

Childfree in a Variety of Perspectives: Philosophical Perspectives, Islamic Family Law and Contemporary Social Life

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Abstract

The childfree phenomenon has become a hot topic in contemporary society. This choice not only reflects the dynamics of modern lifestyles but also raises legal, social, and religious controversies. This research aims to analyze childfree law from various perspectives, namely legal philosophy, Islamic family law, sociology, and anthropology, as well as career and population aspects. A multidisciplinary approach is used to understand this phenomenon in its entirety and comprehensively. From the perspective of Islamic law, child freedom is considered contrary to *maqashid al-shariah*, especially in safeguarding offspring (*hifzh al-nasl*), which is one of the purposes of marriage. However, from the perspective of legal philosophy, such decisions can be justified through the principles of personal autonomy and freedom of choice. Meanwhile, sociological and anthropological perspectives view childfree as a reflection of changes in social structure, individualistic values, and the influence of modern economics and lifestyle. In addition, career factors and population density also influence these preferences, which indirectly impact demographics and development. This study shows the importance of a balanced approach between religious norms, individual freedom, and social responsibility in responding to the childfree phenomenon in the modern era.

I. Introduction

Childfree is a couple's decision not to have children. Sarah D. O'Rourke mentioned that the concept of childfree refers to a couple's conscious decision not to have children. These decisions are based on several deeply personal factors, including an individual's preference for lifestyle, personal freedom, as well as a drive to avoid the major commitments that come with raising a child. O'Rourke emphasized that these choices are often not the result of an inability to have children, but rather a desire to live a life without the responsibility of parenting (O'Rourke, 2013).

In line with Sarah, Jennifer L. Miller mentioned that childfree is a decision made by an individual or couple not to have children based on rational, emotional, and social considerations. Miller observes that many childfree couples see this decision as part of their broader life choices, where they choose to focus on self-development, career, and personal freedom (Miller, 2019).

The phenomenon of childfree, which is the conscious and voluntary decision of individuals or couples not to have children throughout their lives, has become one of the most talked about social issues, especially in the modern era marked by the increasing strength of individualism and personal freedom values. The childfree decision is no longer a hidden choice, but has become a public discourse strengthened by the presence of social media and the courage of several figures to openly express their life choices (Rismawati, 2023). There is much news from various media that reports on the public decision not to have children (childfree) for various reasons (Ningrum, 2025; Ramadhani, 2025).

This phenomenon presents a tension between the values of modernity and traditional norms that have long taken root, especially in societies that uphold the values of kinship and generational continuity. The pros and cons of opinions about childfree also confuse the public. Chalil Nafis, head of the MUI da'wah Division, prohibits child freedom (Haq, 2025).

For the majority of Indonesians who are Muslim, the choice not to have children is often seen as a decision that deviates from religious norms and the purpose of marriage. Philosophically, one of the purposes of marriage is to have offspring. Many verses of the Qur'an and hadith talk about having offspring. Among the hadith of the Prophet are:

تَزَوُّجُوا الْوُلُودَ فَإِنَّ ابْنِي مَعَكُمْ رُبُّكُمْ الْعَزِيزُ يَعْلَمُ الْيَوْمَ الْقِيَامَ ۝

"Marry a woman who is loving and fertile, for I will be proud of the multitude of my people on the Day of Judgment." (HR. Abu Dawud, Hadith No. 2050; Rated hasan by Al-Albani) (Abu Dawud Sulaymān ibn al-Ash'ath, n.d.; al-Albani, 2002).

Islam expressly makes marriage a sacred institution that aims not only to meet biological and emotional needs, but also to preserve offspring as part of *maqashid al-shariah*, which is *hifzh al-nasl* (safeguarding offspring) (Auda, 2008). In the classical *fiqh* view, having offspring is seen as one of the gifts as well as the mandate that should be expected from a marriage (Az-Zuhaili, 1989).

Nevertheless, from the perspective of legal philosophy, the fundamental question that arises is: can the state or religion regulate very private personal decisions, such as having or not having children? Principles such as personal autonomy, individual freedom, and the right to freedom of expression are the basis for justifying the childfree choice for some parties (Dworkin,

1977). Liberal views in the philosophy of law argue that as long as the decision does not harm others, it is not appropriate for the state or religious institution to impose certain norms on individuals. On the other hand, the communitarian approach sees childfree decisions as part of the consequences of social life, which cannot be separated from social responsibility and communal values (M. Sandel, 2009)

Based on the perspective of sociology and anthropology, the choice to be childfree cannot be understood solely as an individual decision, but rather as a product of a social construct influenced by various factors: urbanization, industrialization, education levels, shifting gender roles, and economic pressures (Giddens, 2013). Modern societies with consumptive lifestyles and high mobility tend to view children as financial, time, and emotional burdens (Violita, 2023). In some studies, reasons such as wanting to focus on career, maintaining personal freedom, childhood trauma, and concern for the global environment are the background for the emergence of a preference not to have children (Freitas, 2020).

Furthermore, in terms of population sociology, the childfree phenomenon can have a significant impact on the demographic structure of a country. Several developed countries have experienced the phenomenon of an aging population, where the number of elderly people is much larger than the younger generation due to the low birth rate. If the childfree trend increases without the right demographic strategy, it can cause problems in labor sustainability, social security, and long-term economic growth (Tunggono, 2021).

In addition, from a career development and economic perspective, many young couples in big cities feel that the presence of children can hinder career achievement, financial stability, and even mental health. In certain structural realities, especially amid population density and the high cost of living, the decision not to have children is seen as a form of modern rationality. For some career women, the double pressure as mothers and workers is a strong reason to postpone or refuse the presence of children to maintain a life balance.

Based on the various dimensions above, it is important to comprehensively examine the phenomenon of childfree through a multidisciplinary approach. This study does not intend to justify or blame these choices, but tries to understand and explain its position from various perspectives: Islamic family law, legal philosophy, sociology-anthropology, and its implications for career and population aspects. This study is expected to contribute to the development of legal and social discourse that is adaptive to the dynamics of contemporary society, without neglecting basic religious and cultural values.

2. Research Method

This research is a Normative Juridical research (Soekanto, 2001). This research aims to examine the phenomenon of childfree from various perspectives: Islamic family law, legal philosophy, sociology and anthropology, as well as career and population factors. The nature of this research is exploratory and reflective, as it seeks to explore views from various disciplines and reflect them critically in the context of contemporary society (Creswell & Creswell, 2017). The approach used in this study is an interdisciplinary approach with theoretical and analytical foundations from several fields of science. The data were analyzed qualitatively-descriptively and comparatively (Albi & Johan, 2018; Hasibuan et al., 2022).

Conclusions are drawn by formulating the results of an integrative analysis, which not only explains the childfree phenomenon, but also offers normative and solutive views in the context of Indonesian society.

3. Results and Discussion

Islamic Family Law Perspective On Childfree

Marriage in the teachings of Islam is not only an outward bond between a man and a woman, but also an important means of maintaining the continuity of offspring (hifz al-nasl), which is one of the five main purposes of the sharia maqashid. This is confirmed through several verses of the Qur'an and the hadith of the Prophet that encourage his people to marry and multiply children, such as the words of the Prophet: "Tazawwajū al-wadūd al-walūd fa innī mukāthirun bikum al-umam yaumal-qiyāmah" (Marry a loving and fertile woman, for I will boast of your many numbers in the presence of other people on the Day of Judgment) (Abu Dawud Sulaymān ibn al-Ash'ath, n.d.).

Classical fuqaha, such as al-Ghazali, al-Nawawi, and Ibn Qudamah, generally argue that having children is one of the main purposes of marriage in Islam. They consider that the decision not to have children permanently is contrary to the wisdom and basic functions of marriage, namely takwīn al-usrah (family formation) and hifz al-nasl (safeguarding offspring).

Al-Ghazali, in *Ihya' 'Ulum al-Dīn*, states: "Al-fa'idah al-ula al-walad wa huwa al-asl wa lahu wudi'a al-nikah wa al-maqsud ibqa' al-nasl wa an la yakhlu al-'alam 'an jins al-ins." (The first benefit of marriage is children, which is the main goal. Marriage is Sharia to maintain the continuity of offspring so that the world is not empty of humans.) (Al-Ghazali, n.d.) Al-Nawawi, in *Syarh al-Muhadzdzab*, also emphasized the importance of marriage as a means of obtaining offspring and maintaining honor, although he did not directly address the issue of childfreedom.

Ibn Qudamah in *al-Mughni* states that marriage aims to have offspring and connect the nasab. He also discussed the practice of 'azl (coitus interruptus), which is makruh when done without the wife's consent, because it prevents the potential for the birth of a child without a strong sharia reason (Ibn Qudāmah, 1984). Meanwhile, contemporary scholars such as Yusuf al-Qaradawi and Wahbah al-Zuhayli provide a more flexible view. According to them, the choice to live child-free can be tolerated in certain situations, such as serious health reasons or a heavy economic burden, as long as it does not explicitly conflict with Sharia principles (Yusuf Al-Qaradawi, 1999).

Islam does not prohibit family planning or the use of contraception, as long as it is not permanent and does not negate the possibility of having children in the future (al-Zuhayli, 1984). However, the decision to permanently have no children, let alone without Sharia reasons, can be considered contrary to the purpose of marriage in Islam. This is different from azl (coitus interruptus), which was allowed in the time of the Prophet, but it was still open to the possibility of pregnancy (Zahrah, 1958).

The perspective of maqashid sharia, taking care of offspring (hifz al-nasl), is included in the five main objectives of sharia. The childfree option can be contrary to this principle if it does not have a justifiable reason according to shari'i. However, if it is based on greater benefits, such as maintaining the wife's health or preventing severe economic difficulties, then this decision

can fall into the category of emergency or necessity (darurah or hajjah) that is tolerated in Islamic law (Auda, 2008).

Some contemporary fatwa institutions, such as Egypt's Al-Azhar and the Indonesian Ulema Council, generally still emphasize the importance of having offspring, but in certain cases, they allow for restrictions or delays in pregnancy. There are not many explicit fatwas related to permanent childfreedom, but some scholars, including Syauqi Ibrahim 'Allam of Dar al-Ifta' Egypt, distinguish between family planning that is temporary and that is absolute childfreedom (Majelis Ulama Indonesia, 2009; Nafisah, 2021).

Legal Philosophy's Perspective on Childfree

The philosophy of liberalism holds that individual freedom is a fundamental principle that recognizes the right of everyone to make decisions about their own body and life. In the context of childfreedom, liberalism supports the right of individuals to decide whether or not they want to have children, as long as the decision does not harm others. Liberal philosophers, such as John Stuart Mill, argued that society should not hinder one's freedom in terms of reproduction, as this is part of bodily autonomy that must be respected in a fair legal system (Mill, 1859). As a critique of this liberal view, communitarian theory emphasizes the importance of collective values and the role of society in determining the boundaries of individual freedom. Communitarians argue that the decision not to have children can hurt collective well-being, especially in the context of population growth and cultural survival. Robert Nozick, one of the philosophers who put forward the communitarian view, argues that while individual freedom is important, the decision not to procreate needs to be considered about social responsibility and the future of society (Nozick, 1974).

Whereas in the view of utilitarianism, pioneered by Jeremy Bentham and John Stuart Mill, the decision to live childfree should be evaluated based on its impact on the happiness and well-being of society as a whole. If the decision leads to a decrease in the quality of life or harms social welfare, such as a reduced workforce and an increased burden on social security, then it can be considered unethical. Utilitarianism emphasizes achieving the greatest happiness for the greatest number of people, which means that childfree decisions that have the potential to lower people's quality of life can be considered problematic decisions from this perspective (Bentham, 1780).

From the various philosophical perspectives above, whether the state or society has the right to regulate individual reproductive decisions is a highly debated issue in legal philosophy. In the liberal view, as expressed by Mill, the state should not interfere in private decisions that do not harm others (Mill, 1859). However, in a more communitarian legal tradition, the state may feel obligated to regulate or exert influence on such decisions in order to safeguard the long-term interests of the community, such as population survival and social stability. This is related to the pro-natal policies implemented by several countries to encourage childbirth.

Therefore, the reconstruction of legal ethics in dealing with phenomena such as child freedom requires adjustments to the basic values of law that develop in modern society. One approach that emerged was legal ethics that recognized the freedom of individuals in making life choices, but also considered broader social impacts. This includes the idea that law should

not only focus on individual freedom, but should also take into account collective needs in maintaining social and economic balance. Therefore, this reconstruction involves a dialogue between individual freedom and social responsibility, which can be reflected in more inclusive and equitable legal policies.

Sociological and Anthropological Perspectives

The decision not to have children is not only influenced by individual factors, but is also the result of social constructions shaped by culture, media, social class, and changes in the structure of society in general.

1. Childfree as a Social Construct: The Influence of Culture, Media, and Social Class

Childfree can be understood as a social construct that is influenced by cultural values and norms that develop in society. In traditional societies, having children is often considered an obligation or responsibility, while in modern societies, especially in developed countries, the phenomenon of childfree tends to be more accepted as it is considered part of individual freedom. The culture of consumerism that thrives in many societies today portrays children as financially and emotionally burdened, which can hinder the achievement of personal goals such as career, financial freedom, or personal exploration (Nurislamy, 2025).

The media also plays an important role in shaping perceptions about the family and the role of children. In many media, especially movies and advertisements, happiness is often portrayed as freedom, career success, and self-fulfillment, which can be achieved without children. Social class also influences the decision to be childfree; individuals from higher social classes, who have access to education and resources, tend to prefer not to have children because they have the opportunity to focus more on personal or career development (Samudra, 2024).

2. Changing Gender Roles, Urbanization, and Individualistic Lifestyles

Changes in gender roles that have occurred in recent decades have also affected the childfree phenomenon. In the past, women's roles were closely related to domestic duties, including giving birth and raising children. However, with gender equality and women's access to education and the world of work, many women choose to postpone or even refuse to have children as part of their life choices (Mackay, 2013). The increasingly developed individualistic lifestyle in urban society also plays a role in this. Urban societies tend to prioritize personal freedom, autonomy, and individual achievement over traditional commitments such as marriage and family with children.

Urbanization also plays an important role in the emergence of the childfree phenomenon. Urban people have a more dynamic lifestyle, with high mobility and greater life pressure. This makes individuals or couples more focused on career, education, and personal achievement. In this context, choosing not to have children is one way to maintain the free and flexible lifestyle offered by urban life (Soekanto, 2009).

3. Analysis of Economic Pressures and Inequality in Domestic Roles

One of the main reasons why the childfree phenomenon is growing is economic factors. Modern society, especially in developing countries, is under considerable economic pressure, especially with the rising cost of living. Child ownership is often

considered a huge financial burden, ranging from education costs, health, to daily needs. For many couples, the decision to choose childfree is a solution to their inability to manage the economic burden (Hirsch, 2014). In addition, inequality in the division of domestic roles between men and women also influences the decision to choose to live without children. In many societies, especially in developing countries, the burden of housework and childcare is still predominantly borne by women. This inequality is often seen as an obstacle to personal achievement and negatively impacts women's well-being (Watkins, 2016).

Indonesian society generally still views the presence of children as an important element in marriage. Children are often perceived as a mandate as well as a great hope for the family. Therefore, the choice to live child-free is still considered controversial and often clashes with traditional views of family structure and parenting roles. Family values that emphasize the importance of offspring remain dominant in social life. However, with increasing urbanization and changes in social norms, some people, especially the middle class and educated individuals, began to accept the concept of childfree as a life choice. Even so, this choice is still often seen as contrary to religious and cultural values, especially from the perspective of Islam, which places children as one of the goals of marriage (Abdullah, 2010).

4. Comparison with Similar Phenomena in Other Countries (Cross-Cultural Study)

The childfree phenomenon is also seen in developed countries such as Japan, South Korea, and some European countries, where the birth rate is low and the elderly population is increasing. In Japan, for example, the phenomenon of childfree is associated with economic pressures and fierce competition in the workforce, which has led many young couples to choose not to have children. The same is true in some European countries, where pro-family state policies have not always been able to increase the birth rate (Abdullah, 2010).

The main difference between developed and developing countries is in terms of the social response to this phenomenon. In developed countries, the phenomenon of childfreedom is more acceptable due to strong values of individualism and personal freedom, while in developing countries, such as Indonesia, the decision not to have children often conflicts with more collective cultural and religious values.

Analysis:

In this part of the analysis, it will be described from various perspectives, and then the meeting points of these various perspectives will be described, and then the offers and solutions that are appropriate to childfree which have become a social phenomenon, will be described.

Childfree in the Perspective of Legal Philosophy and Maqasid al-Shari'ah

The phenomenon of childfreedom challenges the legal philosophical construction of bodily autonomy and freedom to choose life, which in liberal philosophy is used as the foundation of individual rights. In this context, everyone has the right to determine their way of life, including choosing not to have children, as long as it does not violate the rights of others. This view is in line with John Stuart Mill's idea that individual freedom can only be limited if

there is a potential danger to others (harm principle) (Mill, 1859). However, in the tradition of communitarianism, as argued by Michael Sandel and Charles Taylor, individual freedom cannot be separated from social responsibility and cultural relations. Life choices, including child-free, must be examined in the context of how they impact social sustainability (M. J. Sandel, 1982; Taylor, 1989).

Countries such as Japan and South Korea are currently experiencing a demographic crisis due to low birth rates (Aulia, 2024). In this context, a philosophical question arises: Is it permissible for the state to encourage or even intervene in the reproductive decisions of its citizens in the national interest?

In the Islamic legal tradition, this can be studied through the *maqasid al-shari'ah* approach. One of the main goals of sharia is *hifz al-nasl* (safeguarding offspring), which can be interpreted as a commitment to the sustainability of the *ummah*. However, the principle of *maqasid* also makes room for emergency conditions (*darurah*) and urgent needs (*hajjah*), which allows for legal leniency based on certain situations (Auda, 2008). In the study of sociology and anthropology, the phenomenon of childfree is understood not solely as the result of personal decisions, but as a social construct. Some of the factors that affect it include:

First, Urbanization and Individualism. Modern urban life is shaping a more competitive and individualistic lifestyle. Children are often perceived as a burden on time and economy. Second, changes in gender roles. As more and more women are highly educated and have careers, there is a conflict between traditional roles as mothers and the desire for self-actualization. Inequality in the domestic burden is the cause of child-free decisions, especially among women. Third, economic pressure. The high cost of living, education, and child care has led many couples to postpone or refuse to have children. Fourth, Cultural and Media Influence. Popular media often portrays children's free lifestyle as a modern and successful choice, influencing public perception of the role of parents. And social response. In Indonesia, childfree is still gaining resistance, but the urban youth are beginning to accept it as an expression of individual freedom.

In Islam, marriage (*an-nikah*) has the main function of safeguarding offspring (*hifz al-nasl*), which is one of the five main purposes of sharia (*al-maqasid al-khamsah*) (Auda, 2008). Therefore, the decision to have no children permanently (absolute childfree) is generally seen as deviating from the wisdom of marriage as affirmed by classical jurists such as Imam al-Ghazali (Al-Ghazali, n.d.), Imam al-Nawawī, and Ibn Qudamah. They emphasized that having offspring is a form of perfecting the *maqasid* of marriage and religious commandments to multiply the people of the Prophet Muhammad SAW.

However, in practice, *fiqh* also recognizes the concepts of *rukhsah* (dispensation) and *ta'lil al-ahkam* (rationalization of law), which allow exceptions under certain conditions. Contemporary scholars such as Yusuf al-Qaradawī and Wahbah al-Zuhayli have stated that childfree is permissible if it is based on *shari'a* reasons such as severe medical risk, serious psychological trauma, or very difficult economic conditions, as long as the decision is agreed upon by both partners and does not contain an element of total rejection of the divine role in creating life (al-Qaradāwī, 1992; al-Zuhayli, 2000). This approach places *maslahat* (benefit) as the main consideration in establishing the law.

Furthermore, the childfree option can also be analyzed with *fiqhiyyah* rules such as:

الضَّرُورَاتُ تُبَيِّحُ الْمَحْظُورَاتِ

A state of emergency allows for the prohibited (al-Zuhaylī, 2006).

يُرْتَكَبُ الضَّرَرُ الصَّغِيرُ لِقَاءِ الضَّرَرِ الْكَبِيرِ

Smaller hazards can be chosen to avoid larger hazards (al-Zuhaylī, 2006).

The application of the two principles of fiqh above can provide a basis for assessing childfree decisions (choosing not to have children) in various situations. The first rule, "al-emergencyu tubihu al-mahzurat", states that in an emergency, things that are generally prohibited can be allowed to prevent greater harm. In a childfree context, if a couple chooses not to have children for harmful health reasons, such as a very high risk to the mother's health during pregnancy, then the decision can be justified. For example, if a wife has a history of heart disease or a medical condition that makes pregnancy a threat to her life, then choosing to be childfree can be considered a solution to keep her life safe. This decision can be seen as the application of emergency rules that allow actions that are normally prohibited to prevent greater danger to a person's life.

The second rule, "yurtaqab al-darar al-aşghar li daf'i al-darar al-akbar", allows one to choose a small harm to avoid a larger one. In the case of childfree, although having children is considered an important goal in marriage in Islam, having children can be considered a minor harm when compared to a greater disadvantage, such as severe economic hardship or a strained family life. For example, couples who live in areas with high levels of poverty and lack of resources may choose to be childfree so as not to add to the burden on their families. This decision, although it may be considered a disadvantage in terms of offspring, is acceptable because it is considered better than forcing the birth of a child whose basic needs cannot be met, which can worsen the conditions of family life. In this case, this rule justifies taking steps that are considered minor harms to prevent more detrimental impacts on families and communities.

These two principles provide a flexible legal framework for dealing with the childfree phenomenon in a broader context. The decision not to have children, if it is based on legitimate reasons and emergency conditions such as health or economic stress, is not contrary to Sharia principles as long as it does not cause greater damage. As a result, the application of these two principles in the assessment of childfree law provides space for Muslims to make decisions based on the benefits and practical needs of their lives. Therefore, childfreedom in Islamic law cannot be directly categorized as absolutely haram, but is very contextual and depends on the intention, condition of the partner, and consideration of his or her maslahat-mafsadat.

Furthermore, from the perspective of Islamic family law philosophy, marriage examines marriage not just as a social contract, but as a moral and spiritual institution oriented to the values of divinity, humanity, and welfare (Rofiq, 2001). In this perspective, the childfree decision is not enough to be judged only from the formal legal aspect (hukm), but needs to be examined from the ontological and teleological value of marriage itself.

Marriage in Islam aims to form a family that is sakinah (calm), mawaddah (full of love), and rahmah (affection). The child, as a result of this bond, is part of the existential meaning and continuity of human nature. Therefore, Islamic philosophy of family law considers that the choice to live childless must consider the extent to which it is in harmony with the nature of marriage as a misāq ghalīz (great covenant), not just a biological or administrative contract

(Rofiq, 2001). However, dynamic Islamic legal thinking opens up the ijtihad space to respond to the changing times. Childfree decisions can be interpreted as a form of moral responsibility when taken based on deep, rational, and spiritual considerations, not just hedonism or irrational fear. This is where the philosophy of Islamic family law plays an important role in not only maintaining the ideality of norms but also recognizing the complexity of contemporary human reality.

Thus, childfree does not automatically contradict the philosophy of Islamic family law, as long as the choice is born out of a deep process of ethical, sharia, and spiritual consideration, not simply following momentary social trends or pressures.

The Convergence of Pros and Cons of Childfree Law in an Islamic Perspective

The phenomenon of childfree, or the choice not to have children, has sparked significant debates both socially and religiously, especially in the context of Islamic law. Although there are differing opinions on whether or not childfreedom is permissible in Islam, there are common points or convergences that can be found on both sides of the pros and cons. This convergence focuses on the importance of intention, legitimate reasons, and the relevance of context in making those decisions.

For those who support childfree decisions from an Islamic perspective, argued that Islam provides space for its people to organize their lives by taking into account personal and family interests. This group considers that al-emergencyu tubihu al-mahzurat (emergency allows the forbidden) can be applied if the child-free decision is taken for legitimate reasons, such as dangerous maternal health problems, extreme economic limitations, or other valid social reasons. In this regard, scholars such as Yusuf al-Qaradawi and Wahbah al-Zuhayli have given a more flexible view. The group suggests that if the decision not to have children is based on reasons that do not conflict with Sharia principles, such as maintaining the health or well-being of the family, then it may be permissible.

From this perspective, the childfree decision is considered a legitimate option as long as it does not lead to greater harm or harm, and is made with full consideration of benefits. For example, in situations where couples feel incapable of providing a proper education or ensuring their children's basic needs, the decision to be childfree is seen as a wise move.

On the other hand, most classical fuqaha and many contemporary scholars consider that having children is an integral part of the purpose of marriage in Islam. Marriage, in their view, is not only seen as a bond between husband and wife, but also as a way to continue offspring and maintain *ḥifẓ al-nasl* (safeguarding offspring), which is one of the main purposes of the sharia maqashid. Therefore, they argue that choosing not to have children permanently goes against the wisdom and purpose of marriage that has been established in religion.

However, although many scholars oppose childfreedom, they remain open to the possibility of exceptions in emergencies that justify such actions, as stipulated in the rules of *yurtaqab al-ḍarar al-aṣghar li daf'i al-ḍarar al-akbar* (taking small harm to avoid greater harm). If the reason for childfree is based on circumstances that are harmful or cause greater harm, such as the mother's health problems or the inability to provide adequate care, then this is acceptable in the Sharia view.

The common point between the pros and cons of childfreedom in Islamic law lies in the

contextual and beneficial approach. Both sides agree that the childfree decision cannot be viewed in black and white, but rather needs to consider the context, intention, and reasons behind the decision. For example, if a childfree decision is taken to protect the safety of the mother's life or to protect the welfare of the larger family, then the decision is acceptable based on the rules of fiqh that allow measures aimed at preventing greater damage.

In addition, there is also agreement among those who support and oppose childfree that the purpose of marriage in Islam must still be maintained, namely, forming a harmonious family and taking care of offspring, but by taking into account the benefits and real conditions faced by the couple. Therefore, a childfree decision can be accepted in an emergency or if there is a valid reason, as explained in the two rules of fiqh above.

Thus, despite sharp differences of opinion regarding the law, convergence between the pro and con parties can be achieved within the framework of benefits and fiqh rules that prioritize the prevention of greater harm. This approach emphasizes the importance of rational decisions, based on practical needs, and carried out with full consideration to safeguard the welfare of the family without violating the basic principles of Islamic teachings.

Contribution of Ideas: Conditional and Time-Limited Childfree as a Middle Way

The contemporary Islamic legal discourse on childfreedom presents two different poles of view: one rejects it outright because it is considered contrary to *maqāṣid al-sharī'ah*, especially *ḥifz al-nasl*, while the other allows it on the condition that there are strong reasons such as medical, economic, or social factors. To balance individual freedom and social responsibility, researchers offer a middle ground approach (*wasatiyyah*): childfreedom can be allowed on the condition that it is temporary and remains within the corridor of *maqāṣid al-sharī'ah*, even if it is not based on emergency reasons such as medical or economic. Because in the Islamic view, marriage is not only intended to produce offspring, but also as a means of *istimtā'*, which is to enjoy the tranquility, love, and togetherness of the couple. Thus, if a couple chooses to enjoy the marriage period more intimately without having children at the beginning of the marriage, the choice is still in line with one of the *maqṣad* of marriage, namely the tranquility (*sakinah*) and enjoyment of married life.

Childfree with a limited time is positioned as part of the couple's right to enjoy marriage as a form of *istimtā'*, as long as they do not reject God's role as the Giver of Life (*al-Muhyi*). Childfree with limited time, does not require health or economic reasons, but rather the agreement of the couple to enjoy a marriage with spiritual and emotional qualities first.

This idea exists as a form of response to the dynamics of modern society that prioritizes personal freedom, but remains within the framework of *maqāṣid al-sharī'ah*. By placing childfree with limited time as a temporary option, Muslims can have spiritually and emotionally meaningful marriages without rushing, while maintaining a commitment to generational sustainability.

4. Conclusion

The childfree phenomenon is related to individual freedom and social responsibility. In Islamic law, the decision not to have children must be seen from the perspective of Sharia

purposes, especially taking care of offspring. However, if there are legitimate reasons, such as health or economics, Islam leaves room for consideration. Sociologically, many couples choose to be childfree in response to social and economic pressures. In Islam, childfree is not directly haram, but depends on the intention and reason underlying the decision. A wise approach is to consider the benefits and conditions of the partner. Researchers propose a conditional and time-limited child-free approach, which allows couples to delay having children to strengthen the marital relationship without neglecting the primary purpose of marriage in Islam. This approach is expected to provide solutions that are by the values of maqasid al-shari'ah in facing modern reality.

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