence in Live-in Relationships- The Indian judiciary has significantly contributed to clarifying the rights of women in live-in relationships, particularly concerning domestic violence. While the law provides a protective framework, it is the judiciary's interpretation that has broadened these safeguards and clarified issues relating to live-in partnerships.

Important Judicial Rulings:

Indra Sarma v. V.K.V. Sarma (2013): In this pivotal case, the Supreme Court of India stated that women in live-in relationships are eligible for protection under the Protection of Women from Domestic Violence Act, provided the relationship is stable and ongoing. The Court further highlighted that domestic violence laws should not be construed to treat legally married women and women in live-in relationships differently. The continuity and stability of the relationship were deemed essential criteria for a woman's entitlement to protection under the Act.

Khushboo v. Kanniammal (2010): In this ruling, the Supreme Court affirmed the legality of live- in relationships and emphasized that such arrangements should not be considered criminal. This decision stressed the significance of women's independence to decide to cohabit outside of marriage. Nevertheless, the Court also noted that women in long-term live-in relationships can seek protection under the Domestic Violence Act.

D. Velusamy v. D. Patchaiammal (2010): The Court determined that for a woman in a live-in relationship to request relief under the Domestic Violence Act, the partnership must resemble a "marriage-like" relationship. This indicates that the couple needs to share a mutual commitment and cohabit in a manner akin to marriage. This ruling limited the protections available for women engaged in brief or casual relationships, necessitating a certain level of stability in the partnership.

4) Difficulties Women Encounter in Live-in Relationships Related to Domestic Violence- Although the legal framework offers protections, women in live-in relationships face numerous obstacles concerning domestic violence:

Social Stigma and Community Exclusion: A major challenge is the social stigma associated with live-in arrangements. Women involved in live-in relationships often hesitate to approach the legal system due to fears of societal judgment. This societal pressure frequently silences victims of domestic violence, leading them to be reluctant to seek legal recourse. Many women believe that claims of domestic abuse in a live-in setting may not be regarded as legitimate since their relationship lacks legal recognition as a marriage.

Absence of Legal Recognition: Despite the Protection of Women from Domestic Violence Act covering women in live-in scenarios, the absence of explicit legislative directives governing such relationships results in legal uncertainty. There is no specific law that recognizes the status of live- in partnerships, and in the absence of a formal marriage, the rights of non-biological parents concerning property or guardianship may be disputed.

Establishing the Nature of the Relationship: In many circumstances, it is necessary to demonstrate the continuity and stability of the relationship before a woman can seek protection under the Domestic Violence Act. Courts have established that the relationship must be "marriage-like" to be eligible for legal protection, potentially complicating the ability of women in more informal or fleeting relationships to obtain legal remedies.

Financial Dependence: Women in live-in arrangements may rely financially on their partners, rendering them susceptible to economic abuse. Although the Domestic Violence Act offers provisions for monetary relief, many women struggle to prove their level of dependence or access the financial means required to pursue legal action. Economic abuse can entail withholding funds, limiting access to personal finances, or controlling a woman's spending habits.

5) Effects on Children in Live-in Relationships- Children born to parents in live-in relationships are also at risk of suffering from the ramifications of domestic violence. When a mother's experience of domestic violence occurs, it often leads to trauma and emotional turmoil for the children involved. Furthermore, issues surrounding custody and guardianship can become complicated if the couple separates, especially if their relationship was not legally formalized. Child Custody: In cases of separation stemming from domestic violence, the mother's custody rights may be challenged, particularly if the non-biological parent questions the validity of the relationship. Courts typically prioritize the child's welfare, and if the child is deemed to be in an unsafe environment, the mother may be awarded custody.

Parental Rights: If the father does not regard the relationship as "marriage-like," this may complicate legal proceedings regarding the child's inheritance rights and other entitlements.

6) Legal Reforms and Prospects for the Future- There is a growing demand for comprehensive legislation to specifically address live-in relationships in India, even though the Protection of Women from Domestic Violence Act is an important step in giving women in these relationships' legal protection. Property rights, inheritance, child custody, and maintenance, especially in cases of separation, are among the issues that require legal reform.

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7) Support for Legal Recognition: According to some legal professionals and advocacy organizations, cohabitation should be given the same legal status as marriage to give both partners the same rights, such as inheritance, property, and maintenance. More legal clarity and assistance for women and children living together, particularly in situations of domestic abuse, would result from such a reform.

X. ADOPTION IN LIVE-IN RELATIONSHIPS IN INDIA

The process of adoption within live-in relationships poses various legal, social, and emotional obstacles in India. Although the Protection of Women from Domestic Violence Act offers some protection for women in these relationships, the existing legal framework concerning adoption is still lacking. Presently, adoption laws in India predominantly cater to legally married couples, and there is no explicit provision that permits live-in couples to adopt together, particularly in the absence of formal legal recognition for such relationships.

To tackle these issues, it is essential to implement thorough legal reforms that directly address the adoption rights of individuals in live-in arrangements. These reforms would clarify important aspects such as parental rights, guardianship, inheritance, and custody. Furthermore, it is crucial for reforms to work towards eliminating societal stigma and ensuring that children brought up in live-in relationships receive the same legal protections and rights as those born to legally married couples.

Adoption within live-in relationships is a complex issue in India, presenting both legal and societal obstacles. Although the legal framework governing live-in relationships has progressed, the subject of adoption in these contexts remains intricate and frequently misinterpreted. Adoption refers to the legal procedure in which an individual takes on the responsibilities of a parent for a child who is not biologically related to them. Nonetheless, within live-in relationships, adoption gives rise to distinct challenges related to parental rights, guardianship, inheritance, and social acceptance.

1) Adoption Laws in India- General Overview- India possesses a comprehensive legal structure for adoption, primarily consisting of the Hindu Adoption and Maintenance Act (HAMA), 1956, applicable to Hindus, and the Juvenile Justice (Care and Protection of Children) Act (JJ Act), 2015, relevant for all children regardless of their religion. These statutes aim to safeguard children's welfare and establish a legal framework for adoption.

Hindu Adoption and Maintenance Act (HAMA): This Act permits Hindu couples or individuals to adopt children. It outlines specific eligibility criteria, such as the adopter being of sound mind, at least 25 years old, and capable of caring for the child. However, the law does not specifically address situations involving live-in relationships, as it has traditionally been geared towards married couples.

Juvenile Justice Act (JJ Act): This law regulates the adoption procedure for children requiring care and protection, regardless of their religion. The Act prioritizes the child's best interests and ensures that the process is structured to assess both the child's eligibility for adoption and the prospective adoptive parents' suitability.

2) Obstacles to Adoption for Live-in Couples- Although Indian adoption laws do not explicitly reference live-in relationships, couples in such arrangements often encounter numerous challenges when trying to adopt. These challenges arise from both legal uncertainties and societal perceptions.

- Legal Acknowledgment of Live-in Relationships: The legal acknowledgment of live-in relationships in India is still evolving. While the Protection of Women from Domestic Violence Act (PWDVA), 2005, and certain Supreme Court rulings provide some safeguards for women in live-in relationships, the absence of a definitive legal status for these partnerships creates obstacles for individuals wishing to adopt.

The Adoption Regulations within the Juvenile Justice Act and the Hindu Adoption and Maintenance Act mandate that adoptive parents must be legally married or single. Consequently, if one member of a live-in partnership wishes to adopt, they may encounter difficulties because their relationship is not formalized through marriage.

- Parental Rights and Guardianship: In the context of a live-in relationship, identifying who possesses legal parental rights can be complicated, particularly if one partner intends to adopt.

Adoption laws generally necessitate consent from both biological parents, except in cases where the child has been abandoned or is orphaned. As the biological parent(s) of a child in a live-in situation may not always have recognized guardianship, obtaining consent for adoption can present significant legal challenges.

Moreover, adoption laws demand a stable environment, which can be hard to establish in live-in situations due to the lack of formal legal acknowledgment.

- Social Stigma and Acceptance: Even when the legal procedure for adoption is feasible, societal stigma continues to be a

considerable hurdle for couples in live-in relationships. In a country like India, where traditional values hold significant weight, live-in relationships often face negative perceptions, especially in relation to parenting and adoption. This social stigma can influence the willingness of courts, adoption agencies, and child welfare committees to endorse adoption applications from live-in couples.

- Effects on Children: Adopting a child while in a cohabiting relationship can lead to worries regarding the child's future concerning both emotional well-being and societal acceptance. The child might be susceptible to facing bias, particularly if the adoption lacks legal recognition or if the partners part ways.

Moreover, the child's rights to inheritance and legal status could become problematic if the relationship of the parents is not officially recognized. In such instances, the child could encounter difficulties in obtaining a legacy, especially in the absence of formal legal acknowledgment of the parents' partnership.

3) Legal Precedents and Judicial Perspectives on Adoption in Cohabiting Relationships- The Indian judiciary has slowly begun to tackle matters concerning live-in relationships, yet adoption continues to be an area with limited case law and explicit guidelines.

Indra Sarma v. V.K.V. Sarma (2013): In this case, the Supreme Court underscored that a cohabiting relationship between a man and a woman, if it possesses the characteristics of marriage, should be treated similarly to marriage for certain legal objectives. Although this ruling widened the scope of acknowledgment for live-in relationships, it did not specifically address adoption. Nonetheless, the Court's position could potentially support a future framework wherein cohabiting couples aspiring to adopt may receive increased recognition.

Khushboo v. Kanniammal (2010): This case also acknowledged the legality of cohabiting relationships and the rights of women in such arrangements to seek protection under domestic violence legislation. However, it did not clarify the status regarding adoption. This ruling illustrates a progressive judicial attitude towards recognizing non-marital relationships, which could ultimately extend to adoption-related matters.

D. Velusamy v. D. Patchaiammal (2010): This ruling played a role in defining what constitutes a "marriage-like" relationship and may affect cases of adoption. The Court decided that for a cohabiting relationship to qualify for legal advantages, such as domestic violence protections, it must exhibit features of a stable, marriage-like relationship. This decision could have repercussions for the forthcoming acknowledgment of adoption by cohabiting couples, as it implies that a stable, long-duration relationship may serve as a foundation for adopting a child.

4) Pathways to Adoption for Cohabiting Couples: Legal Approaches

Despite the obstacles, some cohabiting couples have successfully adopted children through the current legal framework by fulfilling specific criteria. For instance:

Single Parent Adoption: If one partner in a live-in relationship is single and unmarried, they might be permitted to adopt a child independently under the Juvenile Justice Act, 2015. In this scenario, the adoptive parent must demonstrate their capability to provide a secure home and meet the child's needs.

Joint Adoption: If the cohabiting couple is acknowledged as having a long-lasting relationship that is stable and marriage-like, they may apply for adoption under the Juvenile Justice Act. However, this is contingent upon the decision made by the Adoption Committee or relevant court, which will evaluate the child's best interests and the relationship's stability.

Guardianship: In situations where adoption is not feasible, a live-in couple can seek guardianship of a child. Guardianship is less formal than adoption but grants parents the authority to make decisions regarding the child's upbringing, including education, healthcare, and overall welfare. This procedure is regulated by the Guardian and Wards Act, 1890.

XI. LIVE-IN RELATIONSHIP UNDER HINDU LAW

Under Hindu law, live-in relationships are a controversial topic, navigating the tension between traditional cultural norms and contemporary legal interpretations. Although Indian courts have made notable advancements in acknowledging live-in arrangements to safeguard vulnerable individuals, the lack of clear legal guidelines under Hindu law leads to uncertainties. For live-in relationships to gain genuine recognition, legislative changes are essential to define the rights of women and children, clarify inheritance and property regulations, and promote societal acceptance. As India moves toward a more inclusive legal environment, it is crucial to reconcile respect for traditional Hindu principles with the changing demands of modern society.

Live-in relationships, where couples cohabit without formal marriage, are increasingly prevalent in India. Nonetheless, these relationships occupy a legal grey area, especially under Hindu law. Although traditional Hindu law, which is based on religious and cultural beliefs, does not explicitly acknowledge live-in relationships, recent judicial interpretations and modern legal frameworks have started to address the rights and duties of individuals involved in such arrangements.

1) Traditional Hindu Law and Marriage- Hindu law has traditionally regarded marriage as a sacrament (sanskara) and an essential institution. It is seen as both a religious and social obligation that is regulated by customs and rituals and carries substantial legal, social, and moral responsibilities. The Hindu Marriage Act, 1955, codified marriage laws for Hindus, including rules concerning marriage ceremonies, the legitimacy of offspring, maintenance, and divorce.
Live-in relationships, which lack formal ceremonies or legal status, do not conform to the traditional Hindu perspective of marriage. Nevertheless, due to societal changes and the evolving interpretations by the judiciary, limited recognition of live-in relationships is gradually emerging, primarily to safeguard vulnerable individuals, particularly women and children.

2) Legal Provisions and Recognition of Live-in Relationships- Hindu law does not contain specific provisions addressing live-in relationships. However, general laws and judicial rulings have established frameworks to tackle issues arising from these relationships:

- Judicial Recognition of Live-in Relationships: Indian courts have been pivotal in extending a degree of recognition to live-in relationships to protect the rights of women and children. Although these rulings are not tailored to Hindu law, they have significant implications for individuals governed by it. Indra Sarma v. V.K.V. Sarma (2013): The Supreme Court categorized live-in relationships into various types, including those resembling marriage, and confirmed that such relationships may receive protection under the Protection of Women from Domestic Violence Act, 2005. This acknowledgment was made to ensure that women in live-in situations are not left without support. D. Velusamy v. D. Patchaiammal (2010): The Court determined that a live-in relationship could be regarded as a "relationship in the nature of marriage" if it meets specific criteria: The couple must have cohabited for a significant duration. The relationship should be stable and mirror a marriage. Neither partner should have a valid legal marriage to another person. This ruling underscored the necessity of protecting women from maltreatment and financial vulnerability. Badri Prasad v. Dy. Director of Consolidation (1978): The Supreme Court acknowledged a long-term live-in relationship as sufficient to presume the existence of marriage under Section 114 of the Indian Evidence Act, 1872. Although this decision was fact-specific, it set a precedent for recognizing live-in relationships under certain conditions.

3) Rights of Women in Live-in Relationships- While Hindu law does not traditionally recognize live-in relationships, the following legal protections are available to women in such arrangements:

- Protection Against Domestic Violence: The Protection of Women from Domestic Violence Act, 2005 (PWDVA) offers protections to women in relationships akin to marriage, including live-in arrangements. This allows a woman in a live-in relationship to seek legal remedies such as: Protection orders. Financial support. Child custody. Right to remain in the shared residence.
- Maintenance Rights: Section 125 of the Criminal Procedure Code (CrPC) allows for maintenance for women who are unable to support themselves. Traditionally applicable to legally married wives, courts have extended this provision to women in live-in relationships if the relationship meets the criteria of a marriage-like nature.
- Inheritance and Property Rights: Women in live-in relationships do not possess direct inheritance rights under Hindu law unless acknowledged as legal wives. However, judicial precedents have at times provided recourse for women in cases where the live-in relationship has been long-standing and stable.

4) Status of children born to cohabiting couples- Under Hindu law, children born out of wedlock were historically considered illegitimate and deprived of inheritance rights. However, court decisions and legal reforms have changed this position.
Legitimacy and inheritance rights: Section 16 of the Hindu Marriage Act, 1955 grants legitimacy to children born out of void or invalid marriages. Though the section does not expressly cover cohabitation relationships, courts may interpret the section broadly to protect the rights of children born in such relationships. Children born to cohabiting couples can inherit their parents' property under personal law but cannot inherit any inheritance unless it is recognized as legal property.
Legal protection of children: The Guardians and Wardens Act, 1890 and the Juvenile Justice Act, 2015 ensure that the welfare of children is a priority, regardless of the marital status of their parents.

5) Social relationships and problems- Despite the judiciary's perception, lives have been blamed, especially among the communities managed by the Hindu Law. Traditional Hindu society regards marriage as a sacred institution, and live-in relationships are often viewed as a deviation from moral and cultural norms. This public resistance creates additional problems for people living in relationships, including Limited acceptance by family and society. Challenges in legal disputes related to property, custody or

inheritance. Social ostracism for children born from such relationships. 6. Changing Position of Hindu Law: Need for Reform
As cohabitation relationships become more common, there is an increasing need to reform Hindu Law and provide a clear legal framework to address issues such as: Recognition of Residential Relationships: Legal provisions are needed to explicitly recognize residential relationships and define their rights and responsibilities. Property and inheritance rights: Comprehensive reforms are needed to ensure that women and children living together have equal access to property and inheritance. Maintenance and custody: Hindu law should clearly define the rights of cohabitors regarding maintenance and custody of children to ensure their welfare.

XII. LIVE-IN RELATIONSHIP UNDER MUSLIM LAW

According to Muslim law, live-in relationships conflict with the basic principles of marriage and cohabitation. Although secular legal frameworks in nations like India offer limited protections for women and children in these situations, the lack of recognition under Islamic law poses considerable obstacles. The growing occurrence of live-in relationships in contemporary societies necessitates a comprehensive approach that reconciles traditional religious beliefs with the changing nature of personal relationships. Within Muslim communities, this could mean:

- Promoting formal unions through adaptable interpretations of marriage customs.
- Offering legal safeguards for women and children in live-in partnerships without undermining fundamental religious principles.
- Raising awareness regarding the social and legal consequences of such arrangements.

In Islamic legal tradition, the notion of marriage (Nikah) is fundamentally anchored in both religious values and societal responsibilities. It serves as a contract that defines the rights and obligations of a husband and wife and holds a sacred status. Live-in relationships, where a man and a woman live together without formalizing their partnership through marriage, are typically not acknowledged under Muslim law. This discrepancy arises because Islamic legal principles regard marriage as the only acceptable and ethical framework for cohabitation between a man and a woman.
This comprehensive overview explores the Islamic legal viewpoint, the difficulties encountered by individuals in live-in arrangements under Muslim law, and the changing societal perceptions toward such partnerships.

1) Basic Principles of Muslim Law Regarding Relationships

- Marriage (Nikah) in Islam- Within Islam, marriage is not merely a social contract but also a moral and spiritual bond that promotes principles of modesty and chastity. The Quran and Hadith highlight the sanctity associated with marriage, regarding it as the only legitimate partnership between a man and a woman. Important aspects include:

Mutual Agreement: Both parties need to agree to the marriage.
Mahr (Dower): The groom must provide a dower to the bride as a sign of respect.
Legal Recognition: Marriage legitimizes sexual relations and outlines specific rights and responsibilities concerning inheritance, maintenance, and child custody.

- Prohibition of Cohabitation Outside Marriage- Islamic law forbids Zina (fornication or adultery), which pertains to any sexual relationship occurring outside the framework of marriage. Cohabitation without marriage falls under the definition of Zina, a punishable offense in nations governed by Sharia law. The Quran explicitly denounces extramarital relationships: "And do not approach unlawful sexual intercourse. Indeed, it is ever an immorality and is evil as a way." (Quran 17:32)

Therefore, live-in relationships contradict Islamic legal and ethical standards.

2) Legal Recognition and Rights in Cohabitation Arrangements

- Lack of Legal Recognition- According to traditional Muslim law, live-in relationships lack any legal acknowledgment. As a result: There are no entitlements to maintenance for the woman or custody rights for either partner regarding children.

Children born from such relationships are deemed illegitimate (in strict Islamic terms) and encounter difficulties concerning inheritance and social acceptance.

- Legitimacy and Custody of Children- Sharia strictly upholds the legitimacy of children born within lawful marriage. Children born out of wedlock may not inherit assets from their biological father unless he formally recognizes them. This restriction often leads to challenges related to guardianship, legal identity, and inheritance.

3) Judicial Perspective on Cohabitation in Muslim Cultures

The judicial perspective on live-in relationships fluctuates across countries shaped by Islamic law, influenced by whether the legal system is secular, Islamic, or a mixture of both.

- Nations with Sharia-Based Regulations- In countries such as Saudi Arabia, Pakistan, and Iran, live-in relationships are unlawful and recognized as criminal offenses under Hudood laws (laws derived from Sharia). These laws impose heavy penalties for Zina, which can range from fines and imprisonment to corporal punishment.
- Secular or Mixed Legal Frameworks- In countries like India, Indonesia, and Malaysia, where Islamic personal law exists alongside secular legal systems:

India: Indian courts have at times provided protections for live-in relationships under the Protection of Women from Domestic Violence Act (PWDVA), 2005, regardless of religious affiliation. However, these protections are frequently contested within the framework of Muslim personal law, as they clash with the conventional Islamic perspective on relationships.

Indonesia: As the largest nation with a Muslim majority, Indonesia is somewhat more accommodating towards personal choices in urban settings, although traditional communities may impose harsh social penalties on couples living together.

4) Social problems in cohabiting relationships in Muslim communities

UN. Prejudice and Ostracism in Muslim-majority societies, live-in relationships face strong social resistance. Traditional norms, closely linked to religious values, condemn such relationships as morally deviant. Women suffer the brunt of social ostracism, often being labeled as immoral.

B. Legal and social impacts of children- Children born from living room often fight public and legal identity. Traditional Muslim community: These children may not have received their father's name in the birth certificate. They may face discrimination in education, marriage, and property rights.

c. Economic anxiety for women-Without a formal marriage, women who live in does not have a legal claim for maintaining Muslim law or alimony. In the case of separation, they may be left without financial support unless rescue based on secular legal regulations such as India. 5. Comparative analysis: changing trends and interpretations

- Some progressive Islamic scholars argue for a more nuanced understanding of human relationships in the modern world. They suggest that while cohabitation relationships are not recognized under traditional Islamic law, couples who enter such arrangements should not be criminalized but rather encouraged to regularize their unions through marriage. B. The Impact of Secular Legal Systems In a mixed legal system like India's, where secular and personal laws coexist, there is a debate about the reconciliation of traditional Islamic principles with modern realities. Although cohabitation within marriage is contrary to traditional Islamic norms, courts may provide limited protection to protect the rights of women and children.

XIII. MAINTENANCE IN LIVE-IN RELATIONSHIPS

The availability of maintenance in live-in partnerships demonstrates India's progressing legal framework, which aims to adjust to contemporary social realities while protecting those who are vulnerable. Nevertheless, the absence of clear legal guidelines and the significant dependence on judicial interpretation introduce unpredictability. Legislative changes, societal acceptance, and increased awareness are vital to guaranteeing the effective enforcement of maintenance rights in live-in partnerships. This will enable individuals, especially women, to claim their rights and live with dignity and security. Maintenance pertains to the financial assistance provided to a dependent partner following separation to help meet their fundamental needs and preserve their dignity. In the realm of live-in relationships, the notion of maintenance is intricate due to the lack of formal marriage. Indian law has progressed to afford some level of protection to women in live-in arrangements, primarily to avert destitution and promote justice. This comprehensive discussion examines the legal framework, judicial precedents, and challenges linked to maintenance rights within live-in relationships.

1) Legal Basis for Maintenance in India

- Protection of Women from Domestic Violence Act (PWDVA), 2005: The PWDVA, 2005, extends maintenance rights and protection to women in a "relationship in the nature of marriage." This legislation represents a crucial advancement in acknowledging live-in relationships under Indian law, offering support to women facing domestic violence or abandonment by their partners. Key provisions:

Section 2(f): Defines "domestic relationship" to encompass relationships akin to marriage. Section 20: Empowers the court to award monetary relief, including maintenance, to women involved in such relationships.

- Section 125, Criminal Procedure Code (CrPC), 1973: Section 125 of the CrPC allows for maintenance to individuals who

cannot support themselves, including wives, children, and parents. Although it primarily applies to married women, courts have broadened its application to include women in live-in relationships, given that certain criteria are fulfilled.

- Indian Evidence Act, 1872: According to Section 114, courts may infer the existence of a marriage when a couple has cohabited for a considerable duration, treating the relationship similarly to marriage for maintenance claims.

2) Judicial Interpretation of Maintenance in Live-In Relationships

- Presumption of Marriage: Indian courts have acknowledged long-term live-in relationships as comparable to marriage in specific instances to ensure justice. This presumption is essential for awarding maintenance rights.

Badri Prasad v. Dy. Director of Consolidation (1978): The Supreme Court assumed a valid marriage existed for a couple cohabiting for 50 years.

Lata Singh v. State of Uttar Pradesh (2006): The Court asserted that live-in relationships between consenting individuals are not illegal and should not face societal interference.

- Rights Under PWDVA: In the case of Indra Sarma v. V.K.V. Sarma (2013), the court established key criteria to determine if a live-in relationship qualifies as a "relationship in the nature of marriage": The couple must have cohabited for a reasonable timeframe. Both partners must present themselves to society as like spouses. The relationship should be stable and long-term. The Court further clarified that casual relationships or those initiated for immoral purposes would not result in maintenance rights.
- D. Velusamy v. D. Patchaiammal (2010): The Supreme Court ruled that a woman involved in a live-in relationship may claim maintenance under Section 125 CrPC if: The relationship possesses marriage-like characteristics. The woman meets the criteria to be considered a "wife" under this provision.

3) Challenges in Claiming Maintenance

While laws such as the PWDVA provide protection, the absence of a clear definition for "relationship in the nature of marriage" frequently leads to inconsistent interpretations by the judiciary. Factors like cohabitation length, mutual dependence, and societal view become variable criteria for awarding maintenance.

4) Comparison with Maintenance Rights in Marriage

- Maintenance in Formal Marital Unions- Under various laws, including Hindu, Muslim, Christian, and secular statutes, the rights to maintenance within marriage are clearly outlined, ensuring financial support for spouses following separation. On the other hand, in live-in arrangements, these entitlements are less clear and often reliant on the discretion of the judiciary.
- Broader Interpretation for Fairness- Judicial authorities frequently expand marital provisions to include live-in partnerships to avoid injustice. This was highlighted in the Chanmuniya v. Virendra Kumar Singh Kushwaha (2011) case, where the Supreme Court advocated for a wider interpretation of law to provide maintenance to women in such settings.

5) Shifting Legal Framework

The legal context in India regarding live-in arrangements is changing, with courts striving to strike a balance between societal expectations and individual rights. Notable developments encompass:

- Widening the definition of current laws to incorporate live-in relationships.
- Acknowledging the economic vulnerabilities that women face in these partnerships.
- Exploring the rights of children born from live-in couples.

6) Global Perspective

Worldwide, maintenance rights for partners in live-in situations differ considerably:

- United States: Some states acknowledge "palimony," which refers to financial support for cohabiting partners if a mutual agreement is established.
- United Kingdom: Claims for maintenance are typically limited to those who are married or in civil partnerships.
- Australia: De facto relationships are acknowledged, allowing partners to seek maintenance under certain conditions.

India’s methodology, grounded in judicial rulings, demonstrates a careful yet forward-looking effort to safeguard women’s rights within live-in partnerships, despite facing notable challenges. The length of cohabitation. The stability and exclusiveness of the relationship. Financial reliance on their partner.

C. Societal Stigma- Despite the legal protections, societal stigma associated with live-in relationships dissuades women from seeking maintenance. The apprehension of judgment and exclusion often compels them to remain silent.
D. Children in Live-In Relationship- Children born from live-in relationships also face obstacles in seeking maintenance. Courts have acknowledged their entitlement to support, but the lack of specific provisions complicates the process of enforcement.

XIV. ECONOMIC IMPLICATIONS FOR WOMEN IN LIVE-IN RELATIONSHIPS

The economic consequences of cohabiting relationships for women are complex and shaped by the absence of legal structures, societal prejudices, and the realities of gender disparities. While cohabiting relationships may provide personal independence, they also place women at risk of financial instability, especially during instances of separation, domestic conflict, or abandonment. Below is a comprehensive discussion of these consequences:

1) Financial Dependence and Economic Risk

- Absence of Legal Maintenance Provisions- Women engaged in cohabiting relationships typically do not have formal rights to financial support following separation. Unlike traditional marriages, which are protected by laws such as the Hindu Marriage Act, 1955, or Section 125 of the CrPC that offer alimony, cohabiting arrangements must be interpreted under broader legislation like the Protection of Women from Domestic Violence Act (PWDVA), 2005. Even when maintenance is awarded, women encounter difficulties in demonstrating cohabitation, financial reliance, or the nature of their relationship.
- Employment and Income Disparities- Women in cohabiting situations might disproportionately shoulder domestic and caregiving duties, which restricts their ability to engage fully in the workforce. This results in a financial dependence on their partners. Gender pays disparities worsen this reliance, leaving women with limited financial resources following separation.
- Unequal Contributions to Shared Finances- Numerous women in cohabiting relationships significantly contribute to household expenses, often without clear agreements regarding property ownership or financial distribution. Upon separation, they risk losing their contributions to shared assets or savings.

2) Lack of Property and Asset Rights

- Joint Property Ownership Difficulties- Women in cohabiting relationships generally do not possess legal rights over properties or assets jointly accumulated during the relationship, unless explicitly documented. Unlike married women, who can assert rights over matrimonial property, cohabiting partners must depend on contracts or court rulings.
- Lack of Legal Protections- The absence of specific laws governing asset distribution in cohabiting relationships puts women at a disadvantage. Courts frequently demand extensive evidence of contributions to property accumulation, complicating women's ability to make claims.

3) Economic Consequences During and After Separation

- Legal Expenses- Women in cohabiting relationships may face hefty legal costs in disputes concerning maintenance, child custody, or property division. Establishing the "marriage-like" nature of the relationship adds to this financial strain.
- Restricted Social Welfare Access- In India, numerous social welfare programs for women depend on marital status. Consequently, women in cohabiting arrangements are often left out of these benefits, lacking essential support.
- Loss of Social Security Options- Unlike spouses, women in cohabiting relationships might not qualify for insurance benefits, pensions, or other social security related to their partner's employment.

4) Effects of Domestic Violence

- Economic Coercion- Domestic violence in cohabiting relationships frequently includes economic coercion, such as restricting access to finances, denying shared money, or limiting employment opportunities for women. The PWDVA, 2005, offers limited assistance for financial abuse, but the enforcement is often inconsistent.

5) Challenges in Inheritance and Succession

- Entitlement to Partner’s Estate- Women in cohabiting relationships do not automatically inherit their partner’s assets unless explicitly mentioned in wills or agreements. This contrasts with the automatic inheritance rights granted to legally married partners.
- Consequences for Children- Children born from cohabiting relationships encounter legal challenges in claiming inheritance from their father’s estate unless he formally recognizes them.

6) Societal and Workplace Impacts

- Stigma and Employment Discrimination- Women in cohabiting relationships may experience societal stigma, which affects their job prospects. Employers, particularly in conservative sectors, may regard or discriminate against women based on their relationship status.
- Absence of Workplace Benefits- Many corporate policies in India offer benefits, such as health insurance, exclusively to legally recognized spouses. Consequently, women in cohabiting situations are frequently excluded from such provisions.

7) Societal and Workplace Repercussions

- Prejudice and Employment Bias- Women engaged in live-in partnerships may encounter societal prejudice, which can adversely influence their career opportunities. Employers, particularly in traditional industries, might evaluate or discriminate against women based on their relationship status.
- Absence of Work Benefits- Numerous workplace policies in India grant benefits, such as health insurance, exclusively to legally recognized spouses. Those in live-in arrangements often find themselves excluded from such benefits.

8) Psychological Effects on Financial Security

- Emotional Pressure and Career Influence- The emotional burdens stemming from societal scrutiny or unstable relationships can hinder a woman's career advancement, ultimately lowering her earning capacity.
- Anxiety of Financial Insecurity- The lack of assured financial protection may dissuade women from exiting abusive or unhealthy live-in setups.

9) Comparative Overview: International Perspective

- United States- Certain states in the U.S. acknowledge palimony, a type of financial support for cohabiting partners post-separation, provided there is a clear or implied agreement.
- European Nations- Countries such as France and the UK offer limited legal protections for cohabiting couples, frequently necessitating contractual arrangements for financial claims.
- Australia- Australia recognizes de facto relationships, awarding maintenance rights comparable to marriage under specific circumstances, thus offering enhanced protection for women.

10) Suggestions and Solutions

- Legal Changes- Implement distinct legislation that acknowledges financial claims in live-in relationships, encompassing maintenance, property division, and inheritance rights.
- Financial Awareness and Management- Encourage women in live-in relationships to uphold financial independence by overseeing personal savings, investments, and insurance plans.
- Pre-Relationship Contracts- increased awareness regarding cohabitation agreements that detail financial contributions, property rights, and expectations for maintenance.
- Community Support Networks- Bolster the involvement of NGOs and community groups in providing legal assistance, counseling, and financial support to women in live-in relationships.

XV. ECONOMIC IMPLICATIONS FOR WOMEN IN LIVE-IN RELATIONSHIPS

The Influence of Live-In Relationships on Women's Mental Well-Being

Live-in partnerships have become increasingly popular among contemporary couples seeking autonomy and adaptability. However, for women, these arrangements can significantly affect mental well-being, shaped by cultural norms, relationship dynamics, and legal uncertainties. Below is a thorough examination of how live-in relationships impact women's mental health.

1) Societal Judgment and Emotional Turmoil

Criticism and Judgment: Women involved in live-in relationships frequently encounter societal judgment, especially in conservative societies such as India, where marriage is viewed as a pillar of social status.

Family Expectations: Many women feel emotional pressure due to disapproval from family, resulting in feelings of shame, isolation, and conflicts regarding their identity.

Social Withdrawal: The anxiety of being judged can lead women to withdraw from social situations, resulting in loneliness and depressive feelings.

2) Relationship Uncertainty and Anxiety

Indecision About Commitment: In contrast to marriage, live-in relationships lack formal legal commitments, which may induce anxiety regarding the future.
Fear of Being Left: Women may experience vulnerability to abandonment or betrayal, particularly when there are no legal safeguards in place.
Emotional Burden: Women often carry the responsibility of nurturing the relationship, which can lead to emotional fatigue.

3) Legal and Financial Uncertainty
Financial Security and Maintenance: The absence of defined legal rights concerning maintenance, property, or inheritance creates financial instability, leading to ongoing stress and anxiety.
Custody Issues: For women with children from live-in arrangements, the ambiguity surrounding custody and legal status can intensify mental health struggles.

4) Domestic Abuse and Mental Trauma
Lack of Resources: Women in live-in situations may find it difficult to access legal and social support for domestic abuse, as these relationships are not always legally recognized as "domestic relationships."
Emotional Manipulation: Emotional abuse, including manipulation or controlling behavior by partners in live-in situations, can result in psychological distress and lasting trauma.
Financial Abuse: Dependency on a partner and lack of access to financial resources are prevalent forms of abuse, negatively impacting women's self-worth and mental health.

5) Impractical Expectations
Societal Comparisons: Women may adopt societal pressures, measuring their relationship against traditional marriages, which can lead to discontent or diminished self-esteem.
Pressure to Justify Stability: There is often a tacit expectation to validate the legitimacy of live-in relationships, resulting in stress and excessive effort to maintain the partnership.

6) Parenting Challenges
Societal Stigma for Offspring: Mothers in live-in partnerships often fret over the stigma faced by their children, resulting in ongoing anxiety and guilt.
Single Parenting Pressures: If the partnership dissolves, women often take on the sole responsibility for their children's upbringing, leading to exhaustion and mental strain.

7) Positive Mental Health Outcomes- Despite the challenges, live-in relationships can also yield favorable effects:
Independence and Liberties: Many women express higher satisfaction in live-in relationships owing to personal independence and equality in decision-making processes.
Relief from Toxic Marriages: For some, live-in arrangements provide a haven, offering a respite from prior trauma or abusive marital situations.
Flexibility and Personal Development: Women in live-in relationships frequently benefit from the chance to focus on personal growth and career aspirations without the limitations of traditional marital roles.

8) Coping Strategies and Support Networks
Therapeutic Support: Access to mental health counseling can assist women in addressing emotional difficulties and navigating relationship dynamics.
Community Support Groups: Engaging with groups or networks of women experiencing similar circumstances can offer validation and practical insights.
Legal Education: Informing women about their legal entitlements under laws like the Protection of Women from Domestic Violence Act, 2005, can reduce stress related to security and financial matters.

XVI. IMPACT ON WOMEN'S MENTAL HEALTH

The mental health of women in cohabiting relationships is heavily influenced by societal norms, their personal experiences in the relationship, and the legal and cultural environment they live in. Although these relationships offer flexibility and independence, they also come with unique challenges that can have significant impacts on their mental health. Below is an in-depth analysis of the impacts:

1. Societal Stigma and Its Psychological Toll

Cultural Judgment: In conservative societies like India, live-in relationships are often viewed as morally inappropriate. Women in such relationships often face criticism, leading to feelings of shame, guilt and alienation.

Family disapproval: Family resistance to a residential relationship increases psychological distress. Women may feel torn between personal choices and societal expectations, resulting in inner conflict.

Social Isolation: The fear of being ostracized can discourage women from seeking social or professional networks, increasing the risk of loneliness and depression. 2. Relationship Dynamics and Emotional Issues Lack of Formal Obligations: Unlike marriage, a cohabitation relationship has no formal legal obligations. This uncertainty can lead to chronic anxiety about the future of the relationship.

Fear of abandonment: women are often faced with insecurity concerning the stability of the partnership, in the absence of legal protection or societal support. Emotional labor: Women often shoulder most emotional and domestic responsibilities and feel exhausted and resentful when that burden is not shared fairly.

3. Domestic violence and mental health Abuse in cohabiting relationships: Domestic violence, including physical, mental and economic abuse, is a serious problem for women in cohabiting relationships. Victims often face difficulties in obtaining legal protection due to the vague recognition of such relationships under the law.

Psychological Trauma: Survivors of abuse may develop conditions such as post-traumatic stress disorder (PTSD), anxiety, and depression. The lack of societal acknowledgment of their suffering can compound their distress. 4. Impact of legal and financial uncertainty Unclear legal rights: The lack of clear legal protections for cohabiting women can cause significant stress, especially in cases of separation or domestic disputes. Financial dependence. Women who are financially dependent on their partners can feel helpless and anxiety about future safety.

5 Raising children in a residential relationship

Concerns about children: Women with children who live with their partners may face additional stress due to social stigma, concerns about legal recognition of their children, and anxiety about not being able to provide a stable environment for their children.

Difficulties raising children alone: In cases of separation, women often bear the full responsibility of raising children, leading to burnout and mental fatigue. 6. Psychological benefits of a relationship with a partner

Personal freedom: Live-in relationships often allow women to maintain their autonomy and make independent choices, which can improve self-esteem and mental well-being. Escape from traditional constraints: For some, these arrangements offer a respite from the rigid expectations of marriage, allowing them to focus on personal and professional growth. Opportunity for growth: Women may find that the flexibility of a cohabiting relationship helps them explore their identity and aspirations without being constrained by traditional roles. 7. Coping Mechanisms and Support Systems Counselling and Therapy: Professional mental health support can help women deal with the challenges unique to cohabiting relationships, improve communication with their partners and resolve underlying emotional issues. Legal awareness: Knowing their rights under laws such as the Protection of Women from Domestic Violence Act, 2005 (PWDVA) enables women to seek redress and reduce stress.

Community support: Women's groups, NGOs and peer networks provide emotional and practical support, helping women build resilience. 8. Future directions and recommendations.

Increased awareness: Public awareness campaigns are essential to combat social stigma and inform people about the legality and legitimacy of cohabiting relationships.

Policy change: Legal changes to ensure women's rights in cohabiting relationships, such as maintenance, property rights, and protection from violence, can reduce mental health risks. Access to mental health services: Providing accessible mental health resources for women in cohabiting relationships can reduce stress and improve their overall well-being.

XVII. CHILDREN'S RIGHTS AND DEVELOPMENT

Children's rights and development represent essential facets of human rights, concentrating on guaranteeing that every child has the chance to mature, learn, and flourish in a secure and supportive setting. These rights are codified in global agreements such as the United Nations Convention on the Rights of the Child (UNCRC), which aim to shield children from exploitation, neglect, and abuse while encouraging their comprehensive growth. Here is an in-depth examination of children's rights and their significance in promoting overall development.

1) Fundamental Principles of Children's Rights

- Right to Survival and Development- Each child holds the right to survival, inclusive of access to fundamental necessities like healthcare, nutrition, and shelter. These elements lay the groundwork for their physical and mental development.
- Right to Protection- The right to be protected from abuse, neglect, exploitation, and violence is essential, providing a secure environment for children to grow and learn.
- Right to Education- High-quality education is vital for a child's cognitive, emotional, and social growth. Education empowers children to break free from cycles of poverty and contribute positively to society.
- Right to Participation- Children possess the right to voice their opinions on issues affecting their lives, which nurtures a sense of agency and inclusion.

2) Elements Impacting Children's Development

- Physical Development- Proper healthcare and nutrition are crucial for physical growth. A lack of adequate nutrition and healthcare access can result in stunted growth and developmental hindrances.
- Emotional and Social Development- Consistent, nurturing relationships with caregivers foster emotional safety and social skills. Experiences of neglect or abuse can lead to enduring psychological challenges.
- Educational Opportunities- Access to early childhood education establishes a foundation for lifelong learning. Disparities in educational access perpetuate societal inequalities, obstructing development.
- Legal Protections- Legislation that safeguards children's rights, such as laws against child labor, trafficking, and forced marriage, is fundamental in ensuring their development is secure.

3) Global Obstacles to Children's Rights

- Poverty- Countless children survive in poverty, lacking necessities such as food, education, and healthcare, which greatly impairs their development.
- Child Labor and Exploitation- Numerous children are compelled into labor or trafficking, depriving them of the chance to pursue education and experience a typical childhood.
- Conflict and Displacement- Children in regions of conflict encounter threats such as recruitment into armed forces, loss of family, and disruption of their education.
- Gender Inequality- Girls frequently face discrimination, resulting in restricted access to education and healthcare, and increased vulnerability to child marriage and exploitation.

4) Significance of Education in Development

- Disrupting the Poverty Cycle- Education equips children with the knowledge and competencies needed to enhance their socioeconomic conditions.
- Advancing Gender Equality- Education aids in challenging societal norms, enabling girls to realize their potential and contribute to the community.
- Cognitive and Emotional Growth- Educational institutions provide settings where children can engage, learn, and cultivate critical thinking and problem-solving abilities.

5) International and National Initiatives

- United Nations Convention on the Rights of the Child (UNCRC)- Ratified by most nations, the UNCRC articulates the civil, political, economic, social, and cultural rights of children.
- Sustainable Development Goals (SDGs)- Objectives such as Quality Education (SDG 4) and No Poverty (SDG 1) are specifically aimed at improving children's development and rights.
- National Policies and Laws- Nations enact child-specific policies, including free education initiatives, child protection

statutes, and health programs, to enhance the welfare of children.

6) Key Areas of Focus for Enhancing Children's Rights

- Tackling Child Poverty- Targeted social welfare initiatives and affordable healthcare access can mitigate the effects of poverty on children.
- Fortifying Legal Structures- Robust legislation against child labor, trafficking, and abuse is crucial for safeguarding children's rights.
- Promoting Inclusive Education- It is essential to provide educational opportunities for marginalized populations, including girls, children with disabilities, and those in isolated regions.
- Providing Mental Health Support- Focusing on children's mental health issues through accessible services and awareness efforts ensures their emotional well-being.

7) Society's Role in Upholding Children's Rights- Parents, educators, and community leaders play essential roles in supporting children and championing their rights. Non-governmental organizations and child welfare groups actively work to rescue children from exploitation, offer educational opportunities, and aid their growth.

8) Future Challenges- Despite advancements, there are still considerable obstacles: Ongoing disparities in access to education and healthcare. Ineffective enforcement of child protection legislation. Limited resources to meet the needs of at-risk children.

XVIII. LEGAL GAPS AND NEED FOR REFORMS

Live-in relationships are increasingly accepted in contemporary societies, yet they still face considerable legal uncertainties. These uncertainties lead to confusion regarding rights, responsibilities, and protections for individuals, especially women and children. The lack of a thorough legal framework leaves individuals exposed, highlighting the need for urgent reform. Below is a comprehensive examination of the current legal shortcomings and the necessary reforms.

1) Legal Shortcomings in Live-In Relationships- A. Inconsistent Recognition

Undefined Status: Live-in relationships do not have a consistent recognition within Indian law. Although courts have acknowledged them in certain instances, there is no formal definition or consistent standard.

Judicial Discretion: The interpretation by courts varies significantly, causing uncertainty regarding the rights and responsibilities of individuals involved.

- Uncertainties Surrounding Women's Rights

Financial Security and Maintenance: The entitlement to maintenance for women in live-in relationships lacks explicit legal codification, resulting in varied judicial rulings.

Property Rights: Unlike spouses in legally recognized marriages, women in live-in relationships do not have claims to their partner's assets.

- Children's Status

Inheritance Rights: The rights of children born from live-in relationships regarding inheritance remain ambiguous, putting these children at risk.

Social Stigma: The lack of formal recognition worsens societal discrimination against these children, affecting their mental health and opportunities.

- Protections Against Domestic Violence

Unclear Applicability: The Protection of Women from Domestic Violence Act, 2005, covers women in live-in relationships, but implementation remains difficult due to social stigma and legal gaps.

- Custody and Adoption Regulation Absences

Custody Rights: There is no transparent legal structure for deciding child custody in the event of a breakup.

Adoption: Indian adoption laws mainly cater to married individuals, leaving live-in partners with minimal or no avenues.

- Lack of Regulation for Same-Sex Live-In Relationships

Same-sex relationships have gained legal recognition following the decriminalization of homosexuality in India, but the legality of live-in arrangements among same-sex couples remains unclear under current laws.

2) Consequences of Legal Shortcomings

- Women's Vulnerability- Women frequently suffer the consequences of legal uncertainties, facing financial instability, limited societal acceptance, and restricted access to justice in cases of separation or abuse.
- Insecurity for Children- Children born from live-in relationships struggle with issues related to social identity, inheritance, and access to legal rights.
- Legal Exploitation- Without codified laws, partners can take advantage of loopholes, leaving individuals without proper remedies.
- Societal Stigma- The absence of legal recognition perpetuates social stigma, negatively impacting the mental well-being and social position of people involved in live-in relationships.

3) Reforms Are Necessary

- Statutory Recognition- Definition and Acknowledgment: Establishing a clear statutory definition of live-in relationships is crucial for removing ambiguities and ensuring consistent treatment under the law.

Legal Structure: Codifying the rights and responsibilities within live-in relationships can protect individuals from exploitation and ensure fairness.

- Comprehensive Rights for Women- Maintenance Rights: It is essential to include explicit provisions that grant maintenance for women in live-in relationships, comparable to those in legal marriages.

Property Rights: Legal changes should enable equitable claims over joint property or contributions made during the partnership.

- Child Protection- Inheritance Laws: Children born from live-in arrangements deserve equal inheritance rights to prevent unfair treatment.

Identity Protections: Legislation should address the societal issues faced by these children, ensuring their access to education, healthcare, and other essential rights.

- Strengthening Domestic Violence Laws- Enhancing the applicability of domestic violence laws to encompass live-in relationships and ensuring efficient enforcement mechanisms is vital.
- Custody and Adoption Framework- Custody laws should recognize the rights of both partners in live-in relationships, prioritizing the child's best interests. Adoption laws need to be revised to include live-in couples, irrespective of their marital status.
- Recognition of Same-Sex Couples- Legislation should clearly acknowledge live-in relationships between same-sex partners, providing equal rights and protections.

4) Insights from Other Regions

USA: In certain states, cohabitation agreements enable partners living together to formalize their relationships, tackling financial and property issues.

France: The Pacte Civil de Solidarité (PACS) provides a legal structure for non-marital partnerships, conferring specific rights and responsibilities.

Canada: Common-law partnerships are legally acknowledged, with established guidelines for property division, child custody, and spousal support.

India can look to these examples to develop a comprehensive legal framework that harmonizes individual freedoms with societal obligations.

XIX. ROLE OF MEDIA IN SHAPING PERCEPTIONS

Media, in its many forms, plays a crucial role in shaping public opinions, attitudes, and beliefs. Whether through traditional platforms like newspapers, television, and radio, or contemporary channels such as social media, blogs, and digital news outlets, the media wields considerable influence over how individuals interpret events, issues, and social norms. Below is a comprehensive discussion on how media influences perceptions:

1) Raising Awareness and Informing Public Opinion- News and Information Distribution: Media serves as the main source for information regarding current events, social issues, and policies. It highlights significant topics, often framing them in ways that affect public comprehension. Highlighting Social Concerns: Media coverage can draw attention to vital issues such as gender equality, environmental challenges, and human rights, frequently igniting discussions and movements.

2) Framing and Agenda-Setting- Framing: Media organizations often present stories with a particular emphasis, focusing on certain elements more than others. This impacts how audiences understand the information. For instance, accentuating the positive features of a policy can led to public support, while concentrating on negatives may trigger criticism.

Agenda-Setting: By selecting which stories to cover and the prominence given to them, the media establishes the agenda for public conversation. Issues that receive greater media focus are viewed as more significant by the audience.

3) Shaping Cultural Norms and Values- Representation of Social Trends: Media depicts cultural practices, lifestyles, and societal norms, affecting what is considered acceptable or aspirational within society.

Role Models: Celebrities, influencers, and public figures featured in the media often act as role models, influencing behaviors, fashion, and values.

4) Effects of Visual and Emotional Narratives- Visual Influence: Television and social media heavily rely on visuals, which can provoke intense emotional reactions. Images depicting humanitarian crises, for instance, often elicit immediate public empathy and action.

Emotional Appeals: Media utilizes storytelling and emotional narratives to engage audiences, making them more inclined to adopt specific viewpoints.

5) Challenges and Critiques of Media Influence- Bias and Polarization: Media bias, whether political, cultural, or ideological, can divide audiences and strengthen existing beliefs. Misinformation and Fake News: Incorrect or intentionally misleading information can spread quickly, leading to misconceptions and unfounded fears.

Echo Chambers: Social media algorithms often create echo chambers, where users encounter mainly information that aligns with their own beliefs, restricting exposure to balanced viewpoints.

6) Media's Impact on Perceptions of Specific Issues

- Gender and Equality- Positive portrayals of women in leadership positions or initiatives promoting gender equality have challenged conventional stereotypes. Conversely, media frequently sustains damaging stereotypes through unrealistic beauty ideals or biased coverage of women's issues.
- Public Health- During emergencies like the COVID-19 pandemic, media played a vital role in sharing health information. However, misinformation regarding vaccines or treatments caused confusion and hesitancy.
- Politics and Governance- Political campaigns depend significantly on media coverage and advertising to shape voter perceptions. Media endorsements and critiques can heavily influence electoral results.

7) Positive and Negative Outcomes- Positive Outcomes

Empowerment: Campaigns highlighting social issues (e.g., domestic violence, mental health) encourage individuals to seek help and advocate for change.

Education: Media acts as an educational resource, disseminating knowledge and awareness on various topics.

Negative Outcomes- Overexposure to Negativity: Continuous exposure to negative news can result in anxiety and a gloomy outlook.

Manipulation: Media can be manipulated to serve the interests of powerful groups, distorting reality and public opinion.

8) Suggestions for Responsible Media Consumption

Critical Thinking: Audiences should assess the credibility of sources and verify facts before forming opinions.

Diversified Media Engagement: Interacting with a range of media sources promotes a well- rounded perspective.

Ethical Media Practices: Media organizations need to prioritize accuracy, fairness, and impartiality to maintain public trust.

XX. COMPARATIVE ANALYSIS WITH TRADITIONAL MARRIAGES

Live-in relationships and traditional marriages represent two distinct types of partnerships that greatly differ regarding legal acknowledgment, social acceptance, rights, and duties. Although both setups are founded on mutual understanding and companionship, their consequences for individuals—especially women and children—differ due to the governing frameworks. Below is a comprehensive comparative analysis.

1) Definition and Legal Status

Traditional Marriage- Definition: A union recognized both socially and legally between two individuals, commonly tied by cultural, religious, or statutory regulations.

Legal Status: In India, marriage is explicitly defined under various personal laws (e. g. , Hindu Marriage Act, 1955; Muslim Personal Law; and Special Marriage Act, 1954), which provide legal acknowledgment and enforceable rights.

Live-In Relationship- Definition: An arrangement where two individuals cohabit in a relationship like marriage without official registration.

Legal Status: Live-in relationships are not explicitly codified in Indian statutory law but have been recognized by the courts in certain cases for limited rights (e. g. , maintenance and protection against domestic violence).

2) Social Perception and Acceptance-

Traditional Marriage- Marriage is generally accepted across different cultures and religions. It is frequently regarded as a fundamental element of social and familial stability. It is strongly linked to traditional values, including family honor, religious practices, and societal approval.

Live-In Relationship- Live-in relationships encounter considerable societal opposition in India, especially within conservative communities. They are frequently criticized for straying from traditional norms. Educated urban populations have started to embrace live-in arrangements, although stigma remains.

3) Legal Rights and Protections- Traditional Marriage

Property Rights: Spouses possess explicit rights concerning jointly owned or ancestral property. Maintenance: Legal provisions exist for maintenance under family laws, safeguarding financial stability for spouses.

Inheritance: Clear laws govern inheritance rights for spouses and children born within the marriage.

Domestic Violence Protection: Spouses are safeguarded under laws like the Protection of Women from Domestic Violence Act, 2005. Live-In Relationship

Property Rights: Partners do not have statutory rights over each other's property unless a joint agreement is made.

Maintenance: The Supreme Court of India has decided that women in long-term live-in relationships can claim maintenance, but its applicability relies on demonstrating the relationship's nature.

Inheritance: Children born from live-in relationships hold inheritance rights under Section 16 of the Hindu Marriage Act, 1955, but partners do not inherently have those rights. Domestic Violence Protection: The Protection of Women from Domestic Violence Act, 2005, extends to women in live-in arrangements.

4) Economic Implications- Traditional Marriage

Marriage typically necessitates joint financial planning and responsibilities. Shared resources and legal structures provide economic stability for spouses and children. Inheritance laws and community property rights in many nations further strengthen financial security.

Live-In Relationship- Economic arrangements tend to be less formal. Without explicit mutual agreement, partners are not compelled to share assets or debts. Women may encounter financial instability following separation due to the absence of legal frameworks concerning property distribution.

5) Impact on Women-

Traditional Marriage- Women benefit from legally protected rights, encompassing maintenance, alimony, and property distribution in instances of separation or divorce. Nevertheless, traditional marriages can sometimes reinforce patriarchal norms, limiting women's autonomy and independence.

Live-In Relationship- Women in cohabiting relationships might experience a deficiency in economic and social security, as their rights are significantly reliant on judicial interpretation and the specifics of their relationship. The stigma linked to cohabiting relationships frequently impacts women more profoundly than men, influencing their social status and mental well-being.

6) Impact on Children-

Traditional Marriage- Children born to married couples possess defined legal rights, which include inheritance and legitimacy across all personal laws. The societal acceptance of marriage guarantees that children encounter fewer societal biases.

Live-In Relationship- Although courts in India have awarded legitimacy and inheritance rights to children born from cohabiting relationships, societal stigma and the absence of legal structures can present obstacles. Such children may encounter discrimination, especially in traditional societies.

7) Freedom and Autonomy-

Traditional Marriage- While marriage offers stability, it frequently comes with societal and familial pressures that might restrict individual freedom. Gender roles within traditional marriages can occasionally hinder women's personal and professional advancement.

Live-In Relationship- Partners have greater freedom and flexibility without the responsibilities associated with marriage. Cohabitational arrangements can encourage egalitarian dynamics, although this relies on the specific partnership.

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8) Challenges and Risks-

Traditional Marriage- Legal and societal obligations can complicate the process of leaving an unhappy marriage. Issues such as domestic violence, dowry demands, and marital rape (not recognized as a crime under Indian law) are prevalent in traditional marriages.

Live-In Relationship- The lack of explicit legal safeguards renders partners, particularly women, more susceptible to exploitation and abandonment. Ambiguity in legal rights may result in conflicts, especially concerning property, maintenance, or custody.

XXI. GENDER INEQUALITIES IN LIVE-IN RELATIONSHIPS

Gender disparities continue to exist in live-in relationships due to societal prejudices, legal uncertainties, and the uneven distribution of social and economic influence. Women are more prone to experiencing discrimination and vulnerabilities, making this an essential subject for examination.

1) Lack of Legal Recognition- Ambiguity in Rights: Live-in relationships do not have established legal frameworks, making women reliant on judicial interpretations. This frequently leads to inconsistencies in the provision of maintenance, property rights, or financial aid.

Maintenance Rights: Although courts have determined that women in long-term live-in relationships have the right to maintenance under the Protection of Women from Domestic Violence Act, 2005, enforcement hinges on demonstrating the "marriage-like" quality of the relationship. This burden is disproportionately shouldered by women.

Inheritance Issues: Women in live-in relationships generally lack legal entitlement to their partner's property, in contrast to legally married partners.

2) Economic Inequalities- Lack of Financial Security: Women typically engage in household chores or assist their partner's career without receiving formal acknowledgment of their economic contributions. In the event of separation, this unpaid work is seldom compensated.

Power Imbalance: In numerous live-in relationships, financial dependence on male partners renders women susceptible to exploitation, coercion, or abandonment.

3) Domestic Violence

Limited Protections: Although the Domestic Violence Act encompasses live-in relationships, women encounter obstacles in accessing legal recourse due to social stigma and the unclear legal status of their relationship.

Reporting Challenges: The fear of judgment, lack of family backing, and worries about social ostracism frequently dissuade women from reporting abuse in live-in situations.

4) Social Stigma- Moral Policing: Women in live-in relationships endure heightened scrutiny and moral condemnation compared to their male counterparts. This stigma influences their mental well-being, job prospects, and social reputation.

Impact on Reputation: Women are often held responsible if the relationship concludes, reinforcing patriarchal stereotypes that attribute accountability for the success or failure of the partnership to them.

5) Unequal Burden of Parenthood

Custodial Disparities: In cases of separation, women typically assume the duty of raising children born from live-in relationships, frequently with minimal or no financial aid from the male partner. Societal Judgment: Mothers in live-in relationships face considerable societal stigma, which affects their capacity to offer a stable environment for their children.

6) Emotional and Psychological Impact

Unequal Emotional Labor: Women frequently bear a larger share of emotional and relational duties, leading to exhaustion or feelings of inadequacy when the relationship lacks formal commitments.

Mental Health Challenges: The absence of social acceptance, coupled with legal uncertainties, often results in anxiety, depression, and feelings of isolation for women.

7) Patriarchal Bias

Unequal Expectations: Societal standards often require women to adhere to traditional caregiving roles, even in modern live-in settings, thereby perpetuating gendered inequalities.

Cultural Resistance: Patriarchal societies oppose the idea of live-in relationships, particularly for women, viewing them as a threat to established norms.

8) Need for Reforms-

- Legal Reforms- Statutory acknowledgment of live-in relationships, incorporating explicit provisions for maintenance, property rights, and safeguards against abuse, can enhance security for women. Creating defined custody and child support structures for children conceived in such arrangements.
- Awareness and Education- Campaigns aimed at diminishing societal stigma and advancing gender equality in live-in relationships are crucial. Legal education initiatives for women to comprehend and assert their rights in live-in situations.
- Economic Empowerment- Promoting financial autonomy for women via skill enhancement and job prospects.

XXII. ROLE OF RELIGION AND COMMUNITY NORMS

Religion and societal norms greatly influence public perceptions of live-in relationships. In various cultures, especially in India, traditional relationship frameworks like marriage are closely linked to religious and community beliefs. These values establish a context in which people are anticipated to manage their relationships, and departures from these expectations—such as live-in arrangements—frequently encounter opposition.

1) Religious Influence on Relationship Norms

Hinduism- Hinduism traditionally perceives marriage as a sacred bond, commonly known as sanskar (ritual). The Hindu Marriage Act of 1955 highlights marriage as a lifelong commitment, supported by both legal and social expectations surrounding this institution. The notion of a live- in relationship is often met with doubt in Hindu communities, as it contradicts the religious principles of chastity, commitment, and family structure. In Hindu culture, having children outside of marriage may also be regarded as a breach of religious beliefs, resulting in stigma for both women and children born in live-in situations.

Islam- Within Islam, marriage is viewed as a serious contract, and Nikah (marriage) plays a crucial role in social and religious contexts. The Quran and Hadith underscore the significance of formal unions for emotional, social, and legal reasons. Live-in relationships are not recognized within mainstream Islamic law, as they lack the formalities associated with a contract and public acknowledgment. Islamic doctrines generally dictate that relationships outside of marriage, including cohabiting arrangements, are forbidden, and those involved in such relationships could encounter religious and social repercussions.

Christianity-Christian teachings similarly regard marriage as a sacrament, highlighting the sacred nature of the union between a man and a woman. The Bible emphasizes that sexual relations should only take place within marriage, and traditional views disapprove of cohabitation outside marriage. Much like Hinduism and Islam, live-in relationships are frequently regarded as ethically improper in numerous Christian communities, where the commitment to marriage as a formal institution persists as the standard.

Other Religions- Sikhism: Like Hinduism, Sikhism regards marriage as a sacred bond, and live-in relationships are typically seen as inconsistent with religious beliefs.

Judaism: Jewish law also places great importance on marriage, with live-in arrangements outside of official wedlock generally being discouraged.

2) Community Norms and Social Expectations

Traditional Communities- In conservative societies, particularly in rural regions, community norms significantly shape the understanding of relationships. The assumption that relationships should be formalized through marriage is a critical aspect of these communities' social frameworks. Live-in arrangements, perceived as a departure from traditional expectations, often face disapproval, and individuals involved may experience social isolation or stigmatization. For women, the consequences can be more profound, as they are expected to adhere to societal standards of chastity and family honor.

Urban Communities- In contrast, metropolitan regions usually exhibit a more liberal attitude and are more accepting of alternative forms of relationships, including cohabitation. Nevertheless, although larger cities might show greater acceptance, the impact of religious and community conventions still lingers, and individuals in cohabiting relationships might still experience scrutiny. This criticism frequently originates from older generations or more conventional segments of society who maintain traditional perspectives on marriage and relationships.

The Role of Family- Family dynamics in numerous cultures significantly contribute to upholding community standards. In India, for instance, familial honor is closely linked to social standing, and straying from conventional relationships—like cohabitation—can inflict shame upon the family. This is particularly relevant for women, who are frequently anticipated to marry and rear children within a legally recognized marriage. If a woman chooses to enter a cohabiting relationship, she may encounter familial pressure to adhere to conventional values, or worse, be excluded from the family.

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3) The Intersection of Religion and Community Norms- The convergence of religious convictions and community standards intensifies the opposition to cohabiting partnerships. In numerous instances, community leaders—such as religious authorities or elders—are regarded as the judges of moral conduct, and their views can significantly sway public opinions. Religious teachings regarding marriage, family, and sexual ethics are intertwined with societal norms, culminating in heightened disapproval of cohabiting relationships. For example, in India, where religious traditions and familial structures are frequently interwoven, religious authorities may publicly denounce cohabiting relationships as untraditional or immoral, perpetuating the stigma associated with such unions. This can lead individuals in cohabiting arrangements to feel compelled to adhere to prevailing norms or confront social repercussions, such as exclusion or isolation.

4) Impact on Women in Live-In Relationships- Social Stigma and Gender Expectations: Women in cohabiting relationships often endure the burden of social stigma more acutely than men. The expectation to conform to religious and communal standards concerning marriage is more pronounced for women, and they may encounter judgment for diverging from traditional relationship models. This pressure can induce adverse psychological effects, such as feelings of guilt, shame, and isolation.
Legal Protections: Although some nations have started to provide legal safeguards for women in cohabiting relationships, religious and community norms frequently impede the effectiveness of these protections. In communities where religion significantly influences attitudes towards relationships, women may struggle to assert their legal entitlements or escape an abusive cohabiting situation due to societal pressure and a lack of support.
Economic and Social Dependence: In certain religious and community settings, women might be financially reliant on their partners, especially in cohabiting situations where formal financial agreements are often lacking. This dependency can restrict women's ability to leave a relationship, even when it turns abusive or intolerable.

5) The Need for Progressive Change- Acknowledging the intricacies of religious and community norms surrounding cohabitation, there is a necessity for a more inclusive and progressive perspective on relationship acknowledgment. This can involve:
Legal Reforms: Broadening the legal system to incorporate acknowledgment and safeguarding for people involved in live-in relationships, especially women and children.
Educational Campaigns: Raising awareness regarding the changing dynamics of relationships, confronting stereotypes, and nurturing respect for varied relationship forms.
Community Engagement: Urging community leaders to embrace more inclusive perspectives that honor personal choices while continuing to uphold the cultural and religious values that are significant to many.

XXIII. PROTECTION AGAINST ABUSE IN LIVE-IN RELATIONSHIPS

Live-in relationships, defined by the cohabitation of two individuals without formal matrimony, introduce distinct challenges regarding the safeguarding of those involved, especially women. In numerous cultures, particularly in India, where live-in arrangements are still progressing socially and legally, women frequently encounter both physical and emotional abuse without the same protections available to married couples.

1) Legal Recognition of Abuse in Live-In Relationships- Without a formal marriage, many women in live-in arrangements might perceive a lack of legal recourse or safeguarding against domestic violence or other types of abuse. Nevertheless, legal reforms have sought to address these deficiencies by broadening protections to individuals in such relationships. In India, the Protection of Women from Domestic Violence Act, 2005 (PWDVA) provides certain safeguards against abuse for women in live-in situations. The legislation acknowledges the idea of a "relationship in the nature of marriage," including women in such circumstances within its coverage. This is important as it recognizes that domestic abuse can occur outside of legally recognized marriages. Under this act, women are entitled to seek relief for physical, emotional, sexual, or economic abuse, like women in traditional marriages.
Key Provisions under the PWDVA:
Right to Protection: Women in live-in situations are guaranteed the same legal protections as those who are married.
Relief Measures: They can request protective orders, housing, and financial relief, including maintenance.
Restraint on Abuser: The law permits the issuance of restraining orders to avert further abuse. Residence Rights: Women can assert the right to inhabit the shared household, even if it is not co- owned, provided the relationship is recognized as legitimate under the law.

2) Challenges in Legal Enforcement- Although the PWDVA represents a significant advancement in safeguarding women in live-in relationships, the enforcement of these protections often poses difficulties:
Proving the Relationship: One of the primary obstacles in obtaining legal protection is demonstrating that the relationship qualifies as a "relationship in the nature of marriage" under the PWDVA. Courts typically require evidence such as joint bank accounts, shared living arrangements, or witness statements to substantiate the relationship's nature. Social Stigma: Women in live-in arrangements may be reluctant to report abuse owing to societal stigma, particularly in traditional communities. The anxiety of being ostracized or deemed immoral frequently deters women from pursuing legal avenues.
Judicial Interpretation: Although judicial rulings have predominantly favored the protection of women in live-in situations, inconsistencies in judicial understanding of the law can result in varied outcomes in abuse cases.

3) Role of Family and Social Structures
Cultural Resistance: In numerous communities, the cultural opposition to live-in relationships can affect how abuse is viewed or managed. Family members or society may offer less support to a woman in a live-in arrangement, particularly if the relationship is abusive. This often results in the woman feeling isolated and having fewer support systems.
Mental Health Impact: The absence of societal acceptance, along with the isolation and emotional strain of abuse, can result in considerable mental health difficulties for women in live-in relationships. This may encompass anxiety, depression, and a feeling of powerlessness in confronting both the abuse and the absence of social support.

4) International Legal Protections Against Abuse in Live-In Relationships- Worldwide, there has been notable advancement in acknowledging and tackling abuse in live-in relationships, though the legal frameworks differ from one country to another. For instance:
United States: Although there is no federal legislation safeguarding individuals in live-in relationships, numerous states provide legal protections. In California, for example, individuals in long-term cohabition might be eligible for domestic violence protection orders under state legislation.
United Kingdom: The Domestic Violence Protection Orders in the UK can be applicable to individuals in live-in relationships, granting them temporary safety from their abusers.
Australia: Australia's family law system provides certain legal safeguards for individuals in de facto (live-in) relationships, especially concerning property distribution and abuse. Under the Family Law Act, those in de facto relationships have the right to pursue protection orders and assistance in instances of domestic violence.

5) The Need for Comprehensive Reforms- Despite the presence of existing laws, there is still a necessity for additional reforms to provide thorough and consistent protection for individuals in live-in relationships, particularly women and children:
Uniform Legal Frameworks: In various jurisdictions, there is an absence of uniform legal acknowledgment and safeguarding for live-in relationships, which results in confusion and inconsistency. Creating clearer and more comprehensive laws regarding the rights and protections of individuals in live-in arrangements would yield greater assurance and security.
Awareness Campaigns: Enhanced awareness campaigns and education regarding the rights of individuals in live-in relationships are essential. Numerous women lack awareness of their legal rights or believe that they do not have the same protections as those in formal marriages.
Support Systems: Fortifying social support systems, such as counseling services, shelters, and hotlines for women in abusive live-in relationships, can offer vital assistance for women attempting to flee abusive circumstances.

XXIV. INHERITANCE RIGHTS FOR WOMEN AND CHILDREN

Inheritance rights for women and children born from live-in relationships represent a complicated and frequently debated issue, both legally and socially. In numerous countries, including India, women and children in such partnerships often find themselves vulnerable due to the absence of formal acknowledgment of their relationships. The lack of legal safeguards like those present in marriage can greatly affect their rights to property, financial assistance, and social security.
1) Inheritance Rights for Women in Live-In Relationships. Legal Status of Women in Live-In Relationships. In nations like India, women in live-in relationships frequently face disadvantages regarding inheritance rights. Unlike married women, who possess the right to inherit property from their spouses under legislations like the Hindu Succession Act, 1956, or the Indian Succession Act, 1925, women in live-in arrangements do not automatically receive inheritance rights. They lack the same legal entitlement to property or

assets owned by their partner, unless the relationship is formally acknowledged by law. In India, however, the Protection of Women from Domestic Violence Act, 2005 (PWDVA) provides some degree of protection, especially in situations where the woman has cohabited for an extended time and has been financially reliant on her partner. Under this Act, women in long-term live-in relationships can claim maintenance and certain forms of relief. While this does not expressly bestow inheritance rights, it provides some degree of financial security that could indirectly influence a woman's capability to assert property rights in instances of separation or abuse. Conversely, in Western nations, the legal framework is more advanced. For example, in the United States and the United Kingdom, women in long-term cohabiting situations (sometimes called de facto partners or common-law spouses) can often assert inheritance rights depending on the jurisdiction. Numerous U. S. states have legislation permitting cohabiting partners to inherit property if the relationship fulfills specific criteria, such as duration and cohabitation. Likewise, in the UK, a long-term partner may be eligible to receive a portion of the deceased's estate if they can demonstrate a "partnership" over a considerable period, even in the absence of formal marriage.

Challenges for Women in Live-In Relationships-

Lack of Legal Documentation: In the absence of formal marriage, women may struggle to substantiate their claims to property or inheritance. In certain instances, inheritance may rely on the woman's ability to prove that the relationship was comparable to a marriage.

Economic Dependency: Women in live-in relationships, particularly those financially dependent on their partners, may encounter financial difficulties if the relationship concludes, especially if they possess no legal entitlement to assets or property amassed during the relationship.

2) Inheritance Rights for Children in Live-In Relationships. Legal Rights of Children Born to Unmarried Parents. Children born within live-in relationships frequently encounter distinct challenges related to their inheritance rights. In many countries, children automatically have rights to inherit from their biological parents. However, in live-in situations, these rights can become complicated due to the lack of formal recognition of the relationship between the parents. In India, children born from live-in relationships are entitled to rights equivalent to those of children born within marriages as per the Hindu Succession Act. This indicates that if the relationship is deemed legitimate, children from live-in relationships have the right to inherit from their biological father. However, complications arise when the relationship lacks formal recognition, or the father does not officially acknowledge the child. In these situations, legal conflicts may arise to determine the child's inheritance rights, particularly if the father passes away intestate (without a will). In Western legal frameworks, the circumstances differ according to local statutes. In the United States, children born to unmarried parents possess the right to inherit from their biological parent, if paternity is legally established. This frequently necessitates a formal acknowledgment of paternity through DNA testing or a statement in a will. Likewise, in the United Kingdom, children born outside of wedlock enjoy the same inheritance rights as those born to married parents, contingent upon the establishment of paternity.

Challenges for Children Establishing Paternity: In instances where the father does not recognize the child or there is no legal documentation that confirms paternity, children may encounter challenges in claiming inheritance from their father.

Legal Barriers: In certain jurisdictions, children born outside of marriage or live-in relationships might have to navigate additional legal processes to obtain inheritance rights from the deceased parent's estate, which can prove to be both lengthy and expensive.

3) The Need for Legislative Reforms for Women- There is an increasing requirement for legislative changes that acknowledge the rights of women in live-in relationships, especially concerning inheritance. Legal acknowledgment of live-in relationships as equivalent to marriage can offer women enhanced security and rights in instances of their partner's death or the end of the relationship. Such changes could entail:

Explicit Inheritance Rights: Laws that guarantee women in live-in relationships the right to inherit from their partners, particularly in cases of long-term cohabitation.

Creation of Legal Frameworks: Definitive legal structures that enable women to formalize their relationships, akin to marriage, without necessitating a religious or state-approved ceremony.

For Children- Children born from live-in relationships ought to be afforded the same inheritance rights as those born to legally married couples. Reforms in this domain might consist of: Automatic Recognition of Paternity: Legal measures that automatically acknowledge the paternity of children born in live-in relationships, ensuring they inherit from both parents without the requirement for intricate legal disputes. Access to the Estate: Guaranteeing that children born from live-in relationships can inherit from the deceased parent's estate, even if the relationship was not formally recognized.

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XXV. IMPACT OF URBANIZATION AND GLOBALIZATION

Urbanization and globalization have significantly influenced various social constructs, affecting relationships, family dynamics, and gender roles. The growth of urban regions and the enhanced interconnectedness across the globe due to globalization have fostered settings where cohabiting relationships are increasingly regarded as an acceptable, sometimes even more favorable, substitute for traditional matrimony. This influence can be observed in both beneficial and adverse facets, contingent on the socio-cultural landscape.

1) Changing Social Norms- Urbanization and globalization have significantly contributed to the transformation of conventional values, especially in nations like India, where cultural practices surrounding relationships have historically been shaped by religious and familial principles. In urban locales, individuals typically experience more exposure to a variety of cultural traditions and ways of living, which has resulted in a broader acceptance of unconventional relationships like cohabitation.

Urbanization and Exposure to Diverse Lifestyles: Metropolitan settings provide individuals with a broader array of options regarding lifestyles, career choices, and relationships. As people from different cultural backgrounds converge, urban areas frequently evolve into melting pots of experiences, promoting higher acceptance of relationships that diverge from traditional marital expectations. This cultural shift has led to greater acceptance of cohabiting relationships in major cities.

Globalization and Western Influence: Globalization has facilitated the dissemination of Western concepts, including the endorsement of cohabitating relationships, as illustrated in nations such as the United States and many European regions. The worldwide exchange of beliefs and values has also impacted societies in Asia and Africa, where younger individuals are increasingly inclined to accept live-in partnerships, thereby challenging the traditional family framework based on marriage.

2) Economic Factors- Urbanization and globalization have opened new economic prospects, particularly for women. As cities develop and become more globally interconnected, women are increasingly participating in the workforce and achieving financial autonomy, which influences their personal relationships and perspectives on marriage.

Increased Economic Independence for Women: As more women join the workforce, they become less financially reliant on their partners, which consequently alters their attitude toward relationships. In numerous urbanized and globalized societies, women may favor cohabiting relationships because they provide greater independence and freedom compared to the obligations associated with marriage. This transition is especially vital in regions where women have historically been expected to remain at home and manage family responsibilities.

Economic Challenges of Marriage: In urbanized settings, the financial burden of marriage— especially in countries like India, where weddings can be costly—might lead some couples to consider cohabiting relationships instead. Globalization has also instigated economic changes that complicate the financial viability of marriage for young couples. Cohabitating relationships present an alternative that permits couples to reside together without incurring the substantial expenses tied to traditional weddings.

3) Legal and Institutional Changes- Globalization has not only affected societal norms but also legal structures across numerous nations. In urbanized areas, the legal acknowledgment of cohabiting relationships has increased as the law evolves with shifting social dynamics. In India, for instance, the Protection of Women from Domestic Violence Act, 2005, provided certain legal safeguards to women in cohabiting relationships, offering them rights like those of married women facing domestic abuse.

Legal Protection and Rights: Urbanization frequently results in improved infrastructure for legal actions and the safeguarding of rights, which enhances security for women in cohabiting relationships. Through globalization, many countries have seen their legal reforms influenced by international human rights standards that advocate for the protection of individuals, including those in unconventional relationships.

Global Legal Influence: Globalization has also enabled the sharing of legal concepts and practices. As nations become increasingly interconnected, there is mounting international pressure to secure the rights of individuals in cohabiting relationships. This has resulted in the enactment of laws that confer protections like inheritance rights, maintenance claims, and various forms of legal acknowledgment for couples living together.

4) Social Acceptance and Stigma- While urbanization typically brings heightened social acceptance of cohabiting relationships, globalization has likewise played a role in the emergence of global social media, which can exert both positive and negative effects on the perception of cohabiting relationships.

Social Acceptance in Urban Areas: In metropolitan regions, where individuals are more familiar with varied lifestyles, cohabiting relationships are usually more embraced. These urban centers evolve into environments where individuals feel more liberated to express themselves and engage in relationships that align with their personal preferences, rather than adhering to strict cultural norms.

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Global Media Influence: International media and entertainment have significantly contributed to the normalization of cohabiting relationships. Television shows, films, and online content frequently showcase characters in cohabiting situations, depicting them as a regular aspect of modern life. This has resulted in a shift in public viewpoint, where cohabiting relationships are progressively recognized as a legitimate choice for individuals in various global contexts.

Stigma in Rural and Traditional Areas: Nonetheless, in rural or less developed areas, the longstanding stigma surrounding cohabiting relationships persists. Globalization might introduce concepts of personal freedom and rights, but local customs and conservative beliefs can endure, making it more difficult for cohabiting couples in these regions to live without scrutiny.

5) Impact on Family Structures- Urbanization and globalization have prompted a reconfiguration of family structures, especially in urban locales. The conventional family model, founded on marriage, is increasingly being contested by more adaptable forms of cohabitation.

Redefining Family Roles: Cohabiting relationships have brought about new family dynamics, wherein the traditional roles of husband and wife no longer serve as the exclusive template for family life. Children born into cohabiting partnerships may grow up in settings where the concept of family is more adaptable, and parents may exemplify equitable, non-marital unions. In some instances, cohabiting partnerships may be viewed as preliminary to marriage, while in other cases, they may signify a complete alternative to marriage.

Impact on Children: Globalization has introduced new educational, economic, and cultural opportunities, which can be beneficial for children brought up in live-in relationships. Nevertheless, children might also encounter social stigma, especially in conservative societies where the family structure is closely associated with marriage.

XXVI. SOCIOLOGICAL PERSPECTIVES

Live-in relationships are increasingly regarded as a valid alternative to conventional marriages, yet they have attracted considerable sociological attention because of their consequences on family dynamics, gender roles, and social customs. The perception and experience of live-in relationships differ significantly among various cultures, influenced by cultural, economic, and legal factors. From a sociological standpoint, these relationships offer valuable insights into evolving standards concerning intimacy, commitment, and family life.

1) Structural Functionalism- From the structural-functional viewpoint, live-in relationships are frequently considered part of the broader transformation of society's family structures. Emile Durkheim and other early sociologists highlighted that institutions such as family play a role in stabilizing society by maintaining social order and reproducing norms. Historically, marriage has been regarded as the main social institution to achieve these functions. However, as society advances, new relationship forms like live-ins are surfacing, which contest traditional family frameworks yet still serve similar societal purposes. In urbanized communities, live-in relationships might provide an alternative setup to ensure stability within families, particularly as both partners meet the household's economic and emotional demands. Within this framework, live- in relationships can be perceived as an adaptable and flexible response to evolving economic and social conditions. Nonetheless, structural functionalism also critiques these setups, contending that the absence of formal legal recognition might weaken the social stability that marriage customarily provides. For example, in nations where live-in relationships lack legal acknowledgment, there is no legal safeguarding for women and children, potentially resulting in social instability, especially concerning separation or domestic violence.

2) Conflict Theory- From the perspective of conflict theory, live-in relationships may be understood as arenas where power, inequality, and social control are negotiated. Karl Marx and Max Weber underscored how distinct social groups (such as men and women, the affluent and the impoverished) engage in power conflicts within social institutions, including relationships. In live- in relationships, the dynamics frequently mirror broader social and economic disparities. For example, women in live-in arrangements may encounter unequal power relations due to economic dependence or enduring traditional gender roles that remain prevalent even in non-marital cohabitation. Many women in live-in situations are still anticipated to take on domestic responsibilities while their male counterparts maintain employment outside the home. This can perpetuate gender disparities and reinforce conventional patriarchal standards, even outside formal marriage. Moreover, legal frameworks frequently fail to extend equal protections to women and children in live-in relationships, which may render them susceptible to exploitation and mistreatment. In countries like India, live-in partnerships are still not legally recognized in the same manner as marriages, complicating women's access to rights such as inheritance, property, and support in the event the relationship dissolves. This legal marginalization often stems from broader systemic inequalities and societal hesitance to acknowledge non-traditional partnerships.

3) Symbolic Interactionism- Symbolic interactionism emphasizes how people generate meaning through social exchanges, which mold their perceptions of the world and their connections. From this viewpoint, cohabiting relationships signify a more tailored and individual approach to partnerships, where the meanings and anticipations are settled between the partners themselves, rather than being dictated by societal norms or legal frameworks. In a cohabiting setup, both partners may establish their relationship according to their own definitions, which can differ significantly from one couple to another. For some, a cohabiting relationship could signify an escalation of their commitment to one another, whereas for others, it might serve as a method of assessing compatibility prior to marriage. The interactions between partners in these relationships and the interpretations they attach to their shared experiences are shaped by their cultural, social, and economic backgrounds. This perspective underscores the adaptability and variability of cohabiting relationships, where conventions are perpetually redefined. Nonetheless, symbolic interactionism also highlights the stigma that individuals in cohabiting relationships may endure, especially in conservative cultures where traditional beliefs regarding marriage and family still dominate. The perceptions and treatments from others towards those in cohabiting relationships can profoundly influence their lived experiences.

4) Feminist Theory- From the viewpoint of feminist theory, cohabiting relationships serve as a significant domain for exploring gender dynamics and the changing role of women in partnerships. Feminist scholars contend that cohabiting relationships can afford women more freedom and agency compared to marriage, as they might not be constrained by the conventional expectations of being a wife or mother. Cohabiting arrangements can grant women increased independence, as they are not legally or socially required to remain in the relationship. However, feminist theory also critiques the ongoing presence of patriarchal systems in cohabiting relationships, where women are frequently financially reliant on their male partners, which makes them susceptible to manipulation, abuse, or exploitation. In certain cultures, even in cohabiting relationships, women are still anticipated to fulfill traditional domestic roles, resulting in imbalanced power dynamics. Feminists further advocate for the necessity of legal protections for women in cohabiting relationships, particularly concerning inheritance, property rights, and spousal support. In various societies, women in cohabiting relationships are denied the legal rights granted to married women, leaving them vulnerable to social and financial risks if the relationship dissolves.

5) Postmodernism- From the postmodern viewpoint, the very notion of family is being reconceptualized in modern society. Traditional boundaries, including those related to marriage and family, are increasingly malleable. Postmodernists emphasize that cohabiting relationships signify a departure from the normative expectations of the past, presenting an alternative that correlates with the rising focus on individualism, choice, and autonomy. Postmodern sociologists argue that individuals today are less preoccupied with established norms like marriage and more intent on forming relationships that address their personal desires and needs. Consequently, the idea of “family” is no longer limited to legally sanctioned marriages but is instead founded on personal experiences, emotions, and connections. Cohabiting relationships are a facet of this broader movement, granting individuals greater freedom to create non-traditional families based on mutual affection and understanding.

XXVII. CROSS-CULTURAL RELATIONSHIPS AND LEGAL COMPLEXITIES

Cross-cultural relationships, which consist of individuals from various cultural, ethnic, or national backgrounds, have become increasingly prevalent in the contemporary globalized environment. While these relationships can provide valuable experiences and aid in the creation of more inclusive societies, they also introduce considerable legal intricacies. These intricacies stem from disparities in legal frameworks, cultural conventions, and societal expectations across different jurisdictions. Such challenges can be especially significant when addressing issues related to marriage, inheritance, custody, divorce, and immigration, as diverse legal systems may adopt differing approaches to these concerns.

1) Marriage and Legal Recognition- One of the key obstacles in cross-cultural relationships pertains to the legal acknowledgment of the relationship, particularly when one partner hails from another country. Numerous countries still uphold stringent cultural and legal standards concerning marriage, which can hinder the acknowledgment of unions formed between individuals from distinct cultural or national backgrounds.

Differing Legal Frameworks: For instance, in certain nations, marriage regulations may differ based on religion, leading to complications for individuals within cross-cultural partnerships. A marriage that is legally recognized in one nation may not receive acknowledgment in another. Some nations, like India, maintain personal laws for various religious communities (Hindu Marriage Act, Muslim Personal Law, etc.), which can pose challenges for cross-cultural couples concerning marriage rights and divorce processes.

Conflict of Laws: In specific instances, cross-cultural couples may encounter conflicting legal obligations regarding marriage, particularly when one partner comes from a jurisdiction where marriage laws adhere to more traditional or conservative interpretations of family life. For example, a couple from different countries might struggle to secure a marriage certificate that is generally acknowledged, leading to complications for their legal status, including rights to inheritance, tax ramifications, and property ownership.

2) Immigration and Citizenship Issues- Cross-cultural relationships may present considerable hurdles in the realm of immigration law, especially when one partner aspires to acquire legal residency or citizenship grounded in the relationship. Immigration regulations vary from one country to another, and legal frameworks frequently give preference to types of unions over others. Visa and Residency Challenges: In numerous situations, individuals involved in cross-cultural relationships may find it challenging to acquire the necessary legal documentation that allows one partner to reside and work in the other partner's country. Some nations exclusively recognize legal marriages for immigration purposes, denying residency privileges to individuals in non-marital relationships, even if these relationships are long-term or cohabitating.

Same-Sex and Non-Marital Relationships: In certain jurisdictions, where same-sex marriages or live-in partnerships lack legal recognition, individuals in cross-cultural relationships may struggle to access spousal benefits, health insurance, or other entitlements usually provided to legally married couples. This concern is especially significant in countries with restrictive legal frameworks, where both same-sex marriages and particular cultural unions may be denied recognition.

3) Inheritance and Property Rights- Inheritance laws are closely linked to cultural and national norms, which can create difficulties for individuals involved in cross-cultural relationships. In numerous legal frameworks, inheritance rights depend on established family structures, meaning individuals in non-marital or cross-cultural partnerships may not be acknowledged as heirs to their partner's estate.

Varied Inheritance Laws: For instance, in certain nations, only legally recognized spouses can inherit assets or property upon a partner's passing. Cross-cultural couples, especially those who are not married legally, may discover that the surviving partner does not automatically receive inheritance rights. When one partner has children from a prior relationship or marriage, it can complicate matters further, as legal systems could give precedence to biological children over stepchildren or partners in a cross-cultural marriage.

Cultural and Religious Considerations: In some situations, religious customs and beliefs may take precedence over national laws, particularly in countries where religious influences strongly affect the legal system. For instance, inheritance according to Muslim law in select countries may favor male heirs over female heirs, which can influence how assets are distributed in cross-cultural marriages where one partner practices a different faith.

4) Custody and Parental Rights- When children are born from cross-cultural relationships, child custody issues can become complex, particularly during separation or divorce. Various countries may hold differing criteria for determining custody, visitation, and parental rights.

Conflicting Laws on Custody: In cross-cultural relationships, if the parents separate or divorce, custody conflicts may arise, especially when the parents hail from different legal jurisdictions. Courts in one nation may determine custody according to standards that differ from those in another country. For example, one nation could prioritize the child's bond with both parents, while another might place greater emphasis on cultural expectations, gender roles, or religious customs. International Child Abduction: The Hague Convention on the Civil Aspects of International Child Abduction seeks to shield children from international abduction by a parent during custody disputes. Nonetheless, the application of this convention might still be challenging in cross-cultural relationships, particularly in nations that have not ratified the agreement or interpret its provisions differently.

5) Divorce and Separation- During divorce or separation, individuals in cross-cultural relationships may encounter difficulties concerning the legal acknowledgment of their relationship, the division of assets, and the resolution of maintenance or alimony. Divorce laws can greatly differ from one country to another, and what is accepted in one jurisdiction may not hold in another.

Divorce Laws and Recognition: For example, while divorce may be uncomplicated in some jurisdictions, others could impose rigid criteria for marriage dissolution, especially in areas with religiously or culturally driven divorce regulations. In such instances, partners from cross-cultural relationships might confront obstacles related to the division of assets, alimony, and other rights.

Different Approaches to Maintenance: Different nations possess distinct standards regarding maintenance or spousal support.

In certain areas, a partner might have the right to support following a divorce or separation, whereas in others, especially in non-marital unions, the law might not offer any legal options for support or maintenance.

Role of Advocacy and NGOs

.Future Directions for Live-In Relationships

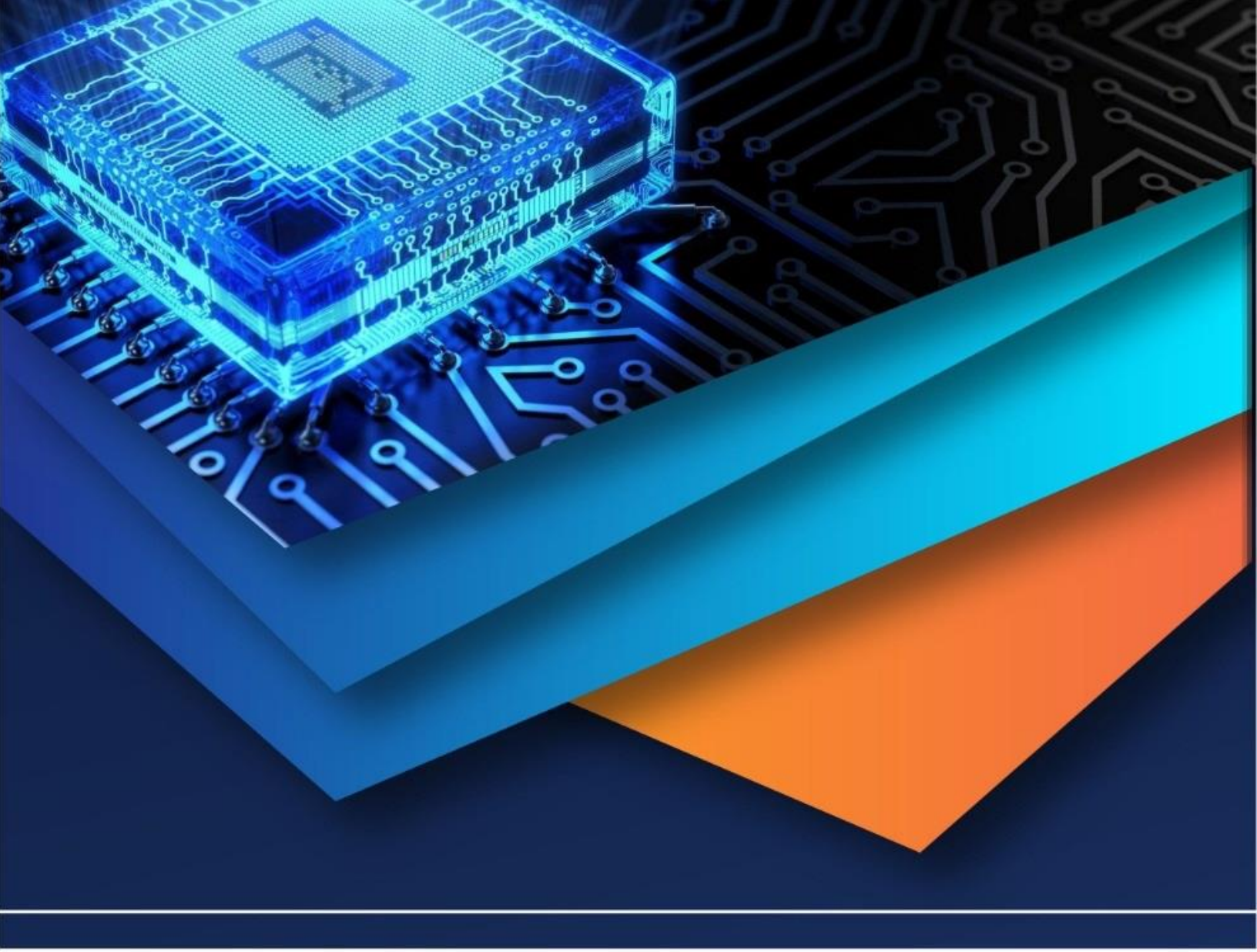
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XXVIII.CONCLUSION

Gender inequalities in cohabiting relationships arise from insufficient legal acknowledgment, societal prejudice, and enduring patriarchal standards. Women encounter considerable vulnerabilities in these situations, such as economic insecurity, restricted legal safeguards, and emotional and societal hurdles. These inequalities underscore the immediate necessity for systemic reform. To establish a fairer framework for cohabiting relationships, legal changes must formalize rights and safeguards, especially for women and children. Public awareness initiatives are essential for breaking down societal prejudice and promoting acceptance of diverse family models. At the same time, empowering women through financial autonomy and resource access can mitigate the disparities they encounter in these situations. In essence, tackling these issues necessitates a collective endeavor from lawmakers, judicial systems, and society to guarantee that cohabiting relationships offer equal chances, respect, and safety for all individuals involved. This strategy can close the divide between societal progress and legal structures, fostering a forward-thinking atmosphere where all types of partnerships are honored and safeguarded.

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