

IMPORTANCE OF COUNSELING IN STRENGTHENING MARRIAGE INSTITUTION: A SOCIO LEGAL RESEARCH

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Introduction

Since working as a Marriage Counselor at Family Court, Pune, the increase in the breakdown of marriages, especially within the first year of the marriage has been observed by me. Many of the times the spouses knew each other for years together prior to their marriage. However, after marriage, either they have not resided together at all or got separated within a few days/months after their marriage. Many of them have expressed that they can be a good friends, but cannot adjust with each other to stay together as a couple. Ideas of marriage and expectations of the spouses about each other are changing in our society in modern times.

Empirical Study on Early Breakdown of Marriages

Stable marriages are essential for a healthy society. The need was felt to prevent the breakdown of marriages especially which get broken down during the first year of the marriage. The pre-marriage counseling can be of a great helps at the preventive level.

Matrimonial petitions referred at the marriage counselors in the years 2012 in Pune district were studied by the process of random sampling by me personally. All the cases where couple got separated within the first year of marriage formed a sample for the Study. Questionnaire was used for data collection. The data was analyzed and the major findings are as follows:

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- 40% cases were from “A” category *i.e.*, Restitution and Divorces, 20% cases were from “F” category *i.e.*, Mutual Consent Divorce, 9% cases were from “E” category *i.e.*, Maintenance, 31% cases are from other categories *i.e.*, Custody, Recovery, *Darkkhast*, Civil/Criminal and Other Application.
- 27% cases were filed by the husband and 37% cases were filed by wives. Rests of the petitions *i.e.*, 36% were filed by either husband or wife. Analyzing the said data, it is observed that majority of the cases were filed by the wives.
- Most of the couples were from the 21 to 30 age groups. It is found that young couples filed the cases for the dissolution of their marriage.
- Most of the couples *i.e.*, 84% couples who filed the cases were from Hindu religion.
- Majority of the couples were well educated, mostly graduates. 56% couples were from the nuclear family; 44% couples were from joint family.
- Most of the marriages *i.e.*, 69% marriages were arranged marriages, and rest of the marriages were love marriages or marriages by own choice. It is observed that divorce rate in the love marriages is also increasing day by day.
- The cohabitation period of 21% couples were up to 3 months, and 26% couples were stayed together from 3 to 6 months. The cohabitation period of 34% couples was 6 to 9 months, and 19% couples were stayed together up to the 9 to 12 months. It clearly notifies that the average cohabitation period was 9 months.
- 76% couples were not having kids, and 24% couples were having kids.

Whether Parties Had Met Each Other Prior to Their Marriage?

1. It is observed that in most of the cases both husband and wife had met each other before their marriage once or twice for giving consent to their marriage. Most of the wives did not meet their partners without prior permission of their parents.
2. Further, the couples hardly met each other. During meeting, they had only formal conversations and did not discuss about their expectations about each other.
3. In most of the love marriages, couples had frequent interaction. They had discussed and spent their time regarding movies, friendship, hoteling, shopping, and romantic sexual activities.
4. In majority of the cases both the husband and wife were not aware of pre-marriage counseling services.
5. Majority of the couples did not discuss, and did not share their expectations towards their marriage. It is also observed that they did not discuss or exchange their information related to their family backgrounds, likes and dislikes, behavior, habits *etc.*, which is very much necessary for long lasting marital relationship.
6. Most of the couples have accepted that pre-marriage counseling would have been helpful for them. It is also seen that female litigants felt need and importance of pre-marriage counseling.

Marriage Counselor's Observations and Opinions about Causes of Marital Discord

Following are main factors affecting the matrimonial harmony:

- Interferences from the either parents and relatives;
- Addiction of liquor, drugs and gambling;
- Sexual incompatibility;
- Physical and mental cruelty;
- Criminal cases filed against each other;
- Behavioral problems, personality problems, and other psychological problems and psychiatric illness;
- Dowry demands;
- Differences on financial issues; and

- Extra-marital relationships.

Measures Taken to Resolve Disputes by the Parties

1. It is observed that in most of the cases, both or either of the parties had not taken any initiative to resolve their differences.
2. 96% litigants did not approach to the any expert/professional. Only 4% parties approached to Non Governmental Organizations (NGOs) to resolve their differences. In 1% cases it is observed that husband had decided to stay separate from wife. In 4% cases, wife's partners had initiated to approach the husband's family to resolve their differences. This data indicates that majority of the litigants are reluctant to approach any professional expert.
3. It is also observed that in 5% cases parties approached their family doctors and psychologists for counseling.

Importance of Marriage Counseling

It is very important to note that in love marriages as well as in arrange marriages most of the couples stay very happy during the courtship period, but after marriage they immediately or gradually want to be separated. Why this happens? Here the pre-marriage counseling can prove very important through which they can choose right life partner.

During the marital period, if any dispute arises due to egos or a situation, sometimes the couple stops communication between them. With passage of the time due to non-communication the dispute which would have been resolved within the four walls of the home, would not get resolved, and goes out of the wall. The couple approaches the family members or non-learned counselors for their dispute, but sometimes no amicable solution comes out of it and the situation between them gets worse.

Finally, the couple approaches the family court which is the last option for the couple. The marriage counselor takes efforts and uses all his/her skill not only to resolve the matter amicably, but also strengthen relationship

between the couple and tries to save the institution of marriage.

A marriage counselor keeps every session confidential thus giving the hesitant clients space to voice their opinions. In marriage counseling it is specially seen that there is absolutely no presence of any other person than the client. At the same time care is taken that for seeking the counselor's expert advice the client is not suffered financially.

By keeping an optimistic approach and creating a positive ambition in marriage counseling an opportunity is given to the client for the betterment of their relationship.

The marriage counseling is a platform, not for confrontation, not for accusation, but for clarification of petty or serious issues between the couple, and also to help to resolve problems between them scientifically. Marriage counselor tries to understand or analyze past, and focuses on present to ensure a bright future.

Findings and Conclusion

It is observed that most of the young couples are coming in the family court for dissolution of their marriage. Their cohabitation period is hardly up to 9 months. 7% couples have tried to resolve their difference before coming in the court through parents, family doctors and psychologists. But most of the couples don't have the knowledge and information, and availability of professional counseling services and its importance.

After analysis of the entire facts one can state that pre-marriage counseling services are very much important in preventing the early breakdown of marriages. These services should be made available through the trained counselors, NGO's, and by the establishing counseling centers in senior colleges.

It is always said that marriages are fixed in heaven; but with better professional interventions marriages can be saved, and harmony in relationships can be maintained on the earth itself.