

## **Childfree in Islam: An Analysis of the Viewpoints of the Four Madhhabs and its Application in Modern Life**

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### **ABSTRACT**

This study aims to explore the phenomenon of childfreeness in Islam through a qualitative approach, focusing on analyzing the viewpoints of the four main madhhabs: Hanafi, Maliki, Shafi'i, and Hanbali. Qualitative methods were used to detail and analyze each madhhab's views on the decision not to have children by examining religious texts, hadiths, and scholarly thought. Contemporary case studies were also engaged in analyzing the application of childfree views in daily life and to understand their impact on Muslim individuals or communities. Through thematic analysis and data triangulation, this study is expected to provide a comprehensive understanding of the complexity of the childfree view of Islam and its contribution to the context of contemporary life. The results of this study reveal that there are several conditions for a person to use the concept of child free: the deliberate choice of not having children without any reason legalized by sharia is punished as haram according to the four madhhabs and is considered to damage or deviate from the purpose of sharia itself. This research is expected to open space for further discussion and reflection on the role of religion in understanding and responding to the dynamics of changing values related to life and reproductive decisions.

**Key Words:** Childfree, Islam, four madhhabs, contemporary life.

### **INTRODUCTION**

Marriage is a noble and sacred religious ritual, and each custom has a unique conspiracy. Islam legalizes or permits marriages based on its terms and conditions. In Islam, the requirements for marriage are being Muslim, intelligent, mature, and spiritually and physically healthy. Meanwhile, the pillars of marriage are the existence of a prospective groom, prospective bride, guardian of the bridegroom, two male witnesses, and Ijab Qobul (Sugitanata dkk., 2023).

In state law, Law Number 1 Year 1974 on marriage states that marriage is a physical and mental bond between men and women as husbands and wives. The aim is to preserve offspring and help the family continue (Nadila dkk., 2022). Thus,

both husbands and wives have carried out one of the objectives of sharia, namely maqasid sharia (Nurjanah & Nur, 2022).

When looking at reality, couples often choose not to have children for various reasons. There are those who reason because they are busy with the work of their partner and economic problems, and there are also those who reason because they want not to have children; if they have children, they are able to care for and educate them. Thus, a problem arises in a society called child-free (Jafar Dkk., 2023).

Childfree has sparked pros and cons among the public, with some seeing it as a positive choice while others see it as negative. The phenomenon of going childfree has been discussed since the early 2000s, especially in developed countries, where more individuals choose not to have children and consider it part of a popular lifestyle. The controversy surrounding childfreeness reflects changing values and views in modern society, showing shifting trends in mindsets regarding life and reproductive decisions (Febriansyah 2023).

Previous research conducted by Gita Faradila Rizky Nurjannah examined childfree from an Islamic perspective by exploring the content of the YouTube creator, Gita Savitri Devi. This study explains that Gita chooses to live without having children or is free from parental responsibilities. Her opinion was supported by people around her. However, Islam's attitude towards Gita's actions is considered incompatible with the teachings of religion (Nurjannah 2023).

The current research, in contrast to previous studies, explores the views of the four Islamic madhhabs and their applications in the context of modern life. The views of the four madhhabs serve as the foundation for Muslims to live their daily lives in response to the challenges that they face. As a result, all of their life activities are bound to the norms set by religious teachings. Therefore, this research needs to be conducted in a greater depth.

This study aimed to investigate the views of women in Islam by analyzing the viewpoints of four major madhhabs: Hanafi, Maliki, Shafi'i, and Hanbali. First, the research will explore in depth the views of each madhhab regarding the decision not to have children, and understand the legal basis and religious values that shape their perspectives. This analysis is expected to reveal differences and similarities in the religious approach to childfree decisions.

Furthermore, this research will explore the context of the madhhabs' views by providing views on childfreeness in light of social, economic, and cultural changes in modern life. Through this contribution, this research is expected to provide a more comprehensive understanding of the complexities of childfree views in Islam, useful modern insights, and stimulate dialogue that promotes respect for different views in Muslim societies.

## RESEARCH METHODS

This research applies holistic and in-depth qualitative methods to explore the view of childfreeness in Islam from the perspective of the four major madhabs (Hanafi, Maliki, Shafi'i, and Hanbali) and to understand its application in the context of modern life. Through a literature review, this research will detail and analyze these views in primary texts such as the Quran, hadith, and scholarly commentaries.

The research will also include modern case studies to analyze the application of childfree views in everyday life, focusing on their impact on Muslim individuals or communities. Thematic analysis and data triangulation will strengthen the research results, and the findings will be presented contextually to provide a comprehensive understanding of the view of childfreeness in Islam and its application to the reality of modern life.

## RESULTS AND DISCUSSION

### Definition of Childfree

Childfree was first proposed by a Manichaeian believer known as Saint Augustine. In his worldview, he interpreted pregnancy and having children as immoral behavior, as it could result in the souls of children becoming entangled in their mother's womb. The term childfree dates back to before the 19th century and can be found in the Merriam-Webster dictionary (Rahman dkk., 2023).

In the United States In the 1970s, the term became popular when many women chose to live childlessly and took various steps to prevent pregnancy, such as the use of contraceptives during sexual intercourse. However, these efforts do not guarantee successful pregnancy avoidance. According to Rachel Chrastil, a history professor at Xavier University, since ancient times, couples or women have chosen not to have children. This decision can be influenced by various factors, such as health issues, infertility, philosophical considerations, and lifestyle choices (Rahman dkk., 2023).

The term childfree can be defined as someone who intends or plans not to have children. The term was first introduced in 1972 by the National Non-Parenting Organization. It is important to understand the conceptual differences between children and childless ones. Children who decide not to have children are individuals who actively choose not to have offspring even if they have sufficient economic stability and biological conditions (Rizka & Yeniningsih, 2021).

In contrast, childless refers to those who may want to become parents but face certain biological obstacles such as miscarriages or other physical and biological conditions. Therefore, childlessness can be considered a deliberate decision made by individuals or couples, although it is more often influenced by external factors such as miscarriages and irreversible physical and biological conditions (Rizka & Yeniningsih, 2021).

In an article written by Susan Stobert and Anna Kemeny, the term childfree is used to describe a group of determined individuals who choose not to have children by their own choice. This group chose the term childfree in preference to childless because childless has the connotation of losing something desirable, while childfree emphasizes the life decision not to have offspring, which is her choice (Fadhilah, 2021).

Collins defined child free as the inability to have children, primarily by choice. This suggests that the term refers to a deliberate decision not to have children rather than a biological limitation or inability (Nugroho dkk., 2023).

Islam also includes concepts related to offspring called tahdid al-nasl and tandzim al-nasl. If we relate the term childfree to the context of Islam, it can be associated with the concept of tahdid al-nasl. This concept encompasses the desire to not have children or cut off offspring without any specific underlying factors. From this perspective, such decisions can be made without pressure, or for specific reasons. Therefore, understanding the concept of tahdid al-nasl in Islam reflects the freedom of individuals to make decisions regarding their offspring (Humaira dkk, 2022).

#### **Views of the Four Madhhabs**

Among the four madhhabs, views on the act of terminating offspring in Islam are as follows: According to the Hanafi madhhab, a woman is allowed to plug or close her womb; however, the original ruling of the Hanafi madhhab states that it is forbidden without permission from her husband. This analogy is made with the act of emitting semen outside the womb, which is considered an act that requires the husband's permission (Muhammad Amin 2003).

Maaliki Madhhab condemns actions that cause permanent termination of offspring, such as taking drugs that cause permanent infertility. Imam al-Barzali referred to the opinion of Ibn Arabi, who stated that actions that make semen no longer producible in men or make the uterus dysfunctional in women are forbidden, unless they do not cause permanent loss of function (Abu Abdullah Muhammad, 1958, hlm. 399).

Another view among scholars of the Maliki madhhab is that their opinion on a particular issue is expressed in line with the same view of the Shafii madhhab. In other words, congruence exists between the views held by Maliki scholars and those expressed by Shafii scholars. In relation to a particular issue, it is explained that whatever the form, if an action causes the severance of offspring, then, according to this view, the law is considered haram. This applies to both husbands and wives (Abdul Baqi 2002).

Scholars of the Shafii school of thought strictly prohibit women from cutting off their offspring by permanently deactivating their wombs. In the matter of the husband ejaculating outside (azl), Shafi'i scholars ruled it as makruh, let alone cut

off offspring, so this action is not justified in the view of the Shafi'i madzhab (Ahmad Salamah & Ahmad al-Barsili, 1415).

On the other hand, the Hambali madhhab is of the opinion that a person who deliberately cuts off offspring permanently should be fined a large sum of money because they are deprived of the benefits of giving birth, a matter that is highly safeguarded in Islamic law, known as the *hifdz nasl* (Mansur bin Yunus, 1983).

Based on the opinions of scholars from among the four madhhabs, it can be concluded that permanently cutting off offspring is haram, according to scholarly consensus, because it undermines the purpose of Sharia itself, which is to preserve offspring, and the purpose of marriage, which is to multiply offspring as the successor to the people of the Prophet Muhammad in spreading the goodness and teachings of Islam (Nurcholis & Maulana, 2023).

### **Cleric's Fatwa**

Dr. Nuh Ali Sulaiman is of the opinion that cutting off a child is sometimes caused by two things: fear of not being able to eat and because of a disease in the partner. If it is for fear of not being able to eat, then the ruling is not permissible, which is *haram* because fortune is the business of Allah, may he be glorified and exalted. If it is due to illness, it is permissible under several conditions: 1) it is recommended by a trusted doctor and can no longer be expected because it involves the life of the spouse, 2) being a mother is threatened by her health, and 3) it occurs before a large pregnancy that has already blown the life of the fetus (Nuh Ali, 2012).

The fear of not being able to feed oneself is an indication of the weak faith and forgetfulness of Allah's powers and promises. In the Qur'an, Allah has confirmed that every created being is his responsibility, and fortune for all creatures, including children, has been guaranteed by Him. Believing that the presence of children can hinder or reduce fortune is negligent in understanding Allah's promise. This is because, if every individual has a guarantee from Allah regarding his or her sustenance, the same applies to children. Thus, this view teaches that belief in the abundance of sustenance promised by Allah should overcome the fear of food shortages or reduced fortune (Zuhriah dkk 2023).

At the same time, Dr. Syauqi Ibrahim Alam gave alternatives to married couples; he said that the law of cutting off offspring (*childfree-tahdid al-nasl*) is haram, but if arranging offspring, then the law is permissible and legalized by Islamic law. because the goal is not because they do not want to have offspring, and not because they permanently cut off the offspring of either their wife or husband. In regulating offspring, it can be done naturally by removing it from the womb, and it is permissible to use drugs to delay pregnancy, provided that it is not harmful to the wife and her health ( Ibrahim, 2022).

Dr. Syauqi Alam's opinion is corroborated by the majority of modern scholars, as expressed by Dr. Faridah, a female scholar who said that it is permissible to arrange for offspring without permanently cutting off the child until the circumstances that cause difficulties in caring for the child are resolved; in other words, to become pregnant periodically. Among them are Dr Wahbah al-Zuhaili, Ali Thanthawi, Mahmud Shalthut, and even Wahabi scholars such as Muhammad bin Shalih Ustaimin, Abdullah bin Sulaiman bin Muni' and many other well-known scholars (Dr. Faridah binti, 2002).

Scholars who prioritize human interests are in line with their studies on the prohibition of permanently cutting off offspring in Islam. Scholars not only consider the ritual aspect but also understand the urgency of maintaining the continuity of offspring as a form of benefit for people. Ethical and moral considerations are in line with the principles of Islamic teaching that voice the values of justice, mercy, and social responsibility.

Scholars' views on human benefit include the understanding that family and offspring play a central role in building a just and prosperous society. Therefore, the prohibition of permanently cutting off offspring is interpreted as an effort to maintain the continuity and constancy of the family, as the foundation of Islamic society. Scholars emphasize that cutting off descendants can destroy family values and negatively impact the moral and social development of society.

### **Implementation of Childfree in Modern Life**

The adoption of a childfree lifestyle in modern life is widely practiced by some people, especially in the United States. In fact, some women choose not to have children until they reach the age of 65 and even until the end of their lives. These individuals were happy with their decision not to have children, indicating that they suited their personal desires and happiness (Stahnke Kkk, 2020).

Chrastil shared that since the 16th century, childless lifestyles have become common or prevalent in Western countries such as England, the Netherlands, and France. It refers to a practice in which some individuals or couples choose not to have children, perhaps based on personal preferences, economic factors, or other considerations. The emphasis on the 16th century suggests that this trend has been ongoing throughout history, reflecting the variations in life choices that have existed in Western societies over the centuries (Ma' Ādkk 2023).

The implementation of childfreeness is happening not only in the United States but also in Indonesia. Like the phenomenon of an influencer's statement, Gita Savitri said in Question Story that when asked about the personality of her future child, she thinks it is better not to have children. The presence of children can make the world more chaotic and life more complex. For her, having children was considered preparation for failure. Similar opinions are also expressed by other

artists, such as Cinta Laura, who prefers to adopt children rather than biological children. This is because of the world's current overpopulation situation, as stated by Cinta in an interview on Anang Hermasnyah's YouTube channel (Samsudin dkk, 2023).

Childfreeness, or the decision to not have children, is not a new phenomenon in the world. It has long been an option in Western societies, and has been debated by scholars in the Islamic context. However, most Muslims prefer to have children because of the positive values involved in educating children and the potential to gain blessings through their righteous deeds. Therefore, most Muslims do not agree with the childfree policy. In the Qur'an, Allah gives freedom of choice without coercion, and views on having or not having children are also documented in the Qur'an and Sunnah (Shofita dkk. 2021).

Based on the opinions of the four madhhabs and coupled with the scholars' fatwa that the application of childfree in the life of a married couple has a permanent nature of not wanting to have children as long as the two partners do not have things that are forgiven by Islamic law, the law is haram. However, if this child is not permanent or if the two partners have things that cannot be expected to heal, then the law is forgiven by Islamic law. The Phenomenon of Childfree in the Modern Era: A Phenomenological Study of Gen Z Generation and Islamic Views on Childfree in Indonesia (Usman KKK 2023).

## CONCLUSION

Childfree is a lifestyle in the modern era where a married couple wants to have no children forever, agreeing to spend their lives together. The views of the four madhhabs, Hanafi, Maliki, Syafii, and Hambali, are that childfreeness is forbidden by Islamic law because it undermines the legal order of Islamic law, unless there is a dangerous disease in both partners with the recommendation of a trustworthy doctor, and the disease cannot be expected to heal.

The majority of scholarly fatalities were the same as those of the four madhhabs. They give couples the option of not doing what is forbidden by sharee'ah, but to arrange for offspring until the time is right, and they are able to care for and educate their children without having to permanently cut off their offspring.

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