The Law Should Treat Married And Unmarried Couples Equally

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Legal Treatment of Married and Unmarried Couples

The law treats an unmarried couple differently than married couples. This discrimination still prevails in the law and the justice system. There are several matters where unmarried and married couples are treated differently. These matters include issues surrounding will, inheritance, capital gain taxes, and problems regarding children. Unmarried couples are mostly less favored by the law. They are treated as two separate individuals. Meanwhile, married couples are viewed as the same party. Most of the issues for both married and unmarried couples center on money matters.

Taxation Inheritance and Property Rights

When it comes to laws like capital gain taxes, a married couple is viewed as a single party. However, in the case of unmarried couples, separate taxes must be paid by each partner. Such discrimination puts unmarried couples in a difficult position. Money matters are much worse for unmarried couples since they are viewed as separate entities in the eyes of the law. The same is the case with inheritance law. Inheritance applies to all those individuals who inherit the property. All beneficiaries must pay the tax as per inheritance tax laws. Inheritance tax laws are applied differently again to married and unmarried couples. If a couple is unmarried, the beneficiary has to pay a huge inheritance tax if the beneficiary is owed some inheritance from the partner. The price of the property is rising at high speed, and so is the amount of tax for unmarried couples. However, the law is different for married couples. If one partner owes a property to the other partners, the state can forgo the amount of tax that is to be paid on the property inherited. Such discrimination in the eyes of the law treats married and unmarried couples differently. Unmarried couples must have equal rights as married couples. They must be respected the same way and should be given the opportunity to enjoy equal rights and liberty as married couples (Anon., 2013).

Commitment and Stability in Relationships

The main question that arises is whether married couples benefit more than unmarried ones or if they deserve more perks than unmarried couples. Married couples share a commitment of a lifetime. They believe that they will stay married until death separates them. The arrival of children deepens their commitment to a certain set of responsibilities and the relationship. However, recent research shows that married couples who are remarried, belong to poorer categories, or marry at a young age are on the verge of breakup more than those who are married couples and belong to financially stable families. The married couple can break up as easily as any other unmarried couple. The unmarried couple also shares a lifelong commitment. They share responsibilities the same way as married couples, but unfortunately, they do not enjoy the same benefits granted by law as married couples (Dyer, 2003).

Changing Social Acceptance of Cohabitation

In many countries, the number of unmarried couples is increasing day by day. This is because people have shown their acceptance of being unmarried rather than being married. People view marriage as a lifelong commitment where one particular gender maintains superiority. To beat the traditional and conventional values, people, particularly younger categories, are supporting and favoring unmarried relationships. People fear the effects of divorce. Thus, unmarried relationships are becoming more popular day by day. A survey showed that about sixty-seven percent of the population accept unmarried relationships. However, the law remains behind. Despite huge acceptance by the public for unmarried relationships, the law still mistreats unmarried couples. People think that unmarried relationships are more likely to end up soon than married ones. However, research studies suggest that unmarried couples live as long as married couples. Another survey shows that unmarried couples share the same set of values as married couples (Barlow, 2001).

Parental and Separation Rights

There are several other laws that do not give unmarried couples the same rights as married ones. In the case of married couples, when a child is born, both parents can register their names against the birth of a child. However, in the case of unmarried couples, only the mother is registered with the birth of the child. Unmarried couples are still facing extreme difficulties in the case of rights granted to them, despite the fact that unmarried couples are growing at a fast pace and people have shown their acceptance towards unmarried relationships. Unmarried couples are not given the same privileges on separation as married couples. In the case of home sharing, married couples can share a home even if a partner has made a financial contribution to it or not. However, the scenario is different for unmarried couples. They can share a home if it is possessed by one of them or both of them have made a certain financial contribution to it. In the case of a married couple, if one of the

partners dies and has left property behind, the court can make adjustments according to the needs of the spouse and the family. However, in the case of an unmarried couple, a will is necessary; otherwise, the court has the right to take away the property from the surviving spouse (Haigh, 2015).

Conclusion on Equal Legal Recognition

Thus, the court and law still view married and unmarried couples differently. Inheritance laws, property sharing laws, capital gain tax regulations, and many other laws tend to benefit married couples more than unmarried ones. An increasing number of unmarried relationships, high acceptance towards them in society, and sharing of the same values as married couples make unmarried relationships as strong as any other married relationship. Thus, both married and unmarried couples must be treated the same in the eyes of the law.

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