

THE STUDY OF THE RELEVANCE OF SOCIOLOGICAL APPROACH TO DIVORCE IN THE MODERN ERA AND CAUSES OF DIVORCE

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Abstract: *Two terms are commonly used for leaving the life partner after marriage; Divorce (in English), and Talaq (in Urdu) there is no word for divorce in Hinduism. Marriage is done according to the Hindu religion then there is no provision for separation between husband and wife in any way if you had married then you could have taken divorce if you had married then you could have taken a divorce but you got married If so, divorce is an option. In Hindu law, there are provisions for the dissolution of marriage under special circumstances. Many marital problems exist in Indian society. One of the major problems today is divorce or divorce, which encourages personal disintegration. When a man is married to a girl, both of them take me in front of the holy fire and promise to support each other in happiness and sorrow. But when some reason arises between these two, due to which there is a dispute between them, then both of them become dissatisfied. When these disputes reach their peak, then it seems that the solution to their disputes is impossible, then only one way remains that these two should be separated. When this state of separation is done with the help of law, it is called divorce or divorce. Divorce signifies that the husband and wife cannot lead a married life together. That is, it is a legal difference in marital relations. In this research paper, the relevance of the sociological approach to divorce in the modern era and the causes of divorce have been studied.*

Keywords: *Separation, Divorce, Hinduism, Marital Problems, Legal Differences, Family and Social Problems*

Introduction:

Divorce In this one partner evaluates the other and the one who is rejected feels humiliated and crushed, and his self-esteem is hurt. It is also a legal, family, and social problem. In Hindus, it has been said for a woman to observe husbandhood and chastity, so it cannot be imagined for a woman to leave her husband and doing so was considered socially and religiously inappropriate for her, although there are some examples of divorce in the Vedic period. Huh. Manu, Narada, Brihaspati, Parashara, etc. have also approved divorce under certain circumstances. Manu has talked about marrying a woman if she is barren, if her children do not survive, or if there are only girls, or if she is quarrelsome. Kautilya has also allowed the husband to remarry in such situations. A woman who remarries while her husband is alive is called 'Punarbhuh'. If the husband is of bad character, has been abroad for a

long time, is ungrateful to his relatives, has been ostracized from the caste, is manless, or if there is a danger to the life of the wife, then in such a situation, Kautilya advises to leave the husband. They say things. Due to mutual enmity, marriage could also be dissolved. In the condition of Narad and Parashar's husband being impotent, being unknown, dying, becoming a monk, and being an outcast, the woman has been allowed to find another husband. But from the beginning of the Christian era, divorce was considered an irreligious, unholy, and abominable act by giving the appeal of morality and after that marriage divorces almost came to an end.

After 1000 years of Christ, this belief became firm that Kanyadan is done only once and no matter how vicious and tyrannical the husband is, he cannot be left. Divorce was also permitted in the last four of the eight types of marriages. The first four types of marriages have been considered 'righteous' and divorce was not possible in them. The problem of divorce is related to the upper castes of Hindus only. In the lower castes, even today marriages are broken. Among Hindus, men are allowed to divorce, but women are not. The reason for this is the dominance of men in society and the low social status of women.

Recently, in the hearing of a case, the Supreme Court considered the Irretrievable Breakdown of Marriage as a ground for divorce using Article 142 of the Constitution. At present, the irretrievable breakdown of marriage is not considered a ground for divorce under the Hindu Marriage Act, of 1955. However, the Supreme Court has used its extraordinary powers under Article 142 to ensure complete justice in many cases. The procedure for dissolution of marriage is given under the Hindu Marriage Act, of 1955, which applies to those who follow the Hindu, Buddhist, Jain, and Sikh religions. Under Section 13 of this Act, there can be the following grounds for dissolution of marriage. If either the husband or wife establishes extra-marital relations with any other person, then it can be considered as the basis of divorce. If the husband or wife is physically, sexually, or mentally abused by his partner, then it can be considered as the basis of divorce under cruelty. If either of the spouses has left their partner and they have been living separately for a continuous period of two years before filing the divorce petition. If one of the husband and wife has accepted any other religion. Either of the spouses is suffering from an incurable mental condition and insanity and they can't live with each other.

Apart from this, mutual consent has been considered as the basis of divorce under Section 13 B of the Act. In Section 27 of the Special Marriage Act, 1954 (Special Marriage Act, 1954), provisions have been given for the dissolution of marriage for a marriage solemnized under it. However, in neither of these two acts, the irretrievable breakdown of marriage has been considered a ground for divorce.

Research Methodology:

The research paper has depended on secondary data.

The Objective of Research:

- 1) To study the relevance of the sociological approach to divorce in the modern era.

- 2) To study the causes of divorce in the modern era.

The Relevance of Sociological Approach to Divorce in the Modern Era and Causes of Divorce:

Divorce In this one partner evaluates the other and the one who is rejected feels humiliated and crushed, and his self-esteem is hurt. It is also a legal, family, and social problem. In Hindus, it has been said for a woman to observe husband hood and chastity, so it cannot be imagined for a woman to leave her husband and doing so was considered socially and religiously inappropriate for her, although there are some examples of divorce in the Vedic period. Huh. Manu, Narada, Brihaspati, Parashara, etc. have also approved divorce under certain circumstances. Manu has talked about marrying a woman if she is barren, if her children do not survive, or if there are only girls, or if she is quarrelsome. Kautilya has also allowed the husband to remarry in such situations. A woman who remarries while her husband is alive is called 'Punarbhau'. If the husband is of bad character, has been abroad for a long time, is ungrateful to his relatives, has been ostracized from the caste, is manless, or if there is a danger to the life of the wife, then in such a situation, Kautilya advises to leave the husband. They say things. Due to mutual enmity, marriage could also be dissolved. In the condition of Narad and Parashar's husband being impotent, being unknown, dying, becoming a monk, and being an outcast, the woman has been allowed to find another husband. But from the beginning of the Christian era, divorce was considered an irreligious, unholy, and abominable act by giving the appeal of morality and after that marriage divorces almost came to an end.

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Divorce will lead to more family disintegration. Although it indeed breaks the family as well as many problems also arise, this is not all. Those who oppose divorce say that after divorce, the problem of maintenance in front of women becomes serious and most of the children get spoiled. This problem can be solved only when proper arrangements are made for state nurseries or they are kept in boarding houses. At present, the cases of divorce are continuously increasing due to the following main reasons. In which the spread and following of western civilization and culture in India, lack of tolerance between husband and wife, feeling of staying away from a joint family, and to some extent, Indian cinema and TV serials are responsible for this. Which fills the mind of the viewers with the idea of being completely independent and thinking only for themselves. It's my life, I can do as I want, but they probably forget that marriage is a sacred bond that not only connects two people but also connects two families and the whole society.

Many times it has been seen that husband and wife start taking divorced from each other only after a few years of marriage. For a few months after marriage, both husband and wife remain eager, but only after a few years of marriage, monotony starts coming into their life and when this monotony turns into bitterness, they do not know. That's why to love each other as much as possible, housework and office work will continue to happen, life is meant to be lived not to be spent. Before marriage, both boys and girls talk to each other for hours, but without marriage, they feel bored with each other, the reason for this is the lack of conversation among themselves, and this lack gradually becomes a habit, which later becomes the reason for divorce. becomes. So keep spending time with each other as much as possible. Both husband and wife should respect each other, only the husband doesn't need to have the right to respect, the wife also has the same right to respect as you do. They say that we get respect only when we respect others. A husband's harsh attitude is also a reason for divorce, when the wife is unable to tolerate her husband's harsh attitude, she decides to separate from him, so maintain harmony with each other as much as possible. Lack of money can also be the reason for divorce, so spend money as much as is necessary, and keep a budget for your needs for the whole month so that you do not have to face any problems at the end of the month. Domestic violence is also a big reason behind getting a divorce, a woman is the mother of this earth and you are also born from a woman, so it is a matter of shame to raise your hand on a woman, the more love and respect you will give to your wife, it will be many times more than that. Love and respect will return to you, so love your wife and live with love.

There are many other reasons for the increase in the number of divorces in India. In which excessive interference in each other's personal life by the girl's or boy's family, the situation becomes serious due to one of the two following the advice of their own family, if both the husband and wife are working and their office timings are also mutual. causes differences. The mutual expectations that both of them have from each other, sometimes they are not fulfilled, like not getting food on time, not even having a physical relationship. The age difference between husband and wife is also a reason for divorce.

Dissatisfaction with sex is also the main reason. Unbelief in relationships like the husband always thinking that I have not found a wife worthy of me and keeping the same thinking by the wife. The husband not giving proper time to his wife and family. Mostly doing the work of my family like sisters and brothers-in-law first. To reconnect with your ex after marriage by both. Cultivating the illusion of having an extramarital affair with each other. This misconception can also happen in the husband's mind that his wife laughs more with her brothers-in-law and the wife laughs openly with her husband's sisters-in-law. The wife tries to put her husband under more pressure and the husband tries to do the same. In the modern era, husband and wife spending more time on social media is also a reason for divorce.

Conclusion:

The increasing industrialization has also affected Indian society. People's thinking has started changing. Today women have started working outside like men, due to which they have become self-sufficient. The problem of child rearing becomes acute after divorce and most of the children are spoiled. Disruptive distortions have contributed significantly to fueling the anomalies of modern life in the indigenous environment. To prevent divorce, it is necessary to change the attitude of the parents of both the boy and the girl and allow them to take decisions in their personal lives. In which they can make each other's life blissful. If each other's relatives are familiar with each other, then there are more chances of success in such marriages. It is also very important to see the mutual match between the boy and the girl. In this, it is also necessary to see their mutual likes and dislikes.

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