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The Childfree Discourse in Contemporary Islamic Family Law and Human Rights: Insights from Young Muslim Academics in Indonesia

Abstract: The childfree phenomenon has triggered critical debates in contemporary Islamic family law and human rights discourses. This study examines the primary narrative constructions of childfree individuals as understood by young academics at State Islamic Higher Education Institutions in Indonesia. This study uses a qualitative approach, employing interviews and focus group discussions with 17 doctoral students from diverse academic backgrounds. Two theoretical frameworks were used: Halverson's Main Narrative Theory was employed to identify primary and alternative narratives in the formation of social meaning related to the childfree phenomenon. *Maqāṣid al-sharī'ah*, as the objectives of Islamic law, is used to examine the religious dimension in the formation of contemporary Islamic family law. The research results revealed three narrative configurations. First, the narrative of individual piety, which views children as a divine trust and part of the *maqāṣid al-sharī'ah*, specifically *ḥifẓ al-naṣl* (protection of lineage), perceives childless households as contrary to natural values and the objectives of marriage. Second, the narrative of human rights emphasises bodily autonomy and reproductive freedom for couples in accordance with international principles. Third, the integrative narrative arises from reflective academics who strive to balance individual piety with the principle of public benefit through a contextual approach to *tanzīm al-naṣl* (family planning). This study contributes to Islamic family law policy in Indonesia by promoting more inclusive regulatory formulations and serves as a foundation for religious institutions and policymakers to develop contextual policies addressing contemporary issues.

Keywords: Childfree, Human Rights, Individual Piety, Young Academics, Contemporary Issues

INTRODUCTION

The childfree phenomenon is a choice made by individuals or couples to avoid having children, which is becoming increasingly popular among Indonesia's younger generation. This choice has sparked intense public discourse, particularly in Islamic legal studies, which contradicts the recommendation to have children (*takwāthur al-nasl*).¹ However, this condition also contradicts the traditional culture that considers children the primary foundation of an ideal family. Consequently, childfree status is often viewed as a deviation from deeply ingrained societal values.² However, this phenomenon also reflects a shift in life orientation due to modernity, especially among urban communities, which increasingly emphasise personal autonomy, life planning, and emotional and economic stability.³

The childfree phenomenon is not new globally. In Europe, for example, similar ideas have emerged since the 16th century, influenced by health reasons, philosophical thinking, and even a rejection of certain social norms.⁴ In many Western countries, the decision not to have children is often linked to the desire to avoid the burden of parenting and pursue individualism.⁵ This idea has continued to gain momentum over time, riding the tide of globalisation. Through digital media, this trend has spread across various regions, including Southeast Asia, with different supporting factors varying by country's

¹ Nur Sodiq and Muhammad Chairul Huda, "Understanding Childfree: A Phenomenological Perspective and Islamic Law," *Journal of Islamic Studies and Civilization* 1, no. 2 (2023), <https://journal.adppublisher.org/index.php/adppjournal/article/view/16>.

² Erfaniah Zuhriah et al., "Childfree, the Digital Era, and Islamic Law: Views of Nahdlatul Ulama, Muhammadiyah, and Gender Activists in Malang, Indonesia," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 7, no. 3 (2023): 1606, <https://doi.org/10.22373/sjhk.v7i3.17753>.

³ Elizabeth A. Hintz and Clinton L. Brown, "Childfree by Choice: Stigma in Medical Consultations for Voluntary Sterilization," *Women's Reproductive Health* 6, no. 1 (2019): 62-75, <https://doi.org/10.1080/23293691.2018.1556427>.

⁴ Rachel Chrastil, *How to Be Childless: A History and Philosophy of Life Without Children A History and Philosophy of Life Without Children* (Oxford University Press, 2019), <https://doi.org/10.1093/oso/9780190918620.001.0001>.

⁵ Chrastil, *How to Be Childless: A History and Philosophy of Life Without Children A History and Philosophy of Life Without Children*.

sociocultural background.⁶ Meanwhile, in Indonesia, where pronatalist values are still very dominant,⁷ the presence of children is still seen as essential in a family, providing spiritual,⁸ social,⁹ and psychological benefits.¹⁰ Thus, the idea of being childfree inherently challenges the social constructs that have been internalised through a long historical process.¹¹

The tension between modernity and tradition has given rise to the concept of being childfree, which challenges social constructs formed through a long process of habituation. Childfree is not just a lifestyle choice but an ambivalent condition between individual freedom values and established religious norms. This idea continues to be produced and disseminated through social media, which serves as a space for new ideas and accelerates the spread of values through the influence of influencers,¹² who actively influence and shape public opinion, accelerating the normalisation of discourses that were previously considered taboo, including among urban Muslim communities, such as young academics at State Islamic Higher Education Institutions (PTKIN), who have wide access to Islamic scholarly resources and spaces for theological reflection.

In particular, young academics in State Islamic Higher Education Institutions (PTKIN) occupy a strategic position in this shift. With access to both classical Islamic scholarship and global literature on gender, reproductive rights, and family ethics, they stand at the intersection of traditional religious authority and modern critical thinking or

⁶ Aya Abe, "Childlessness and Social Support in Four East Asian Societies," in *Poverty and Inequality in East Asia: Work, Family, and Policy, New Horizons in Social Policy* (Edward Elgar Publishing, 2018), <https://doi.org/10.4337/9781800888982.00012>.

⁷ Jolene Tan, "Perceptions towards Pronatalist Policies in Singapore," *Journal of Population Research* 40, no. 3 (2023): 14, <https://doi.org/10.1007/s12546-023-09309-8>.

⁸ Zuhriah et al., "Childfree, the Digital Era, and Islamic Law."

⁹ Rachel Louise Shaw, "Women's Experiential Journey toward Voluntary Childlessness: An Interpretative Phenomenological Analysis," *Journal of Community & Applied Social Psychology* 21, no. 2 (2011): 151-163, <https://doi.org/10.1002/casp.1072>.

¹⁰ Bernhard Nauck, "Value of Children and the Social Production of Welfare," *Demographic Research* 30 (June 2014): 1793-1824, <https://doi.org/10.4054/DemRes.2014.30.66>.

¹¹ Kimiko Tanaka and Nan E. Johnson, "Childlessness and Mental Well-Being in a Global Context," *Journal of Family Issues* 37, no. 8 (2016): 1027-1045, <https://doi.org/10.1177/0192513X14526393>.

¹² Peter L Berger and Thomas Luckmann, *Tafsir Sosial Atas Kenyataan: Risalah Tentang Sosiologi Pengetahuan*, Terj. Hasan Basari (LP3ES, 1990).

human rights trends.¹³ Their positions, whether within formal religious institutions or in the digital public sphere, can offer diverse perspectives that play a significant role in reshaping the discourse on contemporary Islamic law, including sensitive issues such as childfree living.¹⁴ Therefore, given this strategic position, it is necessary to examine the thoughts, understanding, and attitudes of young academics in Islamic State Universities (PTKIN) regarding the childfree phenomenon as a contemporary phenomenon.

Several studies have discussed childfree people from various perspectives. Jenuri's research, for example, examines the understanding of some members of Generation Z regarding being childfree, who disagree with the concept because children are considered a source of goodness in life bestowed by God.¹⁵ Similarly, Rismarinia¹⁶ and Hanandita¹⁷ found that personal and social factors influence the decision to remain child-free; although it is a personal choice, societal acceptance remains limited. In addition, research on childfree individuals from the perspective of Islamic organisations has been conducted, including by Imam Syafi'i, Ahmad Rezy Meidina, and Erfaniah Zuhriah.¹⁸ Nonetheless, these studies conclude that the choice to be childfree deviates from human nature and contradicts the fundamental principles of Islamic teachings. Although research has been conducted, it remains within a normative context and has yet to address the strong methodological and epistemological issues surrounding the decision to remain childfree.

¹³ Abd Hannan and Ach Fatayillah Mursyidi, "Social Media and the Fragmentation of Religious Authority among Muslims in Contemporary Indonesia," *Digital Muslim Review* 1, no. 2 (2023): 84-104, <https://doi.org/10.32678/dmr.v1i2.10>.

¹⁴ Rusli Rusli et al., "A New Islamic Knowledge Production and Fatwa Rulings: How Indonesia's Young Muslim Scholars Interact with Online Sources," *Journal of Indonesian Islam* 14, no. 2 (2020): 499, <https://doi.org/10.15642/jiis.2020.14.2.499-518>.

¹⁵ Jenuri et al., "Fenomena Childfree di Era Modern: Studi Fenomenologis Generasi Gen Z Serta Pandangan Islam Terhadap Childfree di Indonesia," *Sosial Budaya* 19, no. 2 (2022), <http://dx.doi.org/10.24014/sb.v19i2.16602>.

¹⁶ Nadya Anjani Rismarini and Nesya Adira, "Between Personal and Social Matters: Identifying Public Perceptions of Childfree Decisions in Indonesia," *Culture, Health & Sexuality*, September 12, 2024, 1-14, <https://doi.org/10.1080/13691058.2024.2398619>.

¹⁷ Tiara Hanandita, "Konstruksi Masyarakat Tentang Hidup Tanpa Anak Setelah Menikah," *Jurnal Analisa Sosiologi* 11, no. 1 (2022), <https://doi.org/10.20961/jas.v11i1.56920>.

¹⁸ Zuhriah et al., "Childfree, the Digital Era, and Islamic Law."

Therefore, unlike these studies, this study explicitly examines how young Islamic academics interpret and respond to the childfree phenomenon, including their views and understanding of contemporary Islamic discourse, given their strategic role in formulating and disseminating contextual Islamic perspectives. This study aims to investigate the primary narratives surrounding childfree status as understood by young Islamic academics and to examine how Islamic legal discourse responds to this phenomenon within the context of the dynamics of Islamic family law in Indonesia.

METHOD

Qualitative research was used in this study to understand how young Islamic academics at PTKIN build their perceptions of the childfree phenomenon. The study was conducted at Sunan Kalijaga State Islamic University (UIN) in Yogyakarta, Indonesia, involving 17 doctoral students in Islamic Studies in the odd semester of the 2024 academic year. The participants came from various regions in Indonesia, including Java, Sumatra, Kalimantan, Sulawesi, and West Nusa Tenggara, and had diverse educational backgrounds, primarily in Islamic law, Al-Qur'an and Tafsir studies, and Islamic thought. Young academics from State Islamic Higher Education Institutions (PTKIN) were chosen because they occupy a strategic position in the shift of scientific discourse, have broad access to Islamic scientific knowledge and theological reflection, and are at the intersection of traditional religious authority and modern critical thinking.

The primary focus of the research is on how their personal and social narratives are formed and how they interpret their decision to be childfree within the framework of Islamic values and contemporary constructions of family law. Conceptually, this study uses two main theoretical frameworks. First, Halverson's Master Narrative Theory was employed to identify and understand the primary narratives that shape academics' perspectives on being childfree. This theory also enables tracing the dynamics between the main narrative and counter-narratives in the formation of ethical and legal perspectives on the issue. Second, it traces how Sharia values and principles are articulated in response to this

phenomenon by examining how religious norms are interpreted and implemented in specific social contexts.¹⁹

Data were collected using purposive sampling, based on reflective ability, access to contemporary Islamic scientific knowledge, and academic relevance to the issues being studied. Doctoral program students were selected due to their scholarly background in the PTKIN environment, which enables them to respond critically and engage in current discourse. Inclusion and exclusion criteria were established to select participants. The inclusion criteria were young academics who were active students, had an academic background in Islamic studies, and were involved in contemporary Islamic discourse. The exclusion criteria included individuals without a direct academic relationship with Islamic studies. The application of these criteria ensured that the participants aligned with the academic context and the research focus. Nevertheless, the limited number of participants is acknowledged and anticipated through efforts to achieve data saturation, which occurs when the information obtained begins to repeat and no longer yields new, significant findings.²⁰

Data were collected through semi-structured interviews and Focus Group Discussions (FGDs). The entire data collection process was conducted in accordance with ethical procedures, including maintaining the confidentiality of informants' identities and obtaining informed consent prior to the commencement of the research. To ensure validity and reliability, this study applied method and theory triangulation. Method triangulation was conducted by comparing interview and FGD results, while theory triangulation combined narrative and Islamic law perspectives to obtain a more in-depth, holistic understanding.²¹

¹⁹ Amr G. E. Sabet, "Islam and the Secular State: Negotiating the Future of Shari'ah by Abdullahi Ahmed An-Naim (Cambridge, MA: Harvard University Press, 2010. 336 Pages.)," *American Journal of Islam and Society* 27, no. 2 (2010): 96-98, <https://doi.org/10.35632/ajis.v27i2.1326>.

²⁰ Carla Willig, *Introducing Qualitative Research in Psychology* (Open University Press, 2013), https://books.google.co.id/books/about/Introducing_Qualitative_Research_In_Psyc.html?id=E-lhuM-pNV8C&redir_esc=y.

²¹ Norman K. Denzin, *The Research Act: A Theoretical Introduction to Sociological Methods*, 1st ed. (Routledge, 2017), <https://doi.org/10.4324/9781315134543>.

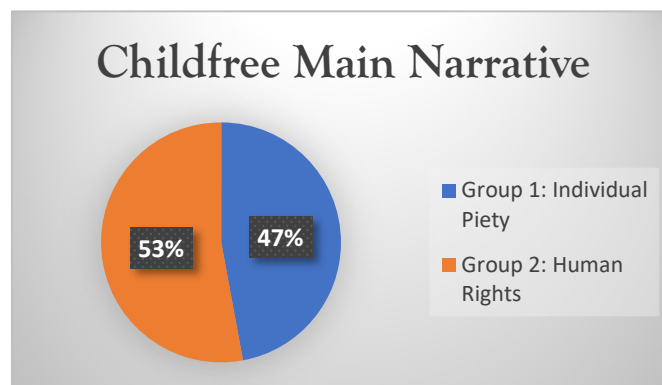
Next, the data analysis stage follows Miles and Huberman's qualitative approach, which involves data reduction, data presentation, and drawing conclusions and verification.²² Data reduction involved organising participants' narratives into analytical themes. The sorted data were then arranged in a narrative matrix to identify patterns of connection and dynamics between narratives. The process of interpretation is a key component, involving repeated readings of the data and the researcher's critical reflection to explore the most representative meaning of participants' experiences.

RESULTS AND DISCUSSION

Childfree in the View of Academics: Individual Piety vis-à-vis Human Rights

An in-depth analysis of data collected from informants revealed two main narratives underlying academics' views on the childfree phenomenon. These narratives are essential for understanding basic patterns, relationships, and standard behaviours that rationalise actions. The details of the narratives are shown in the diagram below:

Diagram 1
Childfree Main Narrative



Source: data processed by the authors

Based on the diagram above, these two narratives illustrate a complex configuration of values in which religious teachings interact with the understanding of individual rights

²² Matthew B. Miles et al., *Qualitative Data Analysis: A Methods Sourcebook*, 4th ed. (SAGE Publications, 2020), <https://books.google.co.id/books?id=p0wXBAAAQBAJ&printsec=frontcover&hl=id#v=onepage&q&f=false>.

within the social context and the contemporary Islamic law. Drawing on Halverson's leading narrative theory, this study aims to map the dominant narrative framework that shapes individual perceptions and influences social practices and normative beliefs among Muslim academics.²³

The first group in this study presented a narrative based on religious values and Islamic moral principles. For this group, the decision not to have children is considered a rejection of the fundamental purpose of marriage in Islam, namely, the preservation of lineage (*hifz al-nasl*), which is a part of the *maqāṣid al-sharī'ah*. This group views children not only as biological descendants but also as gifts from Allah, carrying spiritual significance and social responsibility. This narrative reinforces the view that choosing to live without children is a deviation from human nature and the values of the Qur'an. This study emphasises that religion-based narratives influence the construction of family meaning among Muslim academics, even within academic environments that are open to progressive discourse.²⁴

In contrast, the second group presents a narrative that emphasises human rights principles, especially personal freedom and bodily autonomy. This group argues that the decision to live childfree is a fundamental right of every couple that should be respected, even if it can potentially cause social or psychological risks. This view has emerged alongside a growing awareness of shifting gender roles and broader access to literature on women's rights from an Islamic and international law perspective.²⁵ This narrative is in line with Veevers' view that social pressure on women to have children has the potential to give rise to structural oppression, especially if they are not given the space to make decisions freely.²⁶

²³ Jeffrey R. Halverson et al., *Master Narratives of Islamist Extremism* (Palgrave Macmillan US, 2011), <https://doi.org/10.1007/978-0-230-11723-5>.

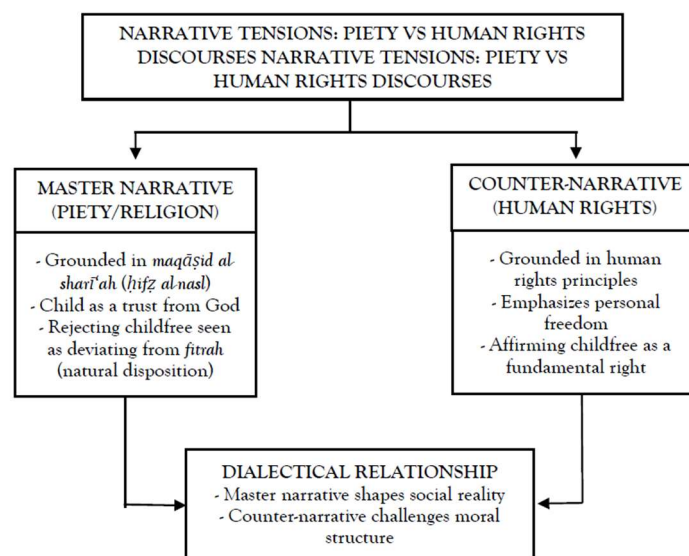
²⁴ Eva Fadhilah, "Childfree Dalam Pandangan Islam," *Al-Mawarid Jurnal Syariah Dan Hukum (JSYH)* 3, no. 2 (2022): 71–80, <https://doi.org/10.20885/mawarid.vol3.iss2.art1>.

²⁵ Julie M. Buser, "Women's Reproductive Rights Are Global Human Rights," *Journal of Transcultural Nursing* 33, no. 5 (2022): 565–566, <https://doi.org/10.1177/10436596221118112>.

²⁶ J. E. Veevers, "Voluntary Childlessness and Social Policy: An Alternative View," *The Family Coordinator* 23, no. 4 (1974): 397, <https://doi.org/10.2307/583116>.

These two narratives reflect a broader epistemic tension in contemporary Islamic studies between a normative approach to sacred texts and a contextual reading that accounts for changing social realities. Within Halverson's theoretical framework, the master narrative is a dominant system that shapes social reality and legitimises actions. In this study, the piety narrative can be positioned as the dominant master narrative. In contrast, the human rights narrative emerges as a counter-narrative that seeks to challenge the established moral framework.²⁷

Picture 1: Narrative Tensions: Piety vs Human Rights



Source: edited by the author

However, the study's results show an intermediary position between these two poles. Some academics adopt a hybrid stance, acknowledging the importance of religious values while allowing room for freedom in choosing family life forms. They do not outright reject the childfree choice but emphasise the importance of considering individual circumstances and well-being in making such decisions. This suggests that narratives within the Islamic

²⁷ Halverson et al., *Master Narratives of Islamist Extremism*.

academic community are dynamic and open to meaning negotiation, rather than being rigid or singular.²⁸

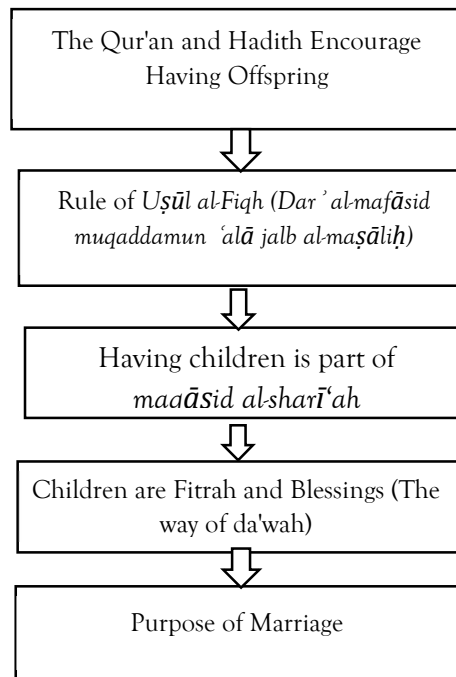
The Main Narrative of Individual Piety in the Rejection of Childfree: A Thematic Analysis

The thematic analysis results indicate that the rejection of childfree practices in marriage is generally driven by the dominance of religious narratives that emphasise individual piety within the framework of Islamic teachings. This narrative is constructed through the spiritual interpretations of Quranic verses, the principles of *maqāṣid al-sharīah*, and the objectives of marriage. These findings are categorised using the main narrative theory approach, which emphasises that narratives function as cultural frameworks that shape social reality and collective behaviour within a community. Although the informants' arguments tend to be normative, their attitudes reflect an aesthetic acceptance of religious texts, which is then translated into social behaviour. The results of the thematic analysis can be visually represented in the following chart.

²⁸ Ziba Mir-Hosseini, *Islam and Gender: The Religious Debate in Contemporary Iran* (Princeton University Press, 2021), <https://doi.org/10.2307/j.ctv1h9dgq0>.

Chart 1

Construction of Opinions Against Childfree



Source: data processed by the authors

The tendency to reject childfree practices among young academics is generally based on religious grounds, with religious texts forming the centre of the arguments. The religious references used varied depending on the informants' educational backgrounds, with some having attended Islamic boarding schools or received formal Islamic education. First, the main narrative of rejection of childfree is based on the argument that it contradicts religious teachings, which is rooted in the belief that children are a gift from God, based on verses from the Qur'an, such as QS. An-Nahl [16]:72 and QS. Al-Kahfi [18]:46, as well as the hadith of the Prophet Muhammad SAW, which shows pride in a community with many descendants. "There are many verses in the Qur'an and hadith that say that Muslims should have descendants. Prophet Muhammad SAW mentioned that a large community is a sign of pride."²⁹ Therefore, choosing to be childfree without an apparent reason contradicts Islamic teachings.³⁰

²⁹ A.R.N, "Interview with Young Islamic Academician about Childfree," September 23, 2024.

³⁰ W.P., "Interview with Young Islamic Academician about Childfree," September 23, 2024.

This perspective is influenced by the informants' educational and religious backgrounds, which shape their aesthetic acceptance of religious teachings.³¹ Therefore, such acceptance is not solely driven by religious texts but also reflects an identity of piety. As Mahmood and Ahmed state, religious practices are often interpreted to reinforce morality and religious authority in the public and private spheres.³² This aligns with the argument that the symbolic consensus in traditional Muslim society is that rejecting descendants constitutes moral and religious deviation from the norm.³³

Second, the central argument often used to reject childfree choices is *maqāṣid al-sharīah* (the objectives of Islamic law), specifically *ḥifẓ al-nasl* (preserving the continuity of offspring).³⁴ In fact, several informants linked their opinions to the principle of *dar'u al-mafāsid muqaddamun 'alā jalb al-maṣāliḥ* (the priority of preventing harm overachieving benefit) in Islamic law.³⁵

"The reasons for being childfree due to economic or personal happiness are not in accordance with *maqāṣid al-sharīah*. Islam commands the preservation of religion (*ḥifẓ al-dīn*), offspring (*ḥifẓ al-nasl*), and wealth (*ḥifẓ al-māl*). Since sustenance is guaranteed by Allah SWT, rejecting children on the grounds of poverty is irrelevant."³⁶

Based on this framework, children are seen as a source of *maṣlaḥah* (benefit) that transcends economic and psychological burdens. Reproduction is understood as a means of preserving religious values, social continuity, and family stability. However, this view also reveals epistemological limitations, as it closes the space for contextual interpretation.

³¹ Rizal Faturohman Purnama, "The Aesthetic Reception of The Quran In Instagram: Variations, Factors, and Religious Commodification," *ULUL ALBAB Jurnal Studi Islam* 21, no. 2 (2020): 237–268, <https://doi.org/10.18860/ua.v21i2.9528>.

³² Leila Ahmed, *Women and Gender in Islam: Historical Roots of a Modern Debate* (Yale University Press, 1992), <https://yalebooks.yale.edu/book/9780300257311/women-and-gender-in-islam/>.

³³ Mufrod Teguh Mulyo et al., "The Power of Husband-Wife Communication in Building Family Resilience and Preventing Divorce: A Study of Maṣlaḥah Mursalah," *Al-Manahij: Jurnal Kajian Hukum Islam*, UIN Prof. K.H. Saifuddin Zuhri, August 23, 2023, 125–136, <https://doi.org/10.24090/mnh.v17i2.7651>.

³⁴ Eko Saputra and Busyro Busyro, "Kawin Maupah: An Obligation to Get Married After Talak Tiga in the Tradition of Binjai Village in Pasaman District a Maqāṣid Al-Sharī'ah Review," *QIJIS (Qudus International Journal of Islamic Studies)* 6, no. 2 (2018): 181, <https://doi.org/10.21043/qijis.v6i2.3738>.

³⁵ M.H.D, "Interview with Young Islamic Academician about Childfree," September 23, 2024.

³⁶ T.P, "Interview with Young Islamic Academician about Childfree," September 23, 2024.

Reasons for being childfree related to mental health, past trauma, or ecological awareness are often ignored by the literature. Theoretically, *maqāṣid al-sharī'ah* is designed as a legal principle adaptable to social dynamics. Al-Syatibi and Ibn 'Ashur emphasise that the purpose of Sharia is not only to maintain normative structures, but also human welfare in a changing context.³⁷ Therefore, it is essential to adopt a more inclusive and contextual approach to religious texts, particularly in addressing family issues, to respond to individual needs and uphold the values of justice.³⁸

Third, the narrative that the presence of children is God's will. This perspective considers being childfree a rejection of God's will.³⁹ Some informants even link the presence of children to the mission of preaching, because through children, patience can be practised and religious values can be passed on.⁴⁰ Studies by Hintz and Brown support this view, showing that in many societies, children are often associated with the preservation of religious and cultural identity.⁴¹ Thus, assumptions about divine decree (*fitrah*) are often taken to be universally applicable, without regard for contextual diversity. In modern societies, perceptions of fertility and the value of children are influenced by socioeconomic factors. Therefore, the meaning of divine decree should be understood as a dynamic social construct rather than a static biological reality.⁴²

Finally, most informants linked the presence of children to the ideal purpose of marriage. For them, marriage serves not only as an emotional bond but also as a means of reproduction to continue the family lineage and uphold moral values.⁴³ The assumption is

³⁷ Jasser Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach* (International Institute of Islamic Thought, 2008), <https://doi.org/10.2307/j.ctvkc67tg>.

³⁸ Abdullah Saeed, *Reading the Qur'an in the Twenty-First Century*, 0 ed. (Routledge, 2013), <https://doi.org/10.4324/9781315870922>.

³⁹ Nur Insani et al., "Empowering Muslim Women: Bridging Islamic Law and Human Rights with Islamic Economics," *De Jure: Jurnal Hukum Dan Syar'iah* 16, no. 1 (2024): 88-117, <https://doi.org/10.18860/j-fsh.v16i1.26159>.

⁴⁰ F.F, "Interview with Young Islamic Academician about Childfree," September 23, 2024.

⁴¹ Jonathan Scourfield et al., *Children, Place and Identity*, 0 ed. (Routledge, 2006), <https://doi.org/10.4324/9780203696835>.

⁴² Marcia C. Inhorn, "Defining Women's Health: A Dozen Messages from More than 150 Ethnographies," *Medical Anthropology Quarterly* 20, no. 3 (2006): 345-378, <https://doi.org/10.1525/maq.2006.20.3.345>.

⁴³ A.Z, "Interview with Young Islamic Academician about Childfree," September 23, 2024.

that family happiness is incomplete without children,⁴⁴ and having children is considered a form of spiritual struggle for the family.⁴⁵ However, such a narrative tends to overlook new social realities, which differ from Giddens' argument that, in postmodern society, marriage is increasingly understood as a pure relationship, that is, one based on emotional closeness rather than solely on reproductive orientation.⁴⁶

Referring to Halverson's narrative framework, this construction can be understood as a form of "collective moral story" that shapes society's religious identity. However, for religious narratives to respond to contemporary challenges, they need to shift from a hegemonic discourse to a reflective discourse—one that respects the plurality of interpretations, the diversity of experiences, and the right of individuals to determine the form of family that suits their values and beliefs.⁴⁷ Overall, participants' narratives about being childfree tended to combine theological dimensions with individual values of piety.⁴⁸

However, this approach does not yet accommodate the diversity of contemporary Islamic views, especially those that are more inclusive of reproductive choices based on individual autonomy and socioeconomic contexts. The dominant narrative that has emerged presents a hegemonic moral discourse rather than a reflective effort on religious texts and the realities of modern life. In contemporary Indonesian Muslim society, dialogue between conservative and progressive groups paves the way for a normative balance between the importance of individual piety and the recognition of personal freedom. Even though conservative scholars emphasise *maqāṣid al-sharī'ah*, especially *ḥifẓ al-nasl* (preservation of offspring), progressive groups and gender activists propose the legitimacy of being childfree

⁴⁴ M.H, "Interview with Young Islamic Academician about Childfree," September 23, 2024.

⁴⁵ Farida Ulvi Naimah et al., "Internalization of Local Traditions in Child Marriage from the Perspective of Maqasid Al-Ushrah," *El-Mashlahah* 14, no. 2 (2024): 237–258, <https://doi.org/10.23971/el-mashlahah.v14i2.7942>.

⁴⁶ Anthony Giddens, *The Transformation of Intimacy: Sexuality, Love, and Eroticism in Modern Societies* (Stanford University Press, 1992), <https://www.sup.org/books/sociology/transformation-intimacy>.

⁴⁷ Ahmad Rusyaid Idris et al., "Reconstructing Gender Roles in Contemporary Muslim Families: Wives As Online Motorcycle Taxi Drivers from a Mubādalāh Perspective," *Legitima: Jurnal Hukum Keluarga Islam* 7, no. 2 (2025), <https://doi.org/10.33367/4wb87b54>.

⁴⁸ Ahmad Ash Shiddieqy et al., "Islamic Family Law and Gender Equality: A Comparative Study of Legal Reform and Social Norms in Contemporary Muslim Societies," *Legitima: Jurnal Hukum Keluarga Islam* 7, no. 2 (2025), <https://doi.org/10.33367/legitima.v7i2.7101>.

under certain conditions that are justified by Sharia, such as mental or physical health issues, as an expression of individual responsibility and local wisdom.⁴⁹

Human Rights Narrative: Reproduction as a Right and Couples' Autonomy from a Normative-Cultural Perspective

The master narrative theory framework developed by Halverson positions childfree living as an expression of human rights and a crucial lens for understanding the meaning constructed by the informants. The decision not to have children (childfree) is a personal right that must be respected, even though they are aware of the particular risks that may arise.⁵⁰ This perspective is more related to human rights and freedom in determining life choices.⁵¹

"The decision not to have children is an individual or couple's right that must be respected, considering that everyone has the freedom to determine the direction of their own life, including the decision to have children."⁵²

This narrative stems from the belief that, for most informants, the choice to be childfree is a form of freedom for couples in managing their household life. From this perspective, any form of intervention, including coercion, is regarded as a violation of reproductive rights and individual freedom.⁵³ This narrative aligns with the principles of the International Covenant on Civil and Political Rights and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which affirm that

⁴⁹ Zuhriah et al., "Childfree, the Digital Era, and Islamic Law."

⁵⁰ Muhammad Ikrom Jauhari and Kamilah Fauziyyah Abubakar, "Praktik Childfree Sebagai Solusi Kekerasan Fisik Dalam Rumah Tangga: Sebuah Kajian Analisis Gender," *Setara: Jurnal Studi Gender Dan Anak* 6, no. 01 (2024): 100, <https://doi.org/10.32332/jsga.v6i01.9294>.

⁵¹ Agustin Hanapi et al., "Bridging Fiqh and Positive Law: A New Paradigm for Child Legality and the Best Interest of the Child in Indonesia," *JURIS (Jurnal Ilmiah Syariah)* 23, no. 2 (2024): 293, <https://doi.org/10.31958/juris.v23i2.10712>.

⁵² H.F., "Interview with Young Islamic Academician about Childfree," September 23, 2024.

⁵³ Erfaniah Zuhriah et al., "Navigating Islam and Human Rights: Examining Women's Right to Refuse Pregnancy in Indonesia," *Journal of Southeast Asian Human Right (JSEAHR)* 8, no. 2 (2024), <https://journal.unej.ac.id/JSEAHR/article/view/4332>.

the decision to have or not have children is part of personal autonomy and should not be judged by moral standards that disregard the principles of justice and gender equality.⁵⁴

Being childfree is not merely a manifestation of personal choice but also a form of resistance against a patriarchal social system that still places women as childbearers.⁵⁵ As one informant said, "The decision not to have children is the right of the couple and cannot be blamed, because each household has its dynamics."⁵⁶ Couples who agree to be childfree have certainly made careful considerations, including the consequences that will become their shared responsibility.⁵⁷ The decision to be a childfree couple is a right that must be appreciated.

"For me, someone else's decision to become a childfree couple is a right that should be respected. However, as an outsider, I had to build a two-way perspective. In this case, understanding the reasons behind others' decisions to be childfree is a prudent step toward concluding the study. In certain contexts, the understanding of marriage's purpose is also likely to differ, such as whether it is for procreation or companionship. Both, in my opinion, have strong, logical, and justifiable foundations and reasons."⁵⁸

However, this approach raises normative tensions within Islamic ethics and theology. Several informants stated that Islamic teachings recognise *hifz al-nasl* (preservation of the family line) as one of the purposes of marriage. However, they also noted that there is no explicit prohibition in the Qur'an regarding the decision to live as a child-free couple.⁵⁹

"I think human life is 'free,' in the sense that, for example, in the case of childfree. They may choose to be a childfree couple or not. However, it cannot be denied that human life is regulated and co-opted by various circles

⁵⁴ Zumiyati Sanu Ibrahim et al., "Islamic Law and Human Rights: Convergence or Conflict?," *Nurani: Jurnal Kajian Syari'ah Dan Masyarakat* 24, no. 2 (2024): 431-448, <https://doi.org/10.19109/nurani.v24i2.19595>.

⁵⁵ Cathryne L. Schmitz and Shirley Gatenio Gabel, "Women, Human Rights, and Gender Equality," *Journal of Human Rights and Social Work* 8, no. 4 (2023): 359-360, <https://doi.org/10.1007/s41134-023-00288-7>.

⁵⁶ M.A., "Interview with Young Islamic Academician about Childfree," September 23, 2024.

⁵⁷ Z.Z.A., "Interview with Young Islamic Academician about Childfree," September 23, 2024.

⁵⁸ A.M.A.F., "Interview with Young Islamic Academician about Childfree," September 23, 2024.

⁵⁹ M.N.J., "Interview with Young Islamic Academician about Childfree," September 23, 2024.

around it, whether religious, cultural, social, or others. In religion, for example, being childfree is not haram, but there is a recommendation to have children as the next generation. The next term is *hifz al-nasl*. Childfree is allowed if delaying offspring for certain reasons that endanger the couple."⁶⁰

This condition opens the door to the interpretation that such a decision, if taken consciously and responsibly, does not necessarily contradict the principles of Sharia.⁶¹ This narrative underscores the importance of literal, contextual, and ethical interpretations of the text.

The tension between individual rights and religious norms is an important area of reflection that has not received sufficient attention in Indonesia's public or academic discourse.⁶² Studies related to reproductive rights in Islam show that although Islam encourages procreation, there is also recognition of specific conditions that allow for the postponement or avoidance of pregnancy, such as medical or psychological reasons, or considerations of family welfare.⁶³ Therefore, a hermeneutic approach that can bridge reproductive freedom and contextual religious ethics is needed to interpret childfree narratives.

On the other hand, childfree narratives that emerge in interviews are often couched in emotional and normative language, such as the assumption that children are a "source of happiness" or that families without children are considered "incomplete."⁶⁴ Such expressions reflect a cultural logic that reproduces bias against childfree couples and obscures critical analyses of their choices. According to Halverson, such expressions reflect

⁶⁰ U.R, "Interview with Young Islamic Academician about Childfree," September 23, 2024.

⁶¹ Shehnaz Haqqani, "Men in Charge? Rethinking Authority in Muslim Legal Tradition: By Ziba Mir-Hosseini, Mulki Al-Sharmani, and Jana Rumminger, Eds. (London: Oneworld Publications, 2014. 2086 Pages.)," *American Journal of Islam and Society* 33, no. 1 (2016): 137-141, <https://doi.org/10.35632/ajis.v33i1.893>.

⁶² Asep Saepullah et al., "A Contemporary Socio-Legal Evaluation of Indonesia's Post-Reformation Child Marriage Policies," *MILRev: Metro Islamic Law Review* 4, no. 2 (2025): 1393-1426, <https://doi.org/10.32332/milrev.v4i2.10322>.

⁶³ Kecia Ali, *Sexual Ethics and Islam: Feminist Reflections on Qur'an, Hadith and Jurisprudence* (Oneworld Publications, n.d.), <https://www.amazon.com/Sexual-Ethics-Islam-Reflections-Jurisprudence/dp/1851684565>.

⁶⁴ A.A.H, "Interview with Young Islamic Academician about Childfree," September 23, 2024.

a master narrative that needs to be unravelled to understand the structure that shapes the general perception of family idealisation.⁶⁵

Some informants suggested that being childfree should not be understood as a total rejection of children but rather as a form of awareness in managing household life, including limiting the number of children. From the perspective of *maqāṣid al-sharī'ah*, such a choice remains acceptable as long as it does not cause greater harm and aims to preserve the interests of the couple.⁶⁶ Thus, childfree discourse should not be framed dichotomously between "pro-children" and "anti-children," but rather understood as a spectrum of ethical and spiritual choices that reflect the complexity of contemporary Muslim household realities.

The Integration of Human Rights and Individual Piety in Contemporary Islamic Family Law Discourse on the Childfree Phenomenon

The childfree phenomenon in contemporary Muslim society creates epistemological tension between individual reproductive autonomy rights and religious normative demands. Field data indicate an ambivalent response to the decision not to have children. On the one hand, this decision is understood as the realisation of human rights, but on the other hand, it is often rejected as contrary to Islamic values. This tension underscores the need for an integrative approach to contemporary Islamic family law, grounded in *maqāṣid al-sharī'ah* and informed by universal human rights principles, including reproductive rights.

The concept of reproductive rights in Islam continues to evolve alongside the increasing awareness of women's rights. Husein Muhammad, for example, formulates these rights into four main aspects: the right to enjoy sexual relations, the right to refuse sexual

⁶⁵ Halverson et al., *Master Narratives of Islamist Extremism*, 11-12.

⁶⁶ Suansar Khatib, "Konsep Maqashid Al-Syari' Ah: Perbandingan Antara Pemikiran Al-Ghazali dan Al-Syathibi," *Jurnal Ilmiah Mizani: Wacana Hukum, Ekonomi Dan Keagamaan* 5, no. 1 (2018), <https://doi.org/10.29300/mzn.v5i1.1436>.

relations, the right to refuse pregnancy, and the right to terminate a pregnancy.⁶⁷ Meanwhile, Masdar F. Mas'udi expanded this scope by including the right to choose a partner, to care for children, to take reproductive leave, and to end a marriage as part of reproductive justice within the framework of gender equality and social justice.⁶⁸ Both views reflect a progressive narrative that seeks to balance individual rights with Islamic values. However, in social reality, the issue of being childfree is still often framed dichotomously, between obedience and deviation. The master narrative perspective of Halverson et al. posits that the dominant narrative in society is shaped by cultural and religious structures that legitimise certain behaviours while simultaneously dismissing life choices considered deviant from collective norms.⁶⁹

Amidst the strong dominance of narratives about the demand for children in marriage, the decision to be childfree is often seen as a rejection of the nature of women in Islam. This demand is seen as a form of female piety, so the choice to be childfree is in binary opposition to religiosity. However, forcing women to become pregnant without their consent directly contradicts the principles of human rights, as outlined in the Universal Declaration of Human Rights and the CEDAW Convention, which emphasises the importance of the right to life, bodily integrity, and freedom from gender-based discrimination.⁷⁰ Field findings show that selfish reasons do not always drive the decision to be childfree. Instead, many couples cite rational and contextual reasons, such as health conditions, traumatic experiences, psychological pressure, and significant economic and social burdens.⁷¹ Therefore, theological arguments that reject childfree living without considering particular contexts are contrary to the spirit of Sharia, which emphasises the principles of rahmah (compassion) and maslahah (public interest). Thus, there is a need to

⁶⁷ Husein Muhamad, *Fiqh Perempuan: Refleksi Kiai Atas Wacana Agama Dan Gender* (LKIS Pelangi Aksara, 2001).

⁶⁸ Masdar F. Mas'udi, *Islam & Hak Hak Reproduksi Perempuan Dialog Fiqih Pemberdayaan* (Mizan, 1997).

⁶⁹ Halverson et al., *Master Narratives of Islamist Extremism*, 25.

⁷⁰ Schmitz and Gabel, "Women, Human Rights, and Gender Equality."

⁷¹ Wahyu Abdul Jafar et al., "The Childfree Phenomenon Based on Islamic Law and Its Respond on Muslim Society," *Al-Istinbath: Jurnal Hukum Islam* 8, no. 2 November (2023): 389, <https://doi.org/10.29240/jhi.v8i2.7865>.

integrate religious ethics and human rights principles to bridge the gap between text and context, doctrine and reality, and to achieve a family legal system that is fair, contextual, and oriented toward the common good.

Contemporary Islamic family law discourse, which encompasses the aspect of *ḥifẓ al-nasl* (protection of offspring) within the *maqāṣid al-sharīʿah* framework, is often used to reject the child-free lifestyle choice. However, this normative approach tends to oversimplify social realities and overlook the contextual needs of couples in modern life. Therefore, it is essential to distinguish between *tabattul* (the absolute rejection of offspring categorised as haram by most scholars) and *tanzīm al-nasl* (family planning). In this context, the principle of *tanzīm al-nasl* can be viewed as a form of mediation between the individual's right to bodily autonomy and the collective interests of the ummah. QS. An-Nisa: 9, which emphasises the protection of future generations, implicitly suggests that Islam prioritises the quality of children, not merely their quantity. This interpretation is consistent with the modern *maqāṣid al-sharīʿah* framework developed by Jasser Auda, which emphasises a systemic approach to *maqāṣid* that requires flexibility, interconnectivity, and sensitivity to contemporary sociocultural contexts.⁷²

Meanwhile, the practice of *'azl* (ejaculation outside the vagina), which scholars have traditionally accepted as a method of birth control, demonstrates birth control's historical legitimacy. Scholars such as al-Ghazali and Ibn Qudamah did not prohibit the practice of *'azl*, provided that there was consent from the wife.⁷³ This practice now serves as a legal precedent supporting the legality of family planning programs under Islamic law.⁷⁴ Therefore, childfree status can be examined within the spectrum of conditional permissibility, provided it is not based on the permanent intention to reject offspring but

⁷² Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law*, 103.

⁷³ Lora Febrianti et al., "Guidance on Marriage and Islamic Family Law: Strengthening Family Resilience In Facing The Dynamics And Complexities Of Contemporary Families," *Al-Mawarid Jurnal Syariah Dan Hukum (JSYH)* 7, no. 1 (2025): 95-112, <https://doi.org/10.20885/mawarid.vol7.iss1.art6>.

⁷⁴ Dina Fadhila, "Keluarga Di Era Milenial: Membahas Hak Pengasuhan Anak Dalam Al-Qur'an," *Usrotuna: Journal of Islamic Family Law* 1, no. 1 (2024), <https://journal.taskuliah.com/usrotuna/article/view/3>.

rather as part of ethical, reflective, and adaptive planning. The decision to have children cannot be separated from the ethical and moral responsibilities of parenting.⁷⁵ In QS. At-Tahrim: 6 emphasises the importance of education and guidance in the household, as the command to protect oneself and one's family from the fire of hell does. M. Quraish Shihab's interpretation underscores that while this command is addressed to men, it also emphasises the collective role of married couples in building a spiritually and socially healthy family.⁷⁶

Within the framework of *maqāṣid al-sharī'ah*, a child is not merely a symbol of biological perfection in marriage, but a trust that requires both parents' psychological, financial, and spiritual readiness. Thus, forcing the presence of a child when the couple is not ready can undermine the principles of *ḥifẓ al-nafs* (protection of life), *ḥifẓ al-'aql* (protection of the mind), and even *ḥifẓ al-dīn* (protection of religion), as it could lead to family dysfunction or neglect of children's rights. Thus, the message about the importance of children in Islam needs to be combined with an ethical narrative about responsibility and readiness for parenting.

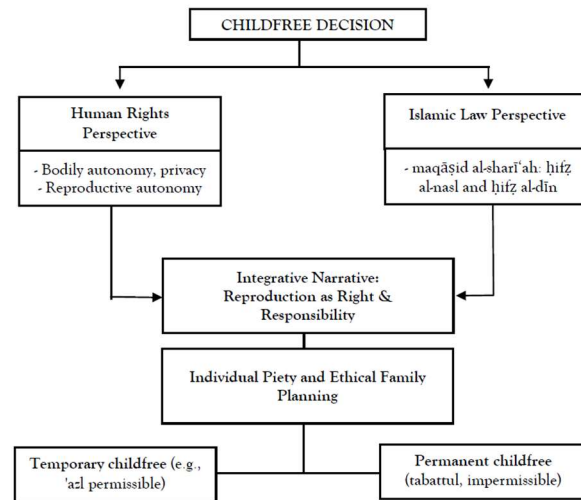
To illustrate the relational integration between human rights, *maqāṣid al-sharī'ah*, and the childfree narrative as a response to the dynamics of contemporary Islamic family law,⁷⁷ see the following diagram:

⁷⁵ Hamza Abed Al-Karim Hammad, "Revisiting the Concept of Nusyūz: A Recontextualised Understanding in Contemporary Marital Life," *NUSANTARA: Journal Of Law Studies* 4, no. 2 (2025): 143–56, <https://doi.org/10.5281/zenodo.17345680>.

⁷⁶ M. Quraish Shihab, *Tafsir Al-Misbah Pesan, Kesan, Dan Keserasian Al-Qur'an* (Lentera Hati, 2002).

⁷⁷ M Anwar Nawawi et al., "Harmonization of Islam and Human Rights: Judges' Legal Arguments in Rejecting Child Marriage Dispensation in Sukadana, Indonesia," *Ijtihad : Jurnal Wacana Hukum Islam Dan Kemanusiaan* 22, no. 1 (2022): 117–34, <https://doi.org/10.18326/ijtihad.v22i1.117-134>.

Picture 2: Integration of Childfree Decisions



Source: edited by the author

The diagram above illustrates the dynamics of decision-making for childfree individuals, resulting from the interaction between two main normative frameworks: human rights and *maqāṣid al-sharī'ah*. On the left side, the childfree decision embodies individual rights to bodily autonomy, privacy, and reproductive freedom, guaranteed by international human rights instruments such as the CEDAW and the UDHR.⁷⁸ The right side represents the Islamic legal approach, which emphasises the objectives of Sharia, particularly the protection of offspring (*ḥifẓ al-nasl*) and the preservation of religion (*ḥifẓ al-dīn*).

The intersection between these two frameworks produces an integrative narrative that affirms that the decision not to have children can be ethically and normatively acceptable if it is based on considerations of the public interest and moral responsibility, rather than merely an expression of free will detached from social or spiritual concerns. The concept of *tanzīm al-nasl* (birth control) is not only justified in Sharia law but also serves as a manifestation of *al-maṣlaḥah al-mursalah* (public interest) in the contemporary context.

⁷⁸ Ahmad Nabil Amir and Tasnim Abdul Rahman, "The Protection of Human Rights in Islam: As Discussed in the Works of Al-Qaradawi," *Justicia Islamica* 14, no. 2 (2017), <https://doi.org/10.21154/justicia.v14i2.1221>.

Therefore, the decision to temporarily not have children—for example, to maintain health, pursue education, or achieve economic stability—can be regarded as a form of rational *ijtihad* that does not contradict the *maqāṣid*, as long as it does not lead to the total rejection of progeny (*tabattul*), which has traditionally been considered a violation of the fundamental principles of Islamic law.⁷⁹

The discourse on childfree living in contemporary Islamic family law cannot be reduced to a dichotomy between individual rights and religious obligations. Instead, this issue demands an integrative approach that reconciles *maqāṣid al-sharī'ah* with human rights principles. Individual piety in Islam should not be monopolised by the practice of having children, but can also be realised through ethical, reflective, and responsible decision-making about life.⁸⁰ As Halverson's narrative theory emphasises, the dominant narrative is a social construction open to negotiation and reinterpretation, rather than a single truth that excludes alternative narratives. In this context, religious narratives that reject childfree lifestyles need to be reinterpreted as part of a pluralistic discourse. This study advocates for a theological and legal reconstruction that affirms the plurality of reproductive choices within the boundaries of Islamic ethics. Thus, Islamic family law can remain relevant in addressing contemporary challenges without compromising its integrity of universal value.

CONCLUSION

This study identifies two dominant narratives among young PTKIN academics regarding the childfree phenomenon. The first is a narrative of individual piety, grounded in religious values that regard the presence of children as an essential element of family life and a moral responsibility aligned with *ḥifẓ al-nasl*. The second is a human rights-based narrative that frames childfree living as a legitimate expression of reproductive autonomy and individual freedom. Although these narratives appear to be in tension, the findings

⁷⁹ Mohamad Saifudin Mohamad Saleh et al., “Maqāṣid Al-Sharī'ah as Goal Framing for Sustainable Behaviours: A Conceptual Framework,” *Intellectual Discourse* 31, no. 1 (2023), <https://doi.org/10.31436/id.v31i1.1805>.

⁸⁰ Abed Majidi et al., “Redefining Equality in Marriage Laws: An Analysis of Husband-Wife Relations Through Qira'ah Mubādalāh,” *Indonesian Journal of Islamic Law* 7, no. 2 (2024): 43–63, <https://doi.org/10.35719/dvnwmw07>.

reveal a dialogical space that enables negotiation and synthesis. Through concepts such as *tanzīm al-nasl* and *maṣlaḥah*, an integrative narrative emerges, affirming that decisions to postpone or refrain from having children can be ethically acceptable when grounded in moral responsibility, psychosocial readiness, and public interest, rather than in a total rejection of offspring that contradicts the fundamental objectives of Islamic law. These findings contribute to contemporary Islamic family law discourse by demonstrating that normative religious principles and contextual adaptability are not mutually exclusive but can be integrated through progressive *ijtihad*. The study encourages policymakers, Islamic scholars, and educational institutions to develop more inclusive and context-sensitive frameworks that harmonise Islamic ethics with evolving family norms and reproductive rights. However, the study is limited by its relatively small and specific sample, which may constrain the generalizability of the findings. Future research is therefore recommended to involve a more diverse range of participants, including married couples, religious authorities, and policymakers, to further and deepen understanding of the intersection between Islamic ethics and reproductive autonomy in Muslim societies.

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KN, as the initiator of the research idea, designed the research draft and wrote the paper. ZZA conceptualised the research idea, developed it into a concept, and planned it into an academic paper. MTM collected data, analysed the findings, and wrote them in the research article draft. SN collected data, analysed the findings, and wrote them in the

research article draft. SY participated in exploring research data, analysing and developing research concepts, and writing them.

CONFLICT OF INTEREST

The authors declare that there are no financial, professional, institutional, or personal relationships that could be construed as potential conflicts of interest regarding the research, authorship, or publication of this article.

AI USAGE STATEMENT

The author declares that artificial intelligence (AI), including large language models such as ChatGPT, was used solely as an assistive tool during the writing process, specifically for grammar checking, sentence structuring, and editorial refinement. All analyses, data interpretations, academic arguments, and research conclusions are entirely the author's own work. The use of AI was conducted in accordance with academic ethical principles and was not intended to replace critical thinking or the originality of the scholarly work. Any references or information obtained with the assistance of AI were independently verified and cited correctly in accordance with academic standards. The author affirms that the use of AI does not violate plagiarism policies, academic integrity, or any institutional regulations.

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