

Child-free Lifestyle in Muslim Societies: A Review of Islamic Law and Indonesian *Kiai* Figures Perspective

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Abstract

The decision of a husband and wife not to have children caused a polemic in Indonesian society because it was suspected that it violated the prevailing norms, cultural values and religious teachings. At the same time, this trend began to develop in Indonesia after the recognition of several public figures who decided to be child-free. This study aimed to find out how the process of the spread of a child-free culture and prevention of pregnancy that occurs in the community and how the provisions of Islamic law and policies as well as counter the *kiai* leaders of the Tebuireng Islamic Boarding School in responding to the child-free phenomenon. The type of this research is descriptive field research using a phenomenological approach. Primary data sources were obtained through interviews and documentation of child-free actors and *kiai* figures from the Tebuireng Islamic Boarding School and supported by secondary data in the form of written literature or scientific works. The results of this study explain that child-free couples or individuals have various motives and methods of preventing pregnancy. *Kiai* leaders of the Tebuireng Islamic Boarding School and the provisions of Islamic law are of the view that the law of a child-free lifestyle is *makrūh* and cannot benefit from marriage '*tark al-afdal*' because it is considered contrary to *maqāṣid al-syarī'ah* 'the purpose of sharia', *maqāṣid al-nikāh* 'purpose of marriage', and the *fiṭrah* or nature offspring.

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INTRODUCTION

The decision by a married couple not to have children, commonly referred to as the child-free trend, is a topic of discussion in both social media and public forums (Usman et al., 2023). Choosing a child-free lifestyle gained attention following a statement made by YouTuber GS Devi. In her public declaration, Devi cited various reasons for her decision, such as financial, cultural, educational, and health factors, all based on her personal experiences (Devi, 2018). Cinta Laura Kiehl, a well-known figure of mixed race and a Columbia University graduate majoring in Psychology and German Literature, recently shared her decision to live a child-free lifestyle (Nurjannah, 2023). During an appearance on The Hermansyah A6's YouTube channel, Kiehl stated that her choice was based on concerns about overpopulation. She believes that adopting abandoned children is a better alternative than adding to the population density of the earth by giving birth to more children (LauraKiehl, 2021).

There has been a popular argument in Indonesia promoting a child-free lifestyle, but it has been met with opposition from religious groups. One of the religious leaders who disagreed with the child-free movement was Yahya Zainul Ma'arif, also known as Buya Yahya. Buya Yahya is a respected figure in the Al-Bahjah Muslim community in Cirebon and has a large following in Indonesia (Widyasari & Hidayat, 2022). On the Al-Bahjah TV YouTube channel, he shared his belief that rejecting having children goes against human nature. He also expressed concern for those who choose to live a child-free lifestyle, stating that they should be pitied, prayed for, and reminded that it goes against human nature (Ma'arif, 2002).

Child-free is not a new idea or trend, and this phenomenon has long emerged and developed in many Western countries (Bicharova et al., 2015). According to Agrillo and Nelini, the term

child-free was initially used in 1972 by the National Organization for Non-Parents (Agrillo & Nelini, 2008). Child-free is an option that can be taken by couples who do not want to have children, this symptom continues to increase from year to year, so one of the effects is that the number of babies born in the West continues to decline.

In America, the percentage of women who have not given birth by their 40s has nearly doubled since 1967, while 10% of women have never given birth by their 40s (Agrillo & Nelini, 2008). In England, it is estimated that as many as 25% of women born in 1973 would not have children. This data is contained in an article published in 2003 entitled "Child-free and Feminime: Understanding the Gender Identity of Voluntarily Childless Women". This data means that as many as 25% of women aged 30 years in England plan not to have children (Gillespie, 2003). Studies conducted by Rosemary Gillespie show that more and more women in England and the United States refuse to become mothers and choose a child-free lifestyle (Gillespie, 2003). Frejka in his research about "Childlessness in the United States", he stated, "Childlessness has attracted considerable attention because it doubled between the mid-1970s and the mid-2000s, from 10 to about 20 per cent" (Frejka, 2017).

The choice of a couple not to have children in Indonesia has sparked controversy and become a topic of conversation, as it is considered quite surprising (Tracy Harkison, Nigel Hemmington, 2019). According to Oktafriani and Abidin the child-free trend is irrelevant in Indonesia due to the country's strong pronatalist culture. This culture emphasizes the importance of having children within a marriage, making the phenomenon a debate among Indonesians, who are known for their religious beliefs and adherence to cultural norms (Oktafriani & Abidin, 2021). In Islam, getting married and having children is a goal in a religion with merit value (Faishol, Imam & Ilham, 2022). M. Hasyim Asy'ari in the book *Ḍau al-Miṣbāḥ fī Bayāni Aḥkāmi al-Nikāḥ*, cites al-Nawawi's opinion that the purpose of marriage is obedience, specifically following the *sunnah* of the Prophet, having descendants, and taking care of oneself. Apart from being obedient, he added that it is recommended for Muslim men to marry women who have the characteristics of *al-walūd* 'fertile, so they can have many children' and *al-wadūd* 'loving' (Asy'ari, n.d.).

According to Hasan al-Sayyid Hamid Khitab, marriage has several goals and purposes, i.e. having children, increasing the number of descendants of Prophet Muhammad, protecting one's genitalia, and safeguarding one's lineage (Khitab, 2009). The social impact: as a Muslim woman, she will be faced with questions from society regarding her decision, such as asking when she will have children and how many children or asking why she does not want to have children because, according to Muslim society having children is a recommendation religion. Meanwhile, for health impacts, women who are married or not but choose not to have children are both at biological risk (Peterson, 2015). According to him, the most considerable risk is tumours and uterine cancer. This opinion is in line with the news on the cancer.com page, which states that people with uterine tumours are more likely to suffer from nullparity (not having children or having one child). Likewise with tumors, while breast cancer is more common in women who do not breast feed (Asmaret, 2023).

The above description explains why the decision not to have children, also known as the child-free phenomenon, is a topic of public discussion. This decision may go against societal norms and cultural values, particularly religious ones (Chauhan et al., 2021). Therefore, it is essential to conduct research on this topic to provide a reference for individuals in Indonesia with Eastern culture, particularly for Muslim communities, who may be considering this decision after marriage. In recent years, various research studies have delved into the intriguing dynamics surrounding child-free lifestyle choices and their societal implications. These studies offer valuable insights into the psychological, sociocultural, and legal dimensions of child-free living, the factors influencing family planning decisions and the impact of Islamic teachings on parenting and marriage.

The article entitled "Child-free Problems and Their Solutions from An Islamic Perspective," authored by Nailis Shofita, Raushani Azza, and Syahrozad Khunaifah delves into the contemporary discourse surrounding the child-free phenomenon, a topic gaining traction in Indonesia (Shofita et

al., 2021). This research seeks to address the numerous questions arising from the pros and cons of the child-free lifestyle, with a specific focus on Islam's response to this evolving societal trend. By utilizing the Library Research method and adopting a qualitative research approach, the study draws upon the rich Islamic traditions in the Qur'an and Hadith to explore the problems associated with child-free decisions and propose solutions from an Islamic viewpoint. Within the framework of Islamic teachings, the study uncovers that the choice of married couples to live a child-free life is perceived as contradictory to the natural order. Considering children as a divine blessing and an integral aspect of human nature, Islam offers insights into the implications of such a lifestyle choice. Furthermore, the research sheds light on Islamic arguments emphasizing the paramount importance of children within the family structure, presenting a comprehensive perspective on the child-free phenomenon. By examining the Qur'an and hadith discussions surrounding these issues, this study contributes valuable insights that can guide individuals and communities in navigating the complexities of child-free choice while staying aligned with Islamic principles.

The article authored by Citra Widyasari and Taufiq Hidayat explores the contemporary term "child-free," which has gained popularity in the 21st century, not only in developed nations but also in developing countries like Indonesia. The study aims to provide a comprehensive examination of the child-free phenomenon from various perspectives and to establish its legal boundaries within the framework of Islamic principles, employing the *maṣlaḥah mursalah* theory (Widyasari & Hidayat, 2022). Conducted as library research, the study relies on secondary data, including literature related to Child-free and the *maṣlaḥah mursalah* theory. The research findings shed light on the motivations behind choosing a child-free lifestyle, predominantly influenced by career aspirations, the desire for a solitary life with a partner, and financial considerations. Applying Imām Al-Gazālī's concept of *al-Darūriyāt*, the study concludes that these reasons do not align with the criteria of *maṣlaḥah darūriyāt*, suggesting they are not deemed essential. In contrast, both the Qur'an and hadith strongly advocate for the importance of having children, aligning with the principles of *syara'* or Islamic law. Consequently, the research categorizes the decision to abstain from having children, as seen in the case of child-free choices, as contradicting the will of *syara'*. It labels it as *makrūh*, indicating a discouraged action in Islamic law. This research provides a nuanced understanding of the motivations behind the child-free phenomenon. It contributes valuable insights into the legal and ethical dimensions of such choices within the context of Islamic teachings.

Further research conducted by Ahmadrezy Meidina and Mega Puspita. They investigate the contemporary phenomenon of child-free practices in Indonesia (Meidina & Puspita, 2023). The term "child-free" denotes a mutual agreement between spouses to abstain from having children during their marriage, a practice that remains largely taboo in Indonesian society despite gaining acceptance, particularly among the upper elite. The study is motivated by the intriguing contrast between child-free choices and the foundational purpose of marriage, which, in Islamic principles, involves the joy of biological relations through having children. This research, conducted through qualitative methods focusing on field research, seeks to unravel the views and responses of Islamic organizations in Kebumen, Indonesia, regarding the child-free phenomenon. The study unveils a spectrum of societal opinions, where some individuals endorse child-free practices while others dissent. Child-free choices are also explored in connection with radical feminism, adding a nuanced layer to the discussion. The research further engages with prominent Islamic organizations in Kebumen, including Nahdlatul Ulama, Muhammadiyah, Indonesian Islamic Da'wah Institute, and Hidayatullah. Collectively, these organizations assert that child-free practices deviate from the natural order as outlined in the Qur'an, Hadith, and the inherent purpose of marriage. This research contributes to understanding the ongoing discourse surrounding child-free practices in Indonesia. It not only highlights the diverse perspectives within society but also underscores the firm positions taken by Islamic organizations, emphasizing the perceived misalignment of child-free choices with Islamic teachings. The study thus navigates the complex intersection of societal norms, personal decisions, and religious principles, providing valuable insights into a phenomenon that challenges traditional expectations surrounding marriage and family life in Indonesia.

The research with the theme “Child-free and the Position of Children from an Islam Perspective in Indonesia” explains that in the context of human life, humans will be faced with two elements of life, namely personal affairs (personality) and environmental or social affairs (Society). These two elements are interconnected, and communal agreement about social life needs to exist. In marriage, it is human nature to run a home life, and the fulfilment of the *fiṭrah* of a household is to have children (Usman et al., 2023). From the perspective of the position of children in Islam, researchers argue that the concept of child-free is not following the Islamic lifestyle. Researchers concluded that the idea of being child-free would not be following teachings. In Islam, there are many contradictory things, including having children is human nature and its essence. The happiness of parents is having children, having children and educating them well, including the sunnah; there are many arguments from the Qur’an and hadith that recommend it have children, children bring sustenance with Allah’s permission, children are the source of happiness that will care for and protect us in the future, children are the most valuable thing “*’amal jāriyah*” who will pray for us if we die in the end.

Dania Nalisa and Syaifuddin Zuhdi researched to determine the perspective of human rights and *maqāṣid al-syarī’ah* on the growth of the child-free phenomenon in Indonesia. Their research uses empirical or field methods, with primary data obtained from distributed online questionnaires to 62 respondents received through random sampling. Respondent criteria are Indonesian citizens, Muslim, and aged 18-30 years. The results of this research show that the millennial generation in Indonesia considers child-free as a phenomenon of married couples who do not want to have children. The millennial generation who supports the child-free phenomenon amounts to 60% of the total number of respondents because the choice to practice child-free is the human right of every individual. As many as 56% of respondents believed that A person’s decision not to have children does not conflict with Islamic teachings (Indah & Zuhdi, 2022). The results of this research can provide considerations to the government and authorized institutions in carrying out development preventive efforts so that phenomena that are contrary to Islamic teachings can be adequately controlled negative impacts can be reduced, because this is different from the concept of *maqāṣid al-syarī’ah* which is the goal of Islam a law that has one goal, namely preserving offspring, which is a direct command from God to humans and from a human rights perspective, The concept of child-free is highly protected, because it relates to individual rights, especially rights related to human rights ownership of children.

As for looking at society’s reality regarding the child-free lifestyle, Nurjanah and Iffatin Nur, see the child-free phenomenon as a fundamental problem of cultural shifts in the contemporary era and also as a phenomenon that is different from the norm in society in general, it seems that it has brought about a change that must be answered from the perspective of religion, Islamic law and the reality of society. This phenomenon is because, so far, the position of children in religion, law, and the fact of humanity is a group that must be protected (Nurjanah & Nur, 2022). In their research entitled “Child-free: between the Sacredness of Religion, Law and The Reality of Society”, child-free is a phenomenon caused by the reality of contemporary society with a specific objective. Child-free is done to get some things that might be hampered when someone has a child. Also, practically, families (especially women) who choose child-free will experience negative impacts. On this impact, prevention and consideration of harm is a must in the discourse of Islamic law studies.

This article offers a fresh perspective and insights into the child-free phenomenon within Muslim societies, particularly in Indonesia. This study investigates the spread of child-free culture, the prevention of pregnancy, and the responses of Islamic leaders, specifically the *kiai* figures of the Tebuireng Islamic boarding school, to this phenomenon. While the previous research primarily focused on various aspects of child-free lifestyles, this study uniquely examines the child-free trend with Islamic law and the responses of influential Islamic leaders. It delves into the motivations and methods employed by child-free couples or individuals to prevent pregnancy, shedding light on the complexities of this choice. The research contributes to a deeper understanding of how the child-free lifestyle is perceived within an Islamic context. It explores the compatibility of child-free

choices with Islamic law, offering insights into the makruh perspective and the potential contradictions with maqashid al-syariah, maqashid al-nikah, and the fitrah of descent. This study expands our knowledge of the child-free phenomenon. It offers valuable information on how Islamic leaders and institutions respond to societal trends that challenge established norms and cultural values. Bringing together elements of cultural and religious considerations provides a unique perspective on the child-free lifestyle in a Muslim society, ultimately contributing to a more comprehensive understanding of this complex and evolving phenomenon.

METHODS

This study utilized a phenomenological approach in religious studies to address the issues described (Alhazmi & Kaufmann, 2022). It involved field research, where data was collected on-site. Qualitative data was used, primarily through interviews and documentation of child-free practitioners from diverse backgrounds and *kiai* figures at the Tebuireng Islamic Boarding School with expertise in various scientific fields. Secondary data from written literature and scientific work also supported the study (Jamali, 2018).

The informants in this research were taken from four child-free practitioners in the Indonesian Child-free community. They range in age from around 20 to 40 years. The period required to conduct this research is approximately one month. Generally, the recommended criteria are for child-free activists or practitioners who are single or married. Meanwhile, the *kiai* leaders of the Tebuireng Islamic Boarding School, whose statements the authors managed to get in response to the child-free phenomenon are listed in the table 1.

Table 1. Experts in the Field of Islamic Law

No	Name	Age	Identity
1	Musta'in Syafi'ie	64	A Lecturer at Hasyim Asy'ari University
2	Ahmad Roziqi	36	The Rector <i>Ma'had 'Aly</i> Hasyim Asy'ari and member of the Fatwa omission of PCNU in East Java
3	Ahmad 'Ubady Hasbillah	35	A lecturer at Hasyim Asy'ari University and Head of <i>Ma'had Jāmi'ah</i> Hasyim Asy'ari University
4	Mohammad Mahfud Ali Amari Syaroni	45	A teacher at the Tebuireng Islamic boarding school, lecturer at <i>Ma'had Ali</i> Hasyim Asy'ari, and Chair of <i>Tanfidziyah</i> and Zakat Management of PCNU in East Java
5	Taufiqurrahman Muhith	65	A Head of the Sunan Ampel Jombang Islamic boarding school, a lecturer at <i>Ma'had 'Aly</i> Hasyim Asy'ari, and a member of the <i>Mustasyar</i> of PCNU in Jombang.

Then data collection was obtained by conducting in-depth interviews (in-depth semi-structured) to acquire detailed information regarding the respondent's point of view regarding the family perspective that is constructed in their life and how to respond to the child-free phenomenon that is currently spreading (Friesen, 2023). Interviews are considered capable of providing new insights that may not yet be visible in the social reality of society. In this study, researchers will contact respondents via WhatsApp telephone or face-to-face meetings online via Google Meet. This was done because the respondent's position could not be reached by the researcher directly, so it needed an intermediary via telecommunications media to carry out the interview.

This research clearly describes the life experiences experienced by several child-free individuals or couples regarding their factors and motives and their ways of preventing pregnancy

in a child-free lifestyle, and how the clerics of the Tebuireng Islamic Boarding School respond and respond to this phenomenon and how Islamic law provisions related to this phenomenon.

RESULTS AND DISCUSSION

Islamic Law Provisions on the Child-free Phenomenon

Position of Children in Islamic Families

Marriage in Islam serves a multifaceted purpose. It aims to meet individuals' physical and spiritual needs while also forming a family unit. Additionally, marriage helps to maintain stability and prevents adultery, ultimately fostering peace and harmony within the soul, family, and society (Syahuri, 2019).

Imām Abū al-Hāmid al-Gazālī in his book, *Ihyā 'Ulūm al-Dīn*, describes at least five benefits and advantages in marriage, as follows:

Marriage can have both advantages and disadvantages. Getting married has five benefits: having children, controlling lust, managing household responsibilities, continuing family lineage, and gaining merits from supporting one's family (Al-Ghazali, 2010).

According to Imām al-Gazālī, having children is the most crucial benefit among the five main benefits. It is considered the ultimate benefit because it allows for the establishment of descendants and ensures that the world is not devoid of this type of human being (Al-Ghazali, 2010). Imām al-Gazālī also believes that having children is a form of *qurbah* or worship for four reasons. Firstly, by propagating descendants, one is adjusting to Allah's love. Secondly, multiplying descendants is a way of hoping for the love of the Prophet. Thirdly, pious children's prayers bring blessings. Lastly, parents can ask for intercession from children who died before them. The four reasons mentioned by Imām al-Gazālī above show that having children is a form of *qurbah* (worship: approaching oneself to Allah) and includes the afterlife deeds worth rewarding. In addition, the presence of children brings priority and benefits to both parents and the society.

Advice to Have Descendant in Islam

Having children is a dream for most married couples. Having children is a virtue that has many benefits, according to religion and society. Islam encourages to have or multiply children. This suggestion was emphasized directly by the Prophet in his words.

Narrated from Anas, he said: "The Prophet sallallaahu 'alaihi wasallam ordered marriage and strictly forbade celibacy. Rasulullah peace upon him said, "Marry women who are loving and very prolific because I shall outnumber the peoples by you to the prophets on the Day of Resurrection" (Baihaqi, 1994).

Imām al-Gazālī said if a man had a child like that, then he would get the merit of *tasabbub* or have become the cause of the child's existence. According to Imām al-Gazālī, this hadith is recommended to have children. While in the second hadith related to the editorial, "then it is not included in my group", the meaning is that it is not following the recommendations of the *sunnah* and the way of the prophet, specifically by having children and making more critical charitable choices.

Child-free Factors and Motives in an Islamic Perspective

A diverse group of couples choose to be child-free and have various reasons for their decision (Neal & Neal, 2021). Some may have economic or financial concerns as they worry about the challenges of raising children. Others may be concerned about the impact it could have on their children's future or the potential risks to their own health during pregnancy. Childhood trauma or concerns about overpopulation may also contribute to their decision (Bicharova et al., 2015).

From the details of Imām al-Gazālī's statement, it can be seen that the child-free law has various motives. If someone decides to be child-free for several reasons, such as (1) economic or financial factors, (2) prioritizing a career, (3) concerns about proper child care or fear of causing harm in the future, (4) social considerations such as adopting rather than having more children, or (5) concerns about overpopulation, then from a religious point of view it is not forbidden, but only *tark al-afdal*.

However, in the al-Azhar fatawa, it is explained that if the motive for preventing pregnancy can negate *maqāṣid al-nikāh* and for reasons that are not permitted by the Sharia, such as fear of falling into poverty because of many children, then these are not permissible. However, if there is an emergency excuse, such as a fear of giving birth to a child, then it is acceptable.

However, in terms of financial motives, there is a notable provision. Suppose someone worry that they will be bothered to pursue world affairs to support the children and worry that they will fall into the unlawful and also worry that they will be negligent in matters of religion. In that case, this motive is not prohibited. However, suppose someone chooses to be child-free with the belief that having children can make their difficult and poor. In that case, this kind of motive is not permissible because they have a prejudice against Allah, the almighty giver of sustenance. In contrast, if the motive is due to having wrong beliefs about having children, such as (1) looking down on female children, (2) anti-natalism, a belief that procreation is an immoral practice that has been handed down from one generation to the next, (3) feminism or views women as entitled to the birth of children so that she forbid herself to give birth to children, then married couples who decide to be child-free with these motives become *ḥarām*.

Prevention of Pregnancy in an Islamic Perspective

Couples who decide to choose a child-free lifestyle take various ways to prevent pregnancy. The methods used are varied. Some use natural or unnatural methods, such as using drugs or tools. It can be permanent or temporary. From this behavior then, Islam can respond and formulate how to convict the methods used by child-free couples in preventing pregnancy.

‘azl (spilling sperm outside the vagina)

‘Azl is a term in which the husband removes *ḥakam* ‘penis’ from the wife’s *farj* ‘vagina’ and spills sperm outside the vagina during ejaculation to prevent pregnancy (Sabiq, 2009). This could be done because they want to prevent pregnancy (conception), or considering other factors, such as worrying about the wife’s health, fetus or child who is breastfeeding. Doing ‘azl to prevent fertilization or pregnancy temporarily because of a commitment not to have children and there are no *uḥur syar’i* ‘legal reason’ then it can be considered *makrūh*.

using contraceptives

Contraception is a method or tool used to delay or prevent pregnancy, such as using condoms, injections, uterine contraceptives (IUD), birth control pills and so on (Blackstone & Stewart, 2012). Prevention of using these tools or drugs is temporary, and some are permanent. Because of its function to prevent pregnancy, contraception is one of the methods used by child-free couples to help prevent pregnancy (Mui & Costescu, 2021). In response to the method used by child-free teams, the ulema formulates the nature of this prevention, whether permanently or temporarily delaying pregnancy (Ar Rasyid, 2023).

The law on using tools or drugs to prevent pregnancy can be specified. If it is temporary, then the law is *makrūh*, and it is permissible if there are *uḥur syar’i* ‘legal reason’, such as worrying about the wife’s health or arranging a birth to take care of a child. However, if the method used can entirely and permanently terminate the pregnancy, then it is coincident to convict it as *ḥarām*.

sterilization or severing genitals

One can refer to the decision made during the 28th NU Conference at PP Al-Munawwir Krapyak Yogyakarta on 26-29 *Rabi'ul Akhīr* 1410 Hijri/25-28 November 1989 AD to address the abovementioned issues. The conference concluded that it is considered *ḥarām* to eliminate the ability to reproduce or have no offspring. The complete findings of the panel are as follows: "It is not allowed to space out births in a way that completely hinders the ability to procreate. Only sterilization methods that do not cause permanent damage or eliminate functioning body parts are permitted, as long as they can be reversed and restore the ability to reproduce." Although the conference covered topics such as vasectomy (a surgical procedure that involves cutting the vas deferens, the tube that transports sperm from the testicles to the urethra, to prevent pregnancy in men) and tubectomy (a procedure that involves blocking the fallopian pipes in a woman's body to prevent fertilization by sperm), terms used in this formulation makes it clear that it is not permissible to completely eliminate the ability to reproduce or pass on hereditary traits (Parker et al., 2022). This description means that creating a law that encourages being child-free by completely shutting off reproductive function is not allowed.

The problem does not end here. Suppose someone needs to decide on a reproductive or sterilization device for medical reasons or in an emergency situation, such as when a woman's obstetrician recommends sterilization to prevent risk to her life. In that case, the law allows for sterilization in such instances (Notes, 2008). In Islam, the rules regarding childless couples and pregnancy termination can be complex. If a method is used that permanently and completely ends a pregnancy, and there is no possibility of restoration, then it is considered *ḥarām*. However, if a technique is used to regulate birth spacing and does not entirely sever the case of birth, then it is considered *makrūh*.

withholding sexual activities

One of a husband's responsibilities towards his wife is to provide materially and emotionally for her. This includes not just financial support but also fulfilling her biological needs and ensuring her happiness (*jimā'*: sexual activity). Child-free couples may choose to avoid sexual intercourse as a method of preventing pregnancy (Casper et al., 2007).

According to Imām Ibn Ḥazm, a husband must provide spiritual support to his wife at least once a month. This opinion is based on Surah Al-Baqarah verse 222, where Allah mentions the obligation for married couples to engage in sexual intercourse at least once a month, taking into consideration a woman's menstrual cycle. In contrast, other scholars argue that the command above shows the law of permissibility based on the rule: "command after prohibition shows *mubāh*" (Al-Syafi'i, 1990).

Imām Syāfi'i believes that the time limit for a husband to return to his wife is four months, aligning with the ruling of Amīr al-Mu'minīn 'Umar ibn Khaṭṭāb. When men went to war and left their wives during the time of 'Umar, it caused great sadness for the wives. In response, 'Umar consulted with Ḥaḥṣah and decided that husbands could go to war for a maximum of four months, after which they must return home to provide maintenance for their wives or divorce them.

Child-free as Ideology Campaign

The child-free lifestyle is becoming increasingly popular and is being promoted as a life principle or ideology in society. Sayyid Muḥammad ibn 'Alwi al-Māliki differentiated between choosing not to have children for personal reasons and promoting it as a societal ideology. If a couple decides to delay pregnancy or not have children at all for personal reasons or *ḍarūriyah syakhṣiyyah*, Sayyid Muḥammad did not see it as a problem as long as it is acceptable according to Islamic jurisprudence. He referred to a hadith about the Prophet's companions who chose not to have children through *'azl*. However, Sayyid Muḥammad vehemently opposed using child-free as a life principle or ideology *'mabda'*. Of course, to determine whether this is considered an ideology, it must be confirmed to them, because only they know more about their household needs. Are they

delaying pregnancy because they are planning a pregnancy or don't even want to have children at all (child-free) (Piersanti et al., 2021).

According to Sayyid Muḥammad, individuals who are swayed by such notions are essentially displaying their lack of intelligence and strength. If their concern stems from poverty, ignorance, and public health problems, they should channel their energy and intellect towards finding solutions to overcome them.

Sayyid Muḥammad believes that hereditary restrictions, or *taḥdīdu al-nasl*, are unacceptable as a life principle. However, it is acceptable personally, similar to being child-free. Both ideas reject having children, but being child-free is worse than *taḥdīdu al-nasl*. This is because *taḥdīdu al-nasl* only limits the number of offspring, while being child-free involves leaving the idea of having children and even taking steps to prevent reproduction, which goes against Islamic law.

Anti-marriage attitudes or beliefs are prohibited by Islam and are even considered to be part of a kind of *kufṛ*. Al-Ḥāfiẓ Ibn Hajar said:

If a person's reluctance to marry is due to turning away and breaking away from marriage which leads to a belief in the superiority of his choice of attitude over the marriage law, then the meaning of 'not belonging to my group' in the words of the Prophet peace upon him is not in my religion. Because such belief is a type of disbelief (Al-'Asqalani, n.d.)

Based on the information provided, it can be concluded that limiting or restricting the passing on of heredity traits is considered a fundamental principle of a particular ideology '*mabda*', and promoting such an ideology is prohibited. Similarly, advocating for child-free lifestyles as a life principle or ideology and persuading others to follow it is not permissible.

Analysis of the Child-free Lifestyle

Analysis of Child-free Motives according to Child-free actors and the Views of Tebuireng's Kiai Figures

From an Islamic perspective, choosing not to have children is seen as contradictory to the teachings and beliefs of the religion (Wennberg, 2020). This phenomenon is because Islam promotes marriage to satisfy one's biological needs and ensure the continuation of future generations (Höglund & Hildingsson, 2022).

It is essential to approach the decision of individuals to remain child-free with sensitivity and understanding. We must examine their reasons for choosing this lifestyle and how they prevent pregnancy. By doing so, we can gain insight into how Islamic law views this choice and the response from *kiai* figures from Tebuireng Islamic boarding school. Couples or individuals who choose to be child-free are motivated by various factors, such as personal beliefs and circumstances (Muhammad Zainuddin Sunarto & Lutfatul Imamah, 2023). These motivations can be gleaned from the personal accounts of those who chose. For example, AW and her spouse have decided to delay having children due to their busy work schedules.

Additionally, AW's social circle has influenced her decision to remain child-free, leading her to believe that parenthood is a choice that should be carefully considered rather than a necessity. ZF is a teacher who, along with her husband, has chosen to live a child-free lifestyle. They believe that becoming a parent requires careful consideration, mental readiness, and the ability to provide their children a good quality of life in terms of care and education. YZ is an active advocate for a child-free lifestyle on social media. The trauma of her past life influenced her to support and choose this lifestyle. Similarly, WW, a student, actively participates in the child-free community because of the trauma she experienced during her childhood.

When it comes to the reasons behind choosing a child-free lifestyle, *Kiai* Musta'in believes that it doesn't hold the same importance and *fadilah* as marriage. He views it as a decision driven by strong emotions, self-centeredness, and temporary pleasure-seeking. *Kiai* Ubaidy believes that certain factors and motives, like prioritizing careers, the anti-overpopulation movement, and

feminism, are influenced by Western culture. However, he argues that these reasons go against human nature, which is determined by inheritance. *Kiai* Ubaidy assessed the disrepute of this phenomenon from that point. However, based on trauma, according to *Kiai* Ubaidy it can still be tolerated because trauma is a disease that needs to be treated.

Kiai Roziqi, *Kiai* Amari, and *Kiai* Taufiqurrahman believe that choosing not to have children goes against human nature, which they call *khilāf al-fītrah*. Still, they also believe that punishing individuals for this choice can not be done directly. Additionally, it is essential to consider the methods child-free individuals use to prevent pregnancy. However, the *kiai* figures at Tebuireng agree that there are valid medical reasons for not having children.

In Islam, having children is considered a *maqāṣid al-nikāh*, which refers to the purpose and intention of marriage and is a part of *maqāṣid al-syariah* and human nature. Ḥasan al-Sayyid Ḥamid Khitab stated that among the *maqāṣid al-nikāh* are the expectations of having children, multiplying the descendants of the people of the Prophet Muhammad peace upon him, protecting the genitals, and safeguard the lineage. This information makes it clear that having children is included in *maqāṣid al-nikāh*. According to *al-Mausul'ah al-Fiqhiyah al-Kulwaitiyyah*, having children is one of the *maqāṣid al-syariah* and a matter that must be guarded according to religious values (*Al-Islamiyyah*, 1404). In Surah al-Kahf verse 46 and Surah Ali Imran verse 41 implies that children are a part of human nature. Therefore, in the *fatāwa al-Azhar*, it is explained that if the motive for preventing pregnancy violates *maqāṣid al-nikāh* and sharia rules, such as worrying about falling into poverty because of having many children, then this kind of motive is not permissible.

Al-Gazālī believes that the motives for 'azl or rejecting the existence of a child are not illegitimate, only *tark al-aḥdāl* with a note as long as the reason is not due to having wrong beliefs and contradicting Islamic law, such as having an idea that if someone has children, then they'll live in difficult life and poverty because they have a prejudice against Allah who is the giver of sustenance, afraid to have daughters because they look down on women like the ignorant people at that time, have the belief that giving birth is an immoral attitude (antinatalism), and feminism or views women as entitled to the delivery of children so that they forbid themselves from giving birth to children (*Alfa Syahriar, Zahrotun Nafisah, Dhanian Murni Safitri*, 2008).

After considering the explanations provided, it can be inferred that choosing not to have children for the reasons mentioned goes against the teachings of Tebuireng Islamic Boarding School's *kiai* figure and Islamic law. This is because it goes against *maqāṣid al-syariah*, *maqāṣid al-nikāh*, and the nature of heredity. However, it can become permissible with *uḍur syar'i*, such as a medical condition.

Analysis of Ways to Prevent Pregnancy in the View of Tebuireng's Kiai Figures and Islamic Law Perspectives

When addressing married couples who have made the decision to lead a child-free lifestyle, the *kiai* figures of Tebuireng Islamic Boarding School concur that it is essential to understand how couples who have chosen to be child-free prevent pregnancy. According to *Kiai* Musta'in, regarding how to prevent pregnancy in this case, it must be returned to the law of the origin method. If the technique violates Islamic sharia, it is clearly not permissible in Islamic law (*Chauhan et al.*, 2021). *Kiai* Roziqi suggested that further analysis was required to understand the methods and beliefs of the individual in question.

If this method is done only to space out or temporarily delay births, such as 'azl, using *ḥalāl* contraception, or KB, according to him, it is still permissible in Islamic law, as long as it does not change Allah's provisions. However, if child-free couples abort a fetus (abortion), believe that having children is illegitimate, or forbid them self from having sex with their partner, then this is a way that cannot be done and is *ḥarām* in religion. In line with *Kiai* Roziqi's opinion, *Kiai* Ubaidy also added that if someone forbids himself or doesn't want to have sex with his partner and agrees not to do that, it's against nature. If he violates the *fītrah*, he cannot avoid a big sin, an enormous sin. If he falls into adultery, then it is the term *zinā muḥṣan*.

Seeing how they behave is no different from *Kiai* Amari and *Kiai* Taufiq. Is it temporary or permanent? According to the viewpoint of Sheikh Ibrahim al-Bajuri, *Kiai* Amari stated that the child-free law in Islamic law is forbidden if the method used permanently terminates a pregnancy and cannot be reversed. On the other hand, if the technique inhibits or regulates birth spacing without completely severing the birth, then the law is considered *makrūh*.

From the perspective of the *kiai* figures from the Tebuireng Islamic Boarding School and the provisions of Islamic law, the law on how to prevent pregnancy by child-free couples can be broken down as follows: if they use methods that can terminate a pregnancy permanently. It is unlikely that it will be able to be restored without medical reasons or *użur syar'i*, then the law is *ḥarām*. Meanwhile, if they use a method to inhibit or regulate the spacing of births and do not completely interrupt births, then the law is *makrūh*. Regarding medical reasons or *użur syar'i* such as worrying that giving birth will endanger wife's life or there is a deep sense of trauma, in this case it is permissible (Usman et al., 2023).

Policies and Counters of the *Kiai* Figures From Tebuireng Islamic Boarding School

The policy of Tebuireng's *Kiai* Figures in Respond to Child-free Issues

Kiai Musta'in said that the child-free lifestyle is a pure choice. As he said, in the view of Islam, it is a matter of *tark al-aḡḡal*, because they cannot gain benefits and wisdom in marriage on the side of *faḡḡilah* marriage. He considers their decisions due to emotional and ego factors that can change. In the future, they will feel the impact of their choices that do not follow human nature because, according to him, humans are humanistic beings and have ancestral characteristics (Ghodrati, 2023). So, on this basis, he does not judge this child-free case as not allowed in religion (Ar Rasyid, 2023).

Kiai Roziqi stated that determining whether this phenomenon is considered *ḥarām* (forbidden) in religion depends on the motives and methods utilized to prevent pregnancy. It is permissible as long as these motives and methods do not contradict the established law. However, suppose the reasons and ways go against Allah's decrees or prohibit things that are already *ḡalāl* (*taḡrīm mā aḡalallah*) or permit things that have been determined as *ḡarām* (*taḡlīl mā ḡarramallah*). In that case, this phenomenon is not permissible and may even be classified as *kufur*.

Kiai Ubaidy believes that while he considers the underlying principle of this phenomenon to be *makruh*, he still proposes a compromise and a balanced approach for individuals who choose to be childless by adhering to the Family Planning '*Keluarga Berencana*' scheme or spacing out their children's births. He advises against adopting a child-free lifestyle if one does not wish to have many children (*tanāsalu*).

One way to approach family planning is by managing the spacing between childbirths. This approach is commonly referred to as the middle way. The *Keluarga Berencana* policy is considered adequate in this context, as it helps individuals prioritize their careers or other essential aspects of life. By utilizing family planning methods, individuals can ensure that they are not going against their instincts as human beings.

According to *Kiai* Amari, the choice of being child-free among Muslims goes against the principles of *maqāsid al-syariah* and forfeits the benefits of having offspring, such as receiving prayers after passing away and intercession on the Day of Resurrection (Jensen, 2009). He believes that preventing procreation can be done in ways that are permissible under the Sharia, but he opposes permanent methods of ending reproductive function. Instead, he suggests exploring temporary methods or finding an excuse that aligns with *użur syar'i*. If the technique used permanently eliminates the possibility of pregnancy, it is considered *ḡarām*. However, temporary methods are still acceptable but are classified as *makrūh*.

Kiai Taufiq has disagreed with the child-free lifestyle but recognizes that his religious views are not absolute. He suggests considering the circumstances and conditions of those who choose to be child-free before making a final decision. He also believes that Muslims should have children as one of the goals of marriage is *tawallud*, which the Prophet recommends.

After reviewing the policies presented by *kiai* figures at Tebuireng Islamic Boarding School, it can be concluded that the decision to be child-free is not expressly forbidden in religion. However, it is essential to approach this decision thoughtfully and consider the motives and methods used to uphold this principle. Any reason or way that conflicts with religious beliefs is not permissible. To address this issue, *Kiai* Ubaidy suggests that those who object to not having many children consider participating in a Family Planning '*Keluarga Berencana*' program. This approach can help individuals adhere to *maqāsid al-syariah*, *maqāsid al-nikāh*, and the principles of inheritance.

Counter of Tebuireng's *Kiai* Figures

Kiai Musta'in believed that promoting or campaigning for this phenomenon in the public would be problematic. He said that this principle does not consider future human generations. He gave an analogy, saying that if many people, especially Muslims, shared this view, it could lead to the loss of Muslim lineage and generations. Therefore, this issue needs to be addressed wisely (Munawarudin, 2023). As this movement is spreading rapidly through social media, there is a need for oral and written da'wah movements to educate the community as a response.

On the other hand, *Kiai* Roziqi stated that this community is not particularly dangerous as most Indonesians value the importance of having children. However, if their beliefs become public, religious and academic circles need to provide a scientific counter. He advises academics to study and discuss this topic to combat any false narratives and raise awareness for future generations of Muslims.

When dealing with pressure to choose a child-free lifestyle, *Kiai* Ubaidy emphasized the importance of Muslims taking a firm stance. Community leaders, such as preachers, *ustāz*, and public figures, are responsible for educating their followers on the teachings of the Prophet and the importance of protecting the nature of heredity. Muslims must clearly understand how their attitudes towards this matter align with Islamic law, which includes the concept of *tazawwaj*. It is natural for something to conform to Sharia law. To have offspring is subject to Sharia law because it governs human behaviour. By educating their followers, community leaders can help combat the child-free phenomenon and ensure that Muslims understand the importance of maintaining their lineage.

Kiai Amari responded by discussing the legal aspects of terminating a pregnancy. He firmly stated that if the method used results in permanent termination or if the motive behind it goes against Sharia law, such as in the case of feminist movements that demand changes that contradict Sharia stipulations, then it is considered *ḥarām*. This statement is because the community must ensure that the motive and method used do not conflict with Sharia law, such as trying to make something forbidden or prohibiting something lawful. These concerns are essential to prevent conflicts with Sharia law.

Kiai Taufiq warns that this phenomenon will negatively impact humanity. He notes that several countries with low birth rates are already experiencing population decline. He advises the community, particularly Muslims, to adhere to religious principles and avoid any actions that go against Islamic teachings. If necessary, countermeasures, education, and coaching should be implemented using appropriate and effective methods to safeguard against religious movements that undermine Islamic teachings (Munawarudin, 2023).

What will be done by the *kiai* figures of the Tebuireng Islamic boarding school in dealing with the child-free campaign movement under the Islamic view regarding restrictions on heredity or *taḥdīdu al-nasl*, which is not permissible in the context of making it a life principle and acceptable in a personal context, as synonymous with child-free? Even though they both reject the existence of a child, child-free is even worse than *taḥdīdu al-nasl*, because *taḥdīdu al-nasl* only limits offspring. In contrast, child-free denies the presence of a child by cutting off the human reproductive function, which is not permissible according to Islam. So Sayyid Muḥammad's message to counter this phenomenon is mandatory for public figures and religious leaders to try to overcome it by using

skills, conducting research, encouraging young people to be sensitive to this movement, and providing accurate and good understanding for ordinary people.

When dealing with campaigns or provocations promoting a child-free lifestyle, Muslims must respond firmly. This phenomenon is significant for public figures or religious leaders, who should educate and encourage people to adhere to Islamic spiritual principles and avoid anything that goes against the teachings of Islam. It is necessary to preach verbally and in writing through social media or public spaces to provide answers and education for the community.

After analyzing the viewpoints of the *kiai* figures at Tebuireng Islamic Boarding School, it is apparent that the child-free lifestyle is only acceptable if it aligns with religious teachings. Otherwise, it is strictly forbidden. For individuals who object to having many children, a family planning program '*Keluarga Berencana*' that complies with spiritual principles is recommended. If faced with provocative campaigns promoting a child-free lifestyle, Muslim leaders advise fostering education to uphold Islamic values.

CONCLUSION

It is essential to approach individuals who live a child-free lifestyle with sensitivity and understanding. Examining their reasons for choosing this lifestyle and how they prevent pregnancy is necessary. Couples or individuals who opt for a child-free lifestyle may have various motivations, some of which are acceptable and some that are not following the Sharia. For those who choose a child-free lifestyle based on permissible reasons in the Sharia, the *kiai* figures at Tebuireng Islamic boarding school, and Islamic law consider it *makrūh* and do not recognize its benefits for marriage (*tark al-afḍal*) because it deviates from the *maqāṣid al-syariah*, *maqāṣid al-nikāh*, and natural offspring. When it comes to preventing pregnancy for those who choose child-free, the *kiai* figures from the Tebuireng Islamic Boarding School recommend following Islamic law. Specifically, if a method permanently terminates a pregnancy and cannot be reversed, it is considered *ḥarām*. However, if a technique only regulates the spacing of births without completely stopping them, it is considered *makrūh*.

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