

WRAP Exams · wrapexams.com

Prelims PYQ, Mains model answers, and copy evaluation. Write to the desk for this paper, a doubt, or the AI waitlist.

ask@wrapexams.com · +91 85951 84903 · wrapexams.com

Q8(a)

In the light of judicial intervention on 'Live-in relationships', discuss the future of marriage and family in India

UPSC Civil Services Mains 2019 · Sociology GS 1 · 20 marks · Systems of Kinship

Systems of Kinship: Family, household, marriage; Types and forms of family; Lineage and descent; Patriarchy and sexual division of labour; Contemporary trends.

Core demand of the question

- In the light of judicial intervention on 'Live-in relationships', discuss the future of marriage and family in India
- Keep the discussion within a 20-mark length

Revision summary

Courts recognised some live-in unions as in the nature of marriage for protection.

They did not abolish marriage or copy a Western pact.

Census and **NFHS** still show near-universal marriage and endogamy.

- **Future:** plural legal recognition at the margin; honour marriage at the centre.

Feminist protection, not lifestyle, is the sociological core of the cases.

Caste control continues beside the bench.

Introduction

Indian courts have, in several judgments, treated long, consensual live-in unions as attracting some protections of a relationship in the nature of marriage, especially for women and children. That intervention does not abolish marriage. It signals a legal future in which family is more than one ritual form.

Body

What the courts did

- Protection of Women from **Domestic Violence Act** recognised relationships in the nature of marriage.
- Supreme Court observations on live-in as not criminal, and on legitimacy and maintenance in some fact-patterns, reduced the monopoly of the wedding as the only door to rights.
- The judiciary did not create a full French-style civil pact. It patched harm.

Marriage and family as they stand

- **Census** and **NFHS** still show marriage as nearly universal, early for many women, and caste-endogamous.
- Irawati **Karve's** regional kinship and patriarchal residence have not vanished because a bench spoke.

- Family remains the site of care, property, and honour. Ulrich Beck's individualisation is only a thin urban layer.

Future paths

- **Pluralisation:** marriage stays the honourable default; live-in becomes a legally seen margin in cities.
- Women's property and exit rights may slowly follow the court, as they did after maintenance case law.
- **Backlash:** families and personal-law politics may tighten control, which is a Durkheimian sacred of the group.
- Children of live-in unions push the law toward parentage over ritual.

Sociological reading

- Anthony Giddens's confluent love describes the aspiration, not the Indian majority.
- Feminist legal studies, after Ann Oakley and Indian women's groups, treat the intervention as protection, not as a lifestyle ad.
- **Caste panchayats still punish choice. The future is dual:** court file and street honour.

Discussion

- The future of marriage is likely modification, not death.
- The future of family is continued centrality with more legally visible non-marital cores in a minority.

Flow diagram

Judicial intervention -> Some rights without wedding
 Marriage honour -> Family as default
 Live-in minority -> Some rights without wedding
 Caste honour -> Resistance

Conclusion

Judicial intervention on live-in relationships uncoupled some rights from the wedding without dethroning marriage. NFHS and Census still describe a marrying society. The plausible future is a legally plural family field under a still-strong marital honour code. Courts opened a side door; they did not rebuild the house.

Facts & figures

PWDVA 2005

Included relationships in the nature of marriage in the domestic-violence net.

NFHS

Still shows marriage as the dominant adult family form for women.

Giddens

Confluent love: a late-modern ideal of contingent intimacy, thin as Indian majority practice.

Karve

Kinship types that still organise who may form a recognised household.

WRAP Exams · Write. Read. Analyse. Practice. · <https://wrapexams.com/upsc/mains-answers/sociology-gs-1/2019/in-the-light-of-judicial-intervention-on-live-in-relationships-discuss-the-future-of-marriage-and-family-in-india/> · ask@wrapexams.com · wrapexams.com

WRAP Exams