

Live in Relationship Present Scenario, Arguments and Islamic Perspective

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The importance and usefulness of family is a well-established and well-known fact since ancient times and it has always been deemed an essential institution of society. On this basis, human beings of all cultures, countries and colors have been living their lives under this family system. However, due to various reasons, this institution is suffering from a deadly disease in the current age. The destruction of the family system is one of the many serious crises humanity is going through these days. Brazenness, unbridled freedom, selfishness, opportunism, lust, the predominance of materialism and greed for money has defeated and destroyed this holy institution. Ways for being sought to escape from the responsibilities of family to an extent that even its necessity is being denied.

This trend has technically been called 'Live in Relationship' or 'Cohabitation'. It means the living together of a man and a woman. This term is applied to those couples who live together without marriage. This lifestyle of theirs could be temporary and only for a few days or there is also a possibility of permanence in it that they may continue to live together for a long period of time. During this period, they maintain sexual relations as well as a result of which they sometimes do have children. But despite living like husband and wife, they do not enter into a legal agreement of marriage on the basis of which they both have the option to get separated whenever they like. Since it is not a marriage, the partners are free from all kinds of responsibilities to each other. They don't have any legal binding too.

Global Scenario:

Till half a century ago, sexual relations without marriage was seriously disliked and frowned upon in most of the parts of the world. And it was illegal in the constitutions and laws of most of the countries. However, the situation began to change quite quickly later on and the trend of living life free from family restrictions started to grow unabatedly to an extent that it has now assumed an extremely dangerous and horrible shape and form. This can be assessed by the statistics from various countries. Before 1960, around 450,000 couples used to live together without marriage in America. Till the year 2000, there was a tenfold increase in their numbers. It reached such a level that in 2011, their numbers increased to 7.5 million. In 2009, the U.S. Census Bureau conducted American Community Survey. It showed that the percentage of middle-aged men and women between the ages of 30 and 44, who lived together without marriage, was 4% in 1999 which has now grown to 7%. The result revealed by the survey conducted separately for the women was that the percentage of the women aged between 19 and 44 who lived together with men without marriage was 33% in 1987 which has now grown to 58%. According to the Office for National Statistics, U.K. in 2012, the population of the couples living together without marriage was 9.5 million doubling from what was their population in 1996. Similar is the case with other European countries. In 2011, of the children born in the 27 countries of the European Union, 39.5% are those who were born as a result of sexual relations without marriage.

This plague is now spreading fast to the eastern countries along with the west. According to the National Institute of Population and Social Security, Japan, around 3% of the middle-aged women aged between 25 to 29 are now living with men without marriage. And 20% of the women are those who experimented with sexual relations without marriage at sometimes in

their lives. In the Philippines in 2004, men and women between the ages of 20 and 24 were living together without marriage. In Australia, in the year 2005, the percentage of the population adopting Live in Relationship lifestyle was 22% and 18% in New Zealand. These are the statistics of just a few countries. The situation of other countries is not very different either.

The Situation in India:

India, since ancient times, has been a country which is very respectful towards religious and moral traditions. People belonging to many different religions, nations, tribes and cultures live here. All of them are in agreement with the family system. Marriage has enjoyed their trust and support and sexual relations without marriage have always been considered a horrible and disgusting thing. Due to an almost daily increase in promiscuity, licentiousness and obscenity, even here Live in Relationships are being tolerated. Not only there is a decrease in regarding it evil, but also voices are being raised to legalize it.

How many couples do live together without marriage in India? The statistics are not available but various reports do shed light on it that this trend is gaining momentum here too, especially the boys and girls living in the metros are getting inclined to it.

Even the Indian parliament is quietly in support of this trend and the courts here are trying to provide legal justification for it. To protect the women from domestic abuse, a law was passed here called Protection of Women from Domestic Violence Act. In its ambit, even those women have also been included who together with men without marriage. Their sexual relationship has been declared to be “relationship in the nature of marriage”. Such women, who are the victims of domestic abuse, have been given monetary and some other guarantees in this law. In the case of S. KhushboovsKanniammal, a Supreme Court bench gave the ruling on 23rd of March, 2010 that adult men and women can live together without marriage, there is no problem with it. The honorable justices also deemed it necessary to express the following too: “When two adult people want to live together, what is the offence? Does it amount an offence? Living together is not an offence. It cannot be an offence”. On 13th of August 2010, a Supreme Court bench gave this opinion in the case of Rajni Kant vsMadan Mohan Singh that if a man and a woman were to live together for a long period of time without marriage then it can be considered as a relationship akin to marriage. In another case of BharataMathavs R. Vijaya, the Supreme Court bench gave the judgment that if any children are born out of live in relationship then they will have inheritance rights from both sides of father and mother. On 21st of October, 2010, another bench of the Supreme Court gave the judgment in the case of D. Velusamyvs D. Patchaiammal that under the Domestic Violence Act, 2005, the live in relationship of two individuals will be considered a marriage if they meet the following conditions:

- 1) In the eyes of the society, they both have been living together like husband and wife.
- 2) They both are of age which is legally considered to be necessary for marriage.
- 3) Despite living together without marriage, they should be eligible enough to legally get married.
- 4) They should be living together willingly and had been cohabiting for a considerable amount of time.

With these details, the inclination of India’s justice system can be duly gauged how anxious it is to give live in relationship a legal status like marriage.

Reasons and the Arguments of Pro-Live in Relationship:

They mention various reasons for escaping from the restrictions of family and a free lifestyle devoid of marriage. Similarly, those who support this trend and are trying to legalize it present various arguments in its favor. These are as follows:

1) A man and woman who get married usually do not have a prior introduction to each other except may be a little. They are not aware of each other's habits, ways, temperament, lifestyle and other such stuff. The purpose of living together without marriage is to get to know each other in detail and to assess whether they could lead their lives together? Some of the survey-reports show that more than 3/4th of those individuals who live together without marriage say living together before marriage is a prelude to marriage.

2) If a man and a woman were to live together within wedlock then there would be legal hurdles and conventional restrictions in getting separated due to mutual dislike or some other reason after sometime. That is why, it is better that they live together without marriage and when they get fed up of each other, they can get separated and go about their own ways.

3) The income of some people is limited or there are indecisive regarding their financial status. They delay their marriage or do not marry altogether for they find difficulties in bearing the cost of wedding or they may be apprehensive that if the relationship were to become unsustainable after getting married and end up in divorce then they could get into financial problems. They deem that their safety and well-being lie in spending some time with the opposite sex.

4) Some young men and women temporarily reside in distant countries away from their homelands for higher education or work and due to various reasons, it might not be possible for them to get married at the moment. Therefore, they start to live together without marriage.

5) If a married person wanted to have a second wife but the law does not allow him to have another wife as long as he is married to his first wife then he would start to live with another woman without marriage.

6) Some men and women regard marriage to be outdated and a prison. They think it to be wise to spend some time with whoever they want without getting bounded by marriage and to end the relationship whenever they get fed up and start a new one with someone else.

The System of Family-A Demand of Nature:

The truth is that human nature demands that life be lived under family system. It is because of this that since ancient times, all human societies have been following it and none has ever rejected it nor tried to weaken it prior to the domination of today's promiscuous and materialistic culture.

For the survival and continuation of the human race, it is important that the sexual relations between man and woman be established on solid foundations. Both of them should not be free in the matter of getting together and then separating merely for the sake of lust and carnal pleasure. Rather, the relationship between them should be so firm that it should be known in the society and whose preservation is also guaranteed. That's because, the children who will be born of them, will be in need of lots of attention, supervision, care and patronage. If man were to not cooperate in this matter then a woman alone cannot do it in the proper way. For this very purpose, nature has placed sexual attraction between men and women. It is for this reason alone that they meet and when they have children then love for their children gets generated in them. Both of them raise the children together, fulfill their basic needs and prepare them to face the struggle of life. These demands of nature get violated with sexual relations without marriage because it only aims at lustful satisfaction and carnal pleasure and not the continuation of human race. And if the woman were to get pregnant coincidentally and deliver the child then man would not be willing to accept its guardianship and to support and raise it.

The Growth of Civilization is Dependent on Family System:

Another reason why family system is needed is because without it the growth of civilization is not possible. A civilization only comes into existence when a man and a woman build a home together and create a family. They have children and the family expands encompassing parents and other relatives. Many families come into existence and they develop connections with each other. In this way, social life begins and civilization flourishes. But if men and women are consumed by selfishness and individualism and restrict themselves merely to the satisfaction of their lustful urges and take no interest in forming a family then social life will get uprooted and the foundation does not remain anymore upon which the edifice of civilization could be built.

Family makes a Human Being Distinct from an Animal:

Family is a characteristic of human life. It distinguishes humans from animals. Sexual urges are found in animals too because of which their males and females meet each other. As a result of which they have offspring and through them their kind survives and continues. However, in the animals, after mating, their males do not have any relationship with their females and offspring and even if there is then it is only very weak. The female raises and protects its new offspring which is only to the extent of their survival. After that they become strangers to each other. In contrast to that, permanence is found in the mutual relationships of human beings. Men and women establish sexual relations in a meaningful way. They raise the children that are born out of their relationship together for a long period of time. Love, affection and sympathy survive between them till the end. They are mindful of the rights of others and their own responsibilities as well.

Those who limit their relationships to only the satisfaction of their sexual urges and are unconcerned with forming a family and raising their children actually lower themselves from the lofty status of humanity to the lowly status of an animal.

Total Loss for the Woman:

A woman's role is much more than a man's in raising a child. Man's actual job is only sowing the seed (insemination). All he does is have sex with the woman but it is the woman who has to go through all the rest of the stages alone. She carries the child in her womb for 9 months and nourishes it through her own blood. After the delivery, she feeds the child her milk for 2 years straight. The child in its infancy is weak and feeble and needs total care. She gives up her own comfort and dedicates herself completely to raise it. She has to render this service for a long period of time. Due to the marriage contract, man maintains a constant relationship with the woman and the child. He provides all kinds of help and support to the woman possible by him. He bears the cost of maintenance, fulfills its needs and under his care and guardianship, the woman fulfills the tasks entrusted to her in an atmosphere of peace, satisfaction, love and affection. Both do their part in the child's physical, mental and moral development. In the absence of a strong marital bond, man could not agree to this responsibility just for the sake of it. And if he were to refuse this responsibility then he cannot be obligated to take it up in any way. In such a scenario, it is only the woman who suffers loss. A man goes away from her after spending a few moments while she alone would be forced to bear all the hard work and problems. Experts in sociology felt this imbalance, injustice and oppression and expressed their dissatisfaction with it. Dr. Parul Sharma expressed her feelings regarding live in relationships, after reviewing the national and international scenarios, in these words:

“This is a sensitive issue. People in large numbers are getting inclined towards live in relationship. And this lifestyle is gaining currency due to various reasons. However, the young

generation, especially men, do not take this relationship seriously and cheat on their partners and dissociate with them prior to the arrival of the pleasant days of their life. This gets manifested in the form of depression, anger and mental stress and sometimes it even results in suicide”.¹

The Bitter Consequences of Unfettered Lifestyle:

Marriage is a strong bond which keeps the man, the woman, the children and the relatives connected to each other. It fosters love, sympathy, well-wishing, cooperation and selflessness among them. It urges them to help each other out, fulfill each other's needs and be there for each other. Without this bond, individuals would come close to each other merely out of selfishness, for self-interests and personal accomplishment and dissociate themselves with each other as soon as their needs are met. Everyone likes their own interests and have no shame in exploiting others. The victims of this situation are those children who are born out of unrestricted sexual relations. They are not raised in a right way. They get deprived of good upbringing, morals and development of character on right lines. They don't get to enjoy the peace of being in a home and the peaceful environment of a family. Consequently, they become the cause for spreading chaos, obscenity, vices and vulgarity in the society. In short, as a result of an unrestricted lifestyle, civilization starts to unravel, people's lives become bitter and the whole society begins to suffer from anxiety and unrest. Today, we are seeing an example of situation with our own eyes in the whole world and especially in western societies.

Imaginary Benefits:

The benefits mentioned by those who oppose family system and try to justify sexual relations without marriage are imaginary with no relation with reality whatsoever. But even if they are accepted for the argument's sake, the far-reaching and terrible impact it has on civilization is worrisome and serves as a warning. Therefore, wisdom demands that it be avoided and measures be taken to curb such an inclination.

The biggest benefit – as they say – is that living together before marriage helps in mutual understanding. That's why, even the couple were to spend some time together, it would be helpful in creating stability in the relationship. However, this is far from reality. The National center for Health Statistics conducted a study of 12,571 individuals. Its result was that the possibility of separation remained the same in those couples who lived together with the intent of getting married later on or spent some time together after the engagement and before marriage, as those who didn't live together before marriage.²

Islamic Viewpoint:

Islam is a supporter of family system. And therefore, it takes up various measures to strengthen it and tries to the full extent to remove the causes that weaken it. The explanation of the Islamic viewpoint continues as under: -

Family is a blessing from God

Islam mentions family not only as a social need for also as a religious prerequisite. The Quran clearly explains that the prophets and messengers sent by God lived family lives and met its requirements. Allah the Almighty says:

“We indeed sent many Messengers before you and We gave them wives and children” (13:38).

He declares wife and children to be the coolness of the eyes for man. Hence, Allah has advised this prayer through the lips of His pious slaves:

“Our Lord! Grant us that our spouses and our offspring be a joy to our eyes, and do make us the leaders of the God-fearing” (25:74).

Flourishing families, which contain wife, boys, girls, grandchildren and other relatives and in which a person feels happy, peaceful, joy and satisfaction are one of the greatest blessings of Allah for which no amount of gratitude would be enough.

“And Allah has given you spouses from your kind, and has granted you through your spouses, sons and grandsons, and has provided you wholesome things as sustenance. (After knowing all this), do they still believe in falsehood and deny Allah’s bounty” (16:72).

Marriage is the only Legitimate Way of having Sexual Relation

Islam has made marriage obligatory for the legitimate and healthy relationship between a man and a woman. It neither encourages monasticism nor lets anyone totally loose to satisfy their sexual urges. In its view, a strong family comes into existence as a result of marriage. A sense of responsibility is found in all the members of the family and they neither neglect their duties nor ignore the rights of others. That’s why it encourages marriage and underscores its importance to individuals, families and societies in clear words. Allah the Almighty says:

“Marry those of you that are single...”(24:32).

اِيَامِي is the plural form of اِيَم It is applied to that man who is without a wife and that woman who is without a husband regardless of whether or not they had ever been married before. And it also refers to the widow and the widower.

At one time, the Messenger of God (peace be upon him) warned in strong words:

نِيكَحْ مَا يَنْكِحُ عَلَيَّ مَن مِّنْكُمْ قَدْرَ عَلِيٍّ

“Those who are able to get married and yet do not marry are not of us”³

“And permitted to you are chaste women, be they either from among the believers or from among those who have received the Book before you, provided you become their protectors in wedlock after paying them their bridal-due, rather than go around committing fornication and taking them as secret-companions” (5:5).

“Marry them, then, with the leave of their guardians, and give them their bridal-due in a fair manner that they may live in the protection of wedlock rather than be either mere objects of unfettered lust or given to secret love affairs” (4:25).

All the three words mentioned in these verses are notable. **حصن** means protected and **حصن** means a castle which is the means of protection from enemies. **احصان** means staying pure and protected from fornication. Therefore, marriage is like a strong castle within the walls of which a human being stays protected from the attacks of Satan.

Prohibition of Adultery:

For the continuation of human race and the growth of civilization, it is important that the sexual relations between a man and a woman stay within legal framework and limited to reliable connection. It is for this reason that Islam views adultery and fornication in a way that if they are given free reign then the continuation of human race would be threatened on one hand and on the other hand civilization would get uprooted. It is on this basis that it regards adultery as an outrageous and wrong act and advices to stay away from it. Allah says in the Quran:

Do not even approach fornication for it is an outrageous act, and an evil way (17:32).

The verse says ‘do not even approach fornication’. A lot of eloquence is found in this verse. It only points out to not committing fornication but also to stay away from all those incentives and reasons which lead to fornication.⁴

Islam regards fornication to be a grave social crime and proposes severe punishment for those who commit it.

Those who fornicate - whether female or male - flog each one of them with a hundred lashes (24:2).

Islam does not permit Sexual Relations without Marriage even with Mutual Consent:

According to the law of western countries, which has now become the law of most of the countries in the world and which also enjoys the unanimity of public opinion on it, if sexual relations are established with the other party with consent then it is not a punishable offense. The thing which makes it a crime is force and coercion. At the end of 2012, a female student was gang-raped in the Indian capital of New Delhi. This led to massive protests all across the country and all sections of society condemned it in the strongest possible terms. Especially the women's rights groups and student unions of colleges and universities were at the forefront. During these protests, some of the placards carried by the girls read 'you cannot touch me without my consent'. This means that a boy having sex with a girl outside the legal relationship is not a crime rather the crime is not seeking her consent and coercing her to do this act.

In the sight of Islam, sex-with-consent is as grave as sex-without-consent (aka rape). There is no difference between the two. Those who have sexual relations without marriage are actually making a mockery of the laws of nature and become a cause for creating anarchy and unrest in the system of civilization. And therefore, they too are liable for punishment.

Other Measures for the Stability of Family:

Islam has taken many other measures as well for the stability of family the details of which are outside the scope of this paper. It has clearly laid out the rights of husband, wife, children, parents and other relatives and obligated everyone to fulfill them. It gave numerous precautionary commandments to maintain purity and decency in society. It made severe punishable laws for those who spread and promote obscenity, vulgarity and vices. If the teachings of Islam are implemented then the institution of family would get stable and firm which then can play its role in a right way for the growth of a good civilization.

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