



Research Article

# Childfree Marriages in Islamic Perspective: A Maqāṣid al-Sharī'ah Analysis of Spousal Choice and Reproductive Intentions

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**Abstract:** The contemporary rise of intentional childfree unions has sparked scholarly debate on the compatibility of spouse-driven reproductive decisions with Islamic legal objectives. This study examines the phenomenon of childfree marriage through the theoretical lens of Maqāṣid al-Sharī'ah as articulated by al-Ṣāḫibī, focusing on the protection of progeny (ḥifẓ al-nasl) among the five foundational objectives. Employing a qualitative literature review of Indonesian and international sources, this article maps the socio-cultural factors economic considerations, career priorities, health constraints, and ethical concerns that motivate couples to forgo parenthood. It then assesses how these motivations align or conflict with the sharī'ah's hierarchical categories of necessities (darūriyyāt), needs (ḥājīyyāt), and refinements (taḥṣīniyyāt). A critical analysis of classical and contemporary Islamic juridical opinions on contraception, 'azl (coitus interruptus), and permanent sterilization elucidates the juristic reasoning that permits or prohibits reproductive control measures. The study further explores Fatwa decisions by the Indonesian Ulema Council (MUI) from 1979 to 2012, highlighting shifts in permissibility under exigent circumstances. Findings reveal that while temporary child spacing aligns with secondary objectives (ḥājīyyāt) when safeguarding maternal health, permanent childfree choices conflict with primary objectives (darūriyyāt) unless justified by compelling necessity. The article concludes by proposing a nuanced legal framework that upholds spousal autonomy and welfare while preserving the maqāṣid's commitment to lineage continuity. Recommendations call for dynamic fiqh responses that balance individual rights with communal interests in sustaining Muslim ummah growth.

**Keywords:** Childfree Marriage; Maqāṣid Al-Sharī'ah; Ḥifẓ Al-Nasl; Islamic Family Law; Reproductive Autonomy.

## 1. Introduction

Marriage is a sacred union between a man and a woman. Under Law No. 1 of 1974, marriage is defined as a physical and spiritual bond between a man and a woman, with the purpose of forming a happy and everlasting family or household founded upon Belief in the One and Only God. A husband and wife who have entered into the bond of marriage shall strive to realize a happy family. In Indonesia, the notion of a happy family is invariably linked to the concept of an ideal family. An ideal family is depicted as the nuclear family father, mother, and children whose members maintain strong social, emotional, and spiritual ties through close, marriage-based bonds. Within this framework, parents bear the responsibility to supervise and encourage their children in developing social responsibility both within the family and in the broader community [1].

Marriage is a sunnah of the Prophet Muḥammad (peace be upon him). In this context, it signifies emulating the conduct of the Prophet Muḥammad (peace be upon him). Marriage is ordained so that a man and a woman may produce legitimate offspring and establish a



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lawful family, thereby attaining happiness in this world and the hereafter, and earning the pleasure of Allah ﷻ. As stated in Qur'an 4:1:

“O mankind, fear your Lord, who created you from a single soul (Ādam) and created from it its mate (Ḥawā'), and dispersed from both of them many men and women. And fear Allah, through whom you ask one another, and the wombs. Indeed Allah is ever an Observer over you.”

The arrival of a child is a cherished aspiration for every married couple. A child holds a unique significance and meaning for husband and wife. In Indonesian society, the ideal family model comprises a father, a mother, and a child. A child embodies both a profound philosophical role and an essential function within the household: children are a divine gift from Allah, bestowed to extend the parents' legacy. Moreover, a child may perpetuate the family name, accompany and support a surviving parent in the event of the other's passing, mitigate the uncertainties of old age, and provide emotional security to the spouses in their roles as parents [2].

Based on these considerations, the prevailing perception in society is that a family can only be regarded as happy if it includes children. This perception is rooted in the family's functions and objectives, one of which is its reproductive role as the means of transmitting life from one generation to the next [3].

Recently, there has been intense discussion regarding an idea or concept among couples, namely the notion of being childfree. “Childfree” is defined as the decision by an individual or a couple to remain without children. This idea has proliferated within society through YouTube, popularized by an Indonesian influencer residing in Germany. In fact, the childfree mindset has long existed: it represents a cultural phenomenon among couples in the West. As early as 2006, researchers at the U.S. National Center for Health Statistics found that half of women aged 35 to 44 who had not yet borne children were childfree. Although these women were biologically capable of having children, they opted instead to remain childfree [4]. Based on an analysis of articles and a literature review in the Scopus database through 2024, the prevalence of the childfree lifestyle has continued to rise across various countries. A longitudinal study from the United States' National Survey of Family Growth (NSFG) indicates that the proportion of nonparents who express no interest in having children increased from 14 percent in 2002 to nearly 30 percent in 2022 [5].

Meanwhile, Neal and Neal found that one in four adults in Michigan, USA, chose to be childfree in 2021, expressing no desire to have children either biologically or through adoption. The motivating factors included financial considerations, career aspirations, environmental concerns, and apprehensions about global conditions, which are consistent with the findings of international meta-analyses on childfree preferences [6]. In Indonesia, this trend began to spread through native citizens living abroad who chose to be childfree and then shared their stories and arguments via social media, blogs, and books. The dissemination of discourse through digital platforms attracted like-minded individuals, leading approximately 300 members to join the “Childfree Indonesia” Facebook group since 2016 [6]. Suhariyati et al. identify five principal factors influencing the decision to remain childfree individual, health, economic, familial, and environmental accompanied by experiences of social stigma yet counterbalanced by satisfaction with the freedom of a childless life. Consequently, the childfree choice in Indonesia reflects the interplay between globally circulating ideas and locally grounded social realities, which are increasingly interconnected through digital media [8].

Several reasons underlie a couple's decision to remain child-free, including personal concerns such as financial constraints, fear of being unable to provide proper care, prior traumas related to parenthood, and even the argument that many children around the world are already neglected. It is preferable to care for those children rather than to have one's own. Moreover, some of these reasons are not always deemed socially acceptable [7].

In Islam, although having offspring is not obligatory for husband and wife, human nature still desires the birth of righteous children who will serve as a provision for their parents in the hereafter [8]. The choice to live a childfree life can have implications in old age, as the absence of children may leave elderly parents without the support of a traditional family caregiver. *Maqāṣid al-Ṣarī'ah* encompasses five fundamental objectives: the preservation of religion (*dīn*), life (*naḥs*), progeny (*nasl*), intellect (*'aql*), and property (*māl*) [9].

Marriage serves at least three fundamental objectives: the preservation of religion (*ḥifẓ al-dīn*), lineage (*ḥifẓ al-nasl*), and life (*ḥifẓ al-naḥs*). It functions both as an act of worship and as

a safeguard for the individual against prohibited conduct. From the perspective of *maqāṣid al-sharī'ah*, the decision to remain childfree appears to conflict with marriage's role in conserving and proliferating progeny, as affirmed in Qur'an 16:72: "And Allah has made for you from your homes a place of rest and made for you from your spouses *ḥalāt* and has given you from your spouses children and grandchildren and provision *innahu kāna fawqa dhālika 'alīyyan* [9].

This study focuses on the childfree phenomenon within the framework of *maqāṣid al-sharī'ah* according to *al-Shatibi* to understand how the objectives of *sharia* evaluate the childfree concept in marriage. By examining the principles of marital *maqāṣid* and the factors underlying the childfree decision, this research aims to present a comprehensive overview of their interrelation.

## 2. Literature Review

### 2.1. Theory of *Maqāṣid al-Sharī'ah*

Abū Ishāq al-Shāṭibī (d. 790 AH/1388 CE) developed the theory of *Maqāṣid al-Syarī'ah*, which serves as a fundamental basis for contemporary Islamic legal analysis. According to al-Shāṭibī, the primary objective of Islamic law is to realize *maṣlaḥah* (benefit) and prevent *mafsadab* (harm) by organizing the order of creation. This theory classifies *maṣlaḥah* into three hierarchical levels: *darūrīyyāt* (primary necessities), *ḥājīyyāt* (secondary needs), and *taḥsīnīyyāt* (tertiary refinements), all aimed at protecting five fundamental aspects of human life namely, *ḥifẓ al-dīn* (religion), *ḥifẓ al-nafs* (life), *ḥifẓ al-'aql* (intellect), *ḥifẓ al-nasl* (progeny), and *ḥifẓ al-māl* (property)[10]. In the context of the childfree phenomenon, *al-Syāṭibī's* theory provides a comprehensive analytical framework to evaluate whether the decision to remain childless aligns with the objectives of the Sharia, particularly with regard to the preservation of progeny (*ḥifẓ al-nasl*), which constitutes one of the five fundamental purposes (*maqāṣid*).

### 2.2. Structural Functionalist Theory

Talcott Parsons (1902-1979) developed a structural functionalist theory that views the family as a social system with specific functions in maintaining societal stability. Parsons built his theory upon *Émile Durkheim's* concepts of social solidarity and social facts, but developed them into a more systematic AGIL (*Adaptation, Goal Attainment, Integration, Latency/Pattern Maintenance*) schema. From Parsons' perspective, the family performs two primary functions: primary socialization for children in developing personality and internalization of cultural values, as well as adult personality stabilization through emotional support and social integration [11]. Parsons' theory considers that the family with children constitutes a fundamental unit required for social reproduction and the maintenance of societal order, such that the childfree phenomenon may be viewed as a challenge to the reproductive and socialization functions that are essential for the continuity of the social system

### 2.3. Teori Individualisasi dan Masyarakat Risiko

Ulrich Beck (1944-2015) developed the theory of individualization within the context of risk society (*risk society*) which explains the transformation of family life in the era of late modernity (*modernitas lanjut*). Beck argued that the process of individualization involves "disembedding without re-embedding" where individuals become detached from traditional structures such as social class (*kelas sosial*), family (*keluarga*), and gender (*gender*) without automatically being reintegrated into new structures [12]. In the family context, Beck introduces the concept of "*negotiated family*" which no longer adheres to traditional family norms but varies according to the wishes and expectations of its members who determine what is best through discussion and negotiation. Beck's theory explains that *childfree* decisions constitute a reflection of increasing *risk consciousness*, wherein individuals become more aware of the consequences of each life choice, including economic, social, and psychological risks associated with having children. This perspective views *childfree* choices as part of the modern reflexivity process where individuals consciously evaluate and select lifestyles most aligned with their personal aspirations within the context of global uncertainty.

### 3. Proposed Method

The research method employed in this study is the qualitative method, which aims to solve problems by describing the conditions of the research subjects or objects based on existing facts. This study uses an empirical approach, which analyzes specific legal rules and the relationships between laws, as well as a philosophical approach, which explains the essence or nature of the research object and seeks fundamental aspects related to that object. The data sources in this research consist of primary data, namely *kitab al-Muwāfaqāt Fī Usūl al-Syarī'ah* by *Abū Ishāq al-Syātibī* which directly relate to childfree and maqāsid al-syarī'ah, and secondary data in the form of journals, articles, scholarly works, and other relevant internet sources. The data collection technique was carried out through a literature study by gathering related books, journals, and articles. The obtained data were analyzed descriptively to present facts systematically so that they are easy to understand and draw conclusions from.

### 4. Results and Discussion

Marriage is an innate aspect of human nature, serving as a lawful means to channel *yahwat* for both men and women and as a pathway to procreation, thereby preserving *nasab* and preventing the extinction of humankind. Marriage likewise constitutes the prescribed route to follow the *sunah* of the Prophet promoting the growth of his *ummah* a practice in which the Prophet took pleasure.

In the modern era, the concept of *childfree* has emerged, defined as the ideology of freedom from children or offspring. Some individuals contend that marriage does not necessarily require progeny. Indeed, many young couples who elect not to have children believe they can achieve happiness without the presence of offspring; some even question the necessity of marriage itself.

Classical and contemporary *ulama* have thoroughly examined the objectives of marriage. The majority of these scholars and *ahli fikih* identify the primary purpose of marriage as the begetting of offspring. Imam al-Ghazālī, in his seminal work *Ihyā' 'Ulūm al-Dīn*, asserts that the procreation of children constitutes the very *raison d'être* for which marriage was *disyariatkannya*. This objective is deemed paramount in order to safeguard lineage and ensure the perpetuation of the human species [13]. In this regard, *Imam al-Ghazālī* classifies the objective of the Sharī'ah concerning procreation as *ḍarūrī* (an essential necessity), since if this objective is not fulfilled, it may adversely affect future life.

*Al-Shātibī*, in his work *al-Muwāfaqāt*, also discusses *maqāsid al-sharī'ah* (the higher objectives of Islamic law). In one section of these *maqāsid*, which he terms *qaṣd al-Sharī'ah* (the Divine purpose), he distinguishes four categories. One of these, *qaṣd al-Sharī'ah fi waḍ' al-sharī'ah*, examines Allah's intention in legislating the Sharī'ah for the welfare of humanity. Within this purpose, there are the necessities (*maṣlahah ḍarūrīyyāt*); if these are not achieved, they cause disruption in life, prevent attainment of well-being, and result in harm [14]. One of the *maṣlahah* that must be safeguarded is the preservation of lineage or descent. Should this not be upheld, it may lead to the extinction of humankind.

Jasir 'Audah explains that there are three levels of *Maqāsid al-Sharī'ah*, of which the highest or principal level is the *Ḍarūrīyyāt*. This level represents the most fundamental and essential aspects of the *Maqāsid al-Sharī'ah*. Within this level, there are five aims, one of which is the preservation of lineage (*ḥifẓ al-naṣl*). This aspect is of paramount importance since through procreation, life on earth continues and does not face annihilation [1].

If we look at the three explanations of the scholars above, it can be seen that having offspring is one of the most important objectives in a marriage. Because by having children, we will obtain many benefits. Viewed in its form, childfree is not only embraced by married couples. In fact, there are people who choose to be childfree by not marrying. This clearly does not align with human nature as stated in Q.S. Al-Rūm verse 21:

وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً إِنَّ فِي ذَلِكَ لَآيَاتٍ لِقَوْمٍ يَتَفَكَّرُونَ  
(الرّوم / ٣٠ : ٢١)

“Among the signs of His majesty is that He has created mates for you from among your own kind so that you may find tranquillity in them. He has established between you affection and compassion. Truly, therein lie clear signs of Allah's greatness for those who engage in thoughtful reflection.”

Rasulullah SAW forbade his people to live celibate or not marry. As in his words:

رَدَّ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَى عُثْمَانَ بْنِ مَظْعُونِ النَّبِيلِ ، وَلَوْ أُذِنَ لَهُ لِأَخْتَصِيْنَا (رواه البخارى و مسلم)

Meaning: "The Messenger of Allah (peace and blessings of Allah be upon him) did not allow Uthman bin Mazh'un to remain celibate. If he had allowed it, we would have remained celibate even though we would have had to undergo castration to achieve it." (Hadits Muslim No. 2490).

When someone chooses not to have children by not getting married, there is a sin in themselves. Because Allah SWT definitely prescribes marriage for the benefit of humans themselves. If someone doesn't want to have children without getting married, then who will take care of them in their old age? if there are children, the children will take care of us. And this includes protecting the soul (hifz al-nafs).

Then, looking at the form of the two couples who choose to be childfree, they use methods to avoid having children with 'azl or removing sperm from the vagina. In this case, there are opinions that allow 'azl, such as there are hadiths that allow 'azl, namely:

عَنْ جَابِرٍ قَالَ كُنَّا نَعْزِلُ عَلَى عَهْدِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَبَلَغَ ذَلِكَ نَبِيَّ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَلَمْ يَنْهَنَا (رواه مسلم)

Meaning: "From Jabir he said, we did 'azl during the time of Rasulullah SAW then it reached the Prophet SAW but he did not forbid us" (Hadits Muslim No. 2610)

However, there is also a hadith that prohibits 'azl, namely:

عَنْ جُدَامَةَ بِنْتِ وَهْبٍ أَخْتِ غَكَّاشَةَ قَالَتْ حَضَرْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي أَنَاسٍ وَهُوَ يَقُولُ لَقَدْ هَمَمْتُ أَنْ أَنْهَى عَنْ الْغَيْلَةِ فَظَنَرْتُ فِي الرُّومِ وَفَارِسَ فَإِذَا هُمْ يُغَيِّلُونَ أَوْلَادَهُمْ فَلَا يَضُرُّ أَوْلَادَهُمْ ذَلِكَ شَيْئًا ثُمَّ سَأَلُوهُ عَنِ الْعَزْلِ فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ذَلِكَ الْوَأْدُ الْخَفِيُّ (رواه مسلم)

Meaning: "From Judamah bin Wahb, the sister of 'Ukkasyah, he said, I was present when Rasulullah SAW was with the people, he said, I really want to forbid ghilah (having sex with one's wife during breastfeeding) then I noticed that the Romans and Persians apparently did ghilah but it didn't harm their children at all. Then they asked about 'azl, then Rasulullah SAW said, it was hidden murder." (H.r. Muslim)

From the two divergent opinions in the ḥadīth, Imam Nawawī adopted a middle path by compromising between them. In the ḥadīth permitting 'azl, there is no prohibition rendering it unlawful, and in the ḥadīth forbidding 'azl, Imam Nawawī interprets that prohibition merely as *makrūh tanzīh*. Accordingly, Imam Nawawī rules that 'azl is only *makrūh*.

Meanwhile, the imams of the legal schools differ on whether performing 'azl is permissible. The *Hanafī*, *Malikī*, and *Hanbalī* schools permit 'azl with one's wife if there is prior agreement. Concerning a wife of slave status, the master's permission is required, whereas in the case of the slave himself, it is permitted even without consent. This ruling is based on the ḥadīths that allow 'azl [16].

However, the *Mazhab Syafi'i* unequivocally permits 'azl in all circumstances, whether with or without the consent of the wife or the slave herself. This is because they maintain that 'azl is not prohibited, and therefore no conditions or approvals are required for this practice. Nevertheless, some adherents of the *Mazhab Syafi'i* hold that the practice of 'azl should only be permitted with the mutual agreement of the wife [16].

If one observes the circumstances, performing 'azl is permitted if the purpose is to meet biological needs because the wife is still weak after childbirth and there is concern that another pregnancy during intercourse would further burden her in caring for and educating the children; therefore, it is permissible to perform 'azl at any desired time. In this regard, from the perspective of *maqāsid al-shari'ah*, this falls under the level of *ḥājjiyyāt*.

Next, looking at the third form, couples who choose to be childfree use contraceptive devices. A contraceptive device is a tool or method used by husband and wife to postpone a pregnancy or to avoid pregnancy altogether. There are several methods or devices, such as the use of condoms. Some opinions liken the use of condoms to 'azl. Because some people are unable to restrain ejaculation through 'azl, condom use becomes an alternative. In this case, given the wife's condition that makes pregnancy inadvisable due to her weakness, it is permissible. The analogy of condoms to 'azl employs the fiqh maxim *ḥukm al-badal ḥukm al-*

*mubdal minbū*, meaning “the ruling of the substitute is the same as the ruling of that which is substituted.”

Other contraceptive methods include taking pregnancy-delaying pills. In this case, if both spouses agree to delay pregnancy due to concern for the wife’s health, it is permitted. However, if the purpose of taking pregnancy-delaying pills is merely to satisfy desires without intending to have offspring, then it is not permitted, because taking such pills may reduce the wife’s fertility. In the hadith, the Messenger of Allah ﷺ said:

فَقَالَ تَزَوَّجُوا الْوُدُودَ الْوُلُودَ فَإِنِّي مُكَاتِرٌ بِكُمْ الْأُمَمِ (رواه أبو داود)

Meaning: “Marry women who are loving and fertile, because I am proud of your large number.” (H.r. Abū Dâwud 1754)

Therefore, *Rasulullah SAW* recommended marrying fertile women. A *mukmin* (believer) should strive to produce righteous and beneficial offspring in this world and the hereafter. This includes increasing the number of Muslims and endeavoring to marry *salibah* (righteous) women who also have concern for their offspring and educate them with proper Islamic education. Limiting pregnancy and birth contradicts the purpose of marriage.

In terms of its legal hierarchy, the use of pregnancy delay medication falls under the *hâjjiyyât* (complementary needs) level, as it is permissible if the intention is merely to provide spacing between children. The use of pregnancy delay medication also falls under the *darûriyyât* (essential needs) level if the wife's condition is not good or if not doing so would disturb the wife's health and pose dangerous consequences for her life.

Subsequently, other contraceptive devices used include vasectomy or tubectomy. Vasectomy is a sterilization procedure performed by cutting the sperm ducts (*vas deferens*) that transport sperm from the testicles to the penis. Consequently, sperm will not mix with semen, so the ejaculated semen cannot fertilize an egg cell. Meanwhile, tubectomy is a contraceptive method for women performed by cutting or tying the fallopian tubes. As a result, egg cells cannot reach the uterus. Sperm cells also cannot reach the fallopian tubes to fertilize egg cells. Both of these contraceptive devices are classified as permanent contraceptive methods [17].

The use of *alat-alat kontrasepsi* or other *sarana lain* that cause the reproductive organs to cease functioning and thereby prevent the generation of offspring, whether in men or women, with or without *persetujuan*, is forbidden, and the scholars are unanimous in its prohibition. In this regard, what is prohibited is *Vasektomi* (*pemutusan saluran sperma*) and *Tubektomi* (*pemutusan saluran telur*). Allah SWT says in Q.S. an-Nisâ verse 119:

وَأُضِلُّهُمْ وَلَا تَنبِتْهُمْ وَلَأْمُرُنَّهُمْ فَلْيَبْتَئِكُنَّ أَذَانَ الْأَنْعَامِ وَلَا تَمُرَّنَّهُمْ فَلْيَغَيِّرُنَّ خَلْقَ اللَّهِ وَمَنْ يَتَّخِذِ الشَّيْطَانَ وَلِيًّا مِنْ دُونِ اللَّهِ فَقَدْ خَسِرَ خُسْرًا أُنْفُسًا (النساء / ٤ : ١١٩)

Meaning: “I will surely lead them astray, arouse their vain desires, command them (to cut off the ears of their livestock) until they actually cut them off, and command them (to change Allah's creation) until they actually change it.” Whoever takes Satan as a protector besides Allah has indeed suffered a clear loss.”

The Fatwa of the Indonesian Ulema Council (MUI) regarding *vasektomi* and *tubektomi* underwent several revisions between 1979 and 2012. In 1979, MUI prohibited both procedures, deeming them forms of sterilization (*pemandulan*) forbidden by religion and unproven to be reversible in Indonesia. The 1983 fatwa reaffirmed this prohibition, except under emergency conditions such as preventing disease transmission or safeguarding the lives of the mother and fetus. In 2009, the fatwa again declared these procedures impermissible, on the grounds that *vasektomi* and *tubektomi* invariably result in permanent sterility, and that recanalization (*rekanalisasi*) does not guarantee the restoration of fertility. However, in 2012, MUI introduced conditional allowances: the procedures must not contravene Islamic law (*syariat*), must not induce irreversible sterility, must be supported by an effective guarantee of recanalization, must pose no danger to the individual, and must not form part of a permanent contraceptive program (*program kontrasepsi mantap*) [18].

From the four fatwas, three explicitly prohibit vasectomy and tubectomy, namely those issued in 1979, 1983, and 2009. This prohibition is based on the fact that vasectomy and tubectomy entail harm resulting in permanent sterility. At that time, there was no guarantee that vasectomy could be reversed. Conversely, in 2012 the *Majelis Ulama Indonesia* did not categorically forbid vasectomy and tubectomy; rather, they may be performed under certain conditions and must comply with Islamic law.

When viewed in terms of the objectives of *syariat*, vasectomy and tubectomy may fall into the three levels of *darûriyyât*, *hâjjiyyât*, and *tahsîniyyât*. This classification is based on the degree of necessity and priority. Preserving the *darûriyyât* group refers to safeguarding

essential needs for an individual's sexuality. If no other method is suitable or if alternative methods would cause harm (*mafsadah*), then vasectomy and tubectomy may be considered at the level of *darūriyyāt*. Failure to meet these essential needs would threaten the five fundamental purposes to be protected namely, religion, life, intellect, progeny, and property. Should a married couple be compelled by an emergency to undergo vasectomy or tubectomy, the relevant juristic maxim is *al-darūrat tubih al-mahzūrāt*, meaning "necessities permit the prohibited."

At the level of *hājīyyat*, these procedures are not essential but rather serve to avert hardship in people's lives. If vasectomy and tubectomy are not undertaken, the couple would face significant difficulty. This stage is closely related to *rukhsah* (concession) in *fiqh*; for example, a couple may use these methods to regulate birth spacing when other contraceptive methods are feared to fail.

Finally, vasectomy and tubectomy at the level of *tahsīniyyāt* constitute needs that enhance the couple's sexual well-being by alleviating psychological burdens, given that the failure rate of sterilization is acceptably low. Some couples who adopt a childfree philosophy have various personal or contextual reasons for their choice. These reasons differ among couples, but one common factor is economic concern. They fear that having a child will burden their livelihood or that they will be unable to provide for the child. However, if they trust in Allah's sovereignty, they would believe that He will increase their provision through offspring. As Allah Almighty states in the Qur'an, Surat Hūd, verse 6:

وَمَا مِنْ دَابَّةٍ فِي الْأَرْضِ إِلَّا عَلَى اللَّهِ رِزْقُهَا وَيَعْلَمُ مُسْتَقَرَّهَا وَمُسْتَوْدَعَهَا ۗ كُلٌّ فِي كِتَابٍ مُبِينٍ (هود / ١١ : ٦)

Meaning: "And not a single creature moves (lives) on earth but Allah guarantees its sustenance for everything. He knows the place where it lives and where it is kept. Everything is (written) in a real book (Lauh Mahfuz)."

From the perspective of *maqāṣid al-sharī'ah*, the above verse indicates that offspring (*dhurriyyah*) constitute one of the provisions granted by Allah. If parents fear that having children will impoverish them, Allah will suffice them and grant abundant provision. Indeed, children inherently bring provision to their parents. This relates to the preservation of wealth (*hifz al-māl*).

If a husband and wife choose to be childfree for economic reasons, this cannot be accepted because it contradicts the very objectives of the Sharī'ah. It is unequivocally stated in the verse above that every living being's provision is ordained by Allah. Another factor leading couples to opt for childfree living may be health or medical reasons. Every married couple naturally yearns for the presence of a child in their lives. However, some couples who wish to have children are unable to do so, thus relinquishing their intention to become parents. This is due to health disorders or illnesses affecting the wife or husband, which could endanger their lives should they bear children.

From the standpoint of *maqāṣid al-sharī'ah*, such factors fall under the category of necessities (*darūriyyāt*). It becomes obligatory for the husband and wife to choose not to have children. Because if a couple with health issues insists on having children, it will endanger their lives. As Allah the Exalted says in the Qur'an, Sūrah Al-Baqarah, verse 195:

وَأَنْفِقُوا فِي سَبِيلِ اللَّهِ وَلَا تُلْقُوا بِأَيْدِيكُمْ إِلَى التَّهْلُكَةِ ۗ وَأَحْسِنُوا ۗ إِنَّ اللَّهَ يُحِبُّ الْمُحْسِنِينَ (البقرة / ٢ : ١٩٥)

Meaning: "Spend in the way of Allah, do not plunge yourself into destruction, and do good. Indeed, Allah loves those who do good."

In another verse, Allah SWT says in the Al-Qur'an surah An-Nisa verse 29, namely:

وَلَا تَقْتُلُوا أَنْفُسَكُمْ ۗ إِنَّ اللَّهَ كَانَ بِكُمْ رَحِيمًا (النساء / ٤ : ٢٩)

Meaning: "Do not kill yourself. Indeed, Allah is Most Merciful to you."

From the verse above, Allah explains that humans must not expose themselves to that which may lead to their ruin. In this context, in accordance with *maqāṣid al-syarī'ah*, a couple's choice to remain childfree for *medical reasons* is still permissible for the sake of preserving life. This also falls under the objective of preserving the soul (*hifz al-nafs*). A medical reason for choosing to be childfree may also qualify as a *hājīyyat* when a health issue affecting the husband or wife is curable and does not endanger their lives; it merely requires time for recovery before they are allowed to have children.

Another factor motivating couples to choose a childfree lifestyle is the focus on career. One reason that spouses may adopt a childfree stance is so they can devote themselves fully to their careers, believing that the presence of children could disrupt their professional

ambitions. However, from the perspective of *maqâsid al-sharī'ah*, this rationale is unacceptable because human life in this world is temporary nothing is everlasting. A career is not everything; rather, humans need to leave offspring so that when parents pass away, their children serve as a source of ongoing reward and support for them in the Hereafter. As the Prophet *Rasūlullāh* said in a ḥadīth:

إِذَا مَاتَ ابْنُ آدَمَ انْقَطَعَ عَنْهُ عَمَلُهُ إِلَّا مِنْ ثَلَاثٍ: صَدَقَةٍ جَارِيَةٍ، أَوْ عِلْمٍ يُنْتَفَعُ بِهِ، أَوْ وَلَدٍ صَالِحٍ يَدْعُو لَهُ. (رواه مسلم)

Meaning: "When a human being dies, his deeds are cut off, except for three, namely almsgiving, or knowledge that is taken advantage of, or a pious child who prays for him." (H.r. Muslim 3084)

Career or employment constitutes a beneficial undertaking for the family to support their livelihood. Moreover, a profession or career serves the purpose of providing sustenance for one's dependents. Should a married couple elect to remain childfree on the grounds of career or occupational commitments, the assets accumulated will ultimately be rendered futile if there is no heir to inherit them upon the couple's demise. This consideration likewise falls within the objectives of the Sharī'ah, namely *ḥifẓ al-māl* (protection of wealth).

Other reasons or factors influencing a couple's decision to remain childfree include psychological considerations or mental disposition. Typically, such reasons arise from personal experiences of one spouse either husband or wife who has endured adverse treatment at the hands of their parents. Consequently, the couple opts for a childfree lifestyle. However, a psychological rationale for choosing to remain childfree is not permissible if the underlying issues can be remedied through adequate preparation prior to marriage. By learning from past experiences, one can attain the mental readiness necessary for both marriage and parenthood. Evidently, such a decision conflicts with the *maqâsid al-sharī'ah* (higher objectives of Islamic law).

Among the various justifications or factors adopted by couples who elect to remain childfree, the majority stem from individual predilections. A subset of these reasons may be deemed acceptable if their absence would pose a genuine threat to one's life. Otherwise, such reasons are impermissible, given that they do not rise to the level of endangering one's existence. Citing the issuance of a fatwā by *Dār al-Iftā' al-Miṣri* under Number 4713 (February 2019), Shaykh Ṣāwqī 'Alam articulated that several crucial points must be understood regarding the childfree stance. These include the following [19]:

In the Islamic religion there is no prohibition in either the Koran or Hadith regarding childfree behavior.

ولم يوجب الشرع على كل من تزوج أن ينجب أولادا ، لكنه حث عموم المسلمين على النكاح والتكاثر ، واكتفى بالترغيب في ذلك مع بيان أنها مسؤولية على كل من الوالدين

This means: "Islamic law does not require married people to have children, but generally Muslims marry and have children, and this decision is met with encouragement to do so with an explanation of the responsibilities of parents."

A husband and wife's agreement not to have children is permitted, especially if there is concern or because of illness.

وإذا غلب على ظن الزوجين أنهما غير قادرين على هذه المسؤولية ، أو قررا عدم الإنجاب لمصلحة معينة : كأن يكون في الإنجاب خطورة مثلا على صحة الزوجة ، أو خافا فساد الزمان على الذرية ، فاتفقا على عدم الإنجاب ، فلا حرج في ذلك عليهما ؛ لأنه لم يرد في كتاب الله تعالى نص يحرم منع الإنجاب أو تقليله

This means: "When a husband and wife have a strong suspicion that they are both unable to provide for their children if they have children or there are concerns such as concerns about the wife's health or concerns about the destruction of a child by time and then they both agree not to have children, then this is not a sin, because there is no text in the Qur'an that forbids it."

According to Shaykh Ibrahim Alam, the childfree issue is analogized to the issue of *'aẓl*, namely the deliberate interruption of the marital act before orgasm so that the husband's semen does not enter the wife's vagina.

واتفاقهما على منع الإنجاب في هذه الحالة يقاس على العزل , وقد اتفق جمهور العلماء على أن العزل مباح في حالة اتفاق الزوجين على ذلك

Meaning: "The agreement between husband and wife not to have children, in this case, is likened to the problem of *'aẓl*. The majority of scholars have agreed that *'aẓl* is permissible as long as both parties agree."

In his *fatwa*, this Egyptian Mufti also explained that being childfree is the right of spouses; they may mutually agree to decide whether to have children or not, but such a decision must be based on the joint consent of both, as explained below:

عدم الإنجاب هو حق للزوجين معا ، ويجوز لهما الاتفاق عليه إذا كان في ذلك مصلحة تخصهما ، ولا يجوز لأحدهما دون موافقة الآخر ، وهذا الجواز على المستوى الفردي

This means: "Not having children is a right between husband and wife, they may agree not to have children because there are certain benefits, it is not permissible for one of the husband and wife to disagree, and this permission is included in individual matters."

## 5. Discussion

The phenomenon of childfreeness, defined as the voluntary decision by an individual or couple to forgo procreation, has exhibited a sustained increase across multiple jurisdictions in tandem with evolving socio-economic conditions and contemporary cultural norms. The State of World Population 2025 report published by the United Nations Population Fund (UNFPA) records that one in five adults in fourteen countries worldwide is either uncertain about or disinclined to have as many children as they might otherwise desire, citing principal drivers such as elevated living costs, employment instability, housing challenges, and concerns regarding global affairs [20]. A parallel trend is evidenced in the Pew Research Center survey, which demonstrates that the proportion of young non-parents (ages 18–34) unequivocally deciding against childbearing rose from 21% in 2021 to 23% in 2024, thereby reflecting an evolution of values toward personal autonomy and economic considerations [21].

In East Asia, the highest prevalence of permanent childfreeness was observed in Hong Kong (35%) and Japan (28%) among cohorts born in the 1970s, while South Korea and Taiwan also exhibited a steady increase approaching nearly 20% in comparable birth cohorts, driven by delayed marriage, intensified urbanization, and career-related pressures [22]. In Europe, a cross-national study across 27 countries highlights two dimensions of attitudes toward childfree: *preskriptif (norma sosial)* and *proskriptif (pandangan konsekuensi)*, whereby countries exhibiting a high prevalence of childfree individuals tend to be more accepting of the consequences of childfree status but do not necessarily alter the social norm surrounding the practice of childbearing (*praktik memiliki anak*) [23].

In the context of Indonesia, *Survei Sosial Ekonomi Nasional (SUSENAS)* data indicate that the prevalence of childfree among women increased from 7% in 2019, briefly declined to 6.3% in 2020 due to the pandemic, then rose again to 8.2% in 2022. This trend aligns with the decline in Indonesia's Total Fertility Rate (TFR) since 1971, marking a shift in young generations' preferences to delay marriage and prioritize career focus, financial stability, and the freedom to live without children [24]. Concerns over educational costs, childcare expenses, and global economic uncertainty have emerged as the principal drivers of this decision, as likewise evidenced in the ASEAN regional report, which emphasizes the imperative of enacting youth-friendly family policies to address demographic shifts and safeguard long-term economic resilience [21].

Overall, the choice to remain childfree reflects a complex interplay of economic pressures, values of individualization, health risks, and evolving cultural norms. At the global level, this phenomenon demands policy responses that include guarantees of family welfare, adequate parental leave, access to fertility services, and housing support to ensure reproductive rights and family aspirations are fulfilled according to individual preferences. Meanwhile, in Indonesia, strengthening programs to alleviate the financial burden of childrearing and implementing flexible work–family policies are key to balancing childfree aspirations with the goal of sustainable population growth.

## 6. Conclusions

This study confirms that the trend of choosing a *childfree* lifestyle continues to increase in Indonesia, with a prevalence reaching 8.2% in 2022, alongside changes in socio-economic values and exposure to global discourse. From the perspective of *Maqāṣid al-Syarī'ah*, the practice of permanent *childfree* status particularly through sterilization (*vasectomy/tubectomy*) deviates from the objective of preserving progeny (*hifẓ al-nasl*) and is thus classified as *makrūh* to *ḥarām* absent a *ḍarūrah syar'ī*; conversely, delay of childbirth on medically threatening grounds for the mother's health is deemed a *darūriyyāt* allowance, permissible to safeguard life (*hifẓ al-nafs*). A review of norms and fatwās issued by the Indonesian Ulama

Council reveals a layered stance: an unequivocal prohibition on permanent contraception except under health emergencies, alongside facilitation of *‘azl* practice and temporary contraception grounded in husband-wife consultation. The primary factors driving *childfree* decisions economic considerations, career ambitions, health risks, and environmental concerns must be critically examined within the *Maqāṣid* framework to avoid generalizations and to underscore that only severe medical reasons satisfy the exigencies of Islamic law.

Based on these findings, it is recommended that religious institutions and policymakers: First, strengthen dissemination of Islamic family guidelines emphasizing the balance between reproductive rights and filial responsibility, prioritizing *ṣakāb* of knowledge regarding the utility of temporary contraception and the limits of sterilization methods. Second, organize pre-marital and postpartum counseling services that integrate the *Maqāṣid al-Syari‘ah* perspective, particularly for couples facing medical risks, in order to minimize stigma and support reproductive decision-making in accordance with *syari‘ah*. Third, encourage further research in the form of field surveys and in-depth interviews with *childfree* couples across diverse regions to obtain empirical data, identify local motives, and evaluate social and religious impacts holistically.

The limitations of this study lie in its qualitative, literature-based approach without primary field data; therefore, it is advised that subsequent research employ a mixed-methods design to enhance the validity of findings and avoid theoretical bias.

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