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The Childfree Phenomenon: Islamic Law And Its Impact On Muslim Society

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Abstract: This study aims to determine the cause of married couples choosing the child-free trend and to describe the impact of the development of the child-free trend in Muslim society. In addition, this study also aims to learn about child-free law from the perspective of Islamic law in various perspectives. This study is field research. The data collection technique in this research is using a survey. Respondents in this study amounted to 215 people. Based on the survey results, several significant findings related to the child-free phenomenon were found, among others: the factors that most influence married couples to choose the child-free trend are economic factors as much as 42% and health factors as much as 21.5%. The majority of informants, as much as 54%, stated that the child-free phenomenon might impact the social life of the Muslim community. The conclusion of the child-free law on the grounds of economic and social factors is that it is forbidden. Likewise, child-free use of permanent types of contraception is illegal. The childfree for reasons of health and trauma factors (psychological disorders); the law is permissible. Public rejection of the child-free trend due to economic factors is around 56.3%. Meanwhile, the community's rejection of the child-free trend for reasons to be happier is around 76.2%.

Keywords: Childfree Phenomenon; Islamic Law; Muslim Society.

Introduction

The phenomenon of childfree is starting to develop in Indonesian Muslim society. This childfree phenomenon began to be discussed in the general public and caused many pros and cons. (Rizka et al., 2021, p. 336). The decision not to have children is considered contrary to the construction of Indonesian society regarding the ideal family concept. Couples who choose not to have children have a tenuous husband and wife relationship. Community Construction views having children as able to increase satisfaction and happiness in life, but on the other hand, there is an acknowledgement that having children involves significant time and financial costs and can reduce life satisfaction and happiness. (Hanandita, 2022, p. 127) Married couples who cannot bring children into married life will experience several negative impacts on household harmony, including couples feeling disappointed and causing frustration and sometimes causing couples to blame each other for the causes of the absence of children, polygamy, lack of love for each other, prolonged conflict, feeling inadequate. Match and experience pressures that lead to divorce. (Lestari & Suprapti, 2018, p. 58)

This child-free phenomenon began to go viral in Indonesia, starting with the viral news of a famous Youtuber named Gita Savitri Devi who decided not to have children (children). Gita Savitri Devi has 1.26 million subscribers on her Youtube channel, containing her videos about opinions, daily vlogs, and others. The woman named Gita is a scholar who graduated from the pure chemistry department at Freiheit University, Germany, in 2017. Gita and her husband, Paul Andre Partohap, decided not to have children or be childfree because they considered it, not an obligation. On her website on November 11, 2018, Gita revealed several reasons that can be seen starting a child-free discourse in her, including financial, educational, cultural, and health reasons. All of these reasons are taken based on his life experience. Meanwhile, a German-blooded artist who also graduated from the Department of Psychology and German Literature, Columbia University, named Cinta Laura Kiehl, who is fondly called Cinta, currently chooses

childfree for reasons of overpopulation as expressed by Cinta on the Youtube channel The Hermansyah on August 8, 2021, which according to her is Earth. Already too full of humans, adoption can be an alternative to not "adding" to the burden of the Earth that comes from the consequences of its procreative actions. (Haganta et al., 2022, p. 309)

This childfree phenomenon has attracted the interest of several researchers to conduct a more in-depth study of the Islamic religion, including research conducted by M. Irfan Farraz Haecal, Hidayatul Fikra, and Sahyudin Darmalaksana with the title Analysis of the Childfree Phenomenon in Society: The Study of Takhrij and Syarah Hadith with a Approach Islamic law. This research is a qualitative literature review using the *takhrij hadith* method in Islamic law. The findings in this study are the quality status of the hadith of the Prophet Muhammad narrated by Imam an-Nasa'i No. 3175 concerning the recommendation to multiply children is the hadith *Sahih bil al-Makna*. Childfree because it is *harmful* (dangerous) if giving birth to a legal child is allowed while childfree on the grounds of fear of being unable to educate children or because of the desire to achieve a better career or other reasons that are not based on an emergency (*'illat*), then this is not according to Islamic law. The initial law of child freedom is makruh, but this law can be shifted into permissible if there is *'illat* according to the perspective of Islamic law. (Haecal et al., 2022, p. 220)

Nailis Shofita conducted further research, Raushani Azka and Syahrozad Khunaifah with *Childfree Problems And Their Solutions From An Islamic Perspective*. This study is time to determine the problem of childfree and its solution in the view of Islam. This research used the Library Research method or literature review with a qualitative research approach. The results of this study, in the view of Islam, married couples who choose child-free include acts that are against nature because having children is a blessing and human nature. Islam also responds to child freedom with several arguments about the primacy of kids in the family. (Shofita et al., 2021, p. 1389) The research on childfree that has been done is very different from the research that researchers have done. A significant contribution of this study is that this study does not only talk about the legal status of childfree in the perspective of Islamic law in detail, but this study describes in detail the reasons why married couples choose the childfree trend, describes the development of the childfree trend in the millennial generation and the impact of childfree for the Muslim community at large.

Literature Review

The Childfree phenomenon in married couples has existed for a long time; ever since the 1970s, there have been childfree studies in the research literature. Childfree is defined as a person who does not have children in his marriage (of his own free will) and does not want to have children in the future. (Neal & Neal, 2021, p. 4) Childfree has become a hotly discussed issue in Indonesia, especially on social media. Childfree is a reasonably controversial phenomenon because, in the cultural construction of Indonesian society, children are considered a gift from God. Children are also one of the goals of marriage. (Fadhilah, 2021, p. 72) Another reason that causes child-free couples to be considered strange and controversial by Indonesian society is that married couples who do not have children are very vulnerable to various difficulties, including stress, anxiety, feeling inferior, dissatisfied with their marriage, withdraw from the social environment because they cannot stand social criticism, feel insecure about their marital relationship, and many ends in divorce. (Simarmata & Lestari, 2020, p. 113)

Marriage without children is new construction in Indonesian society that incidentally supports pro-fertility. (Susilo, 2022, p. 247) Childfree begin to grow and develop due to several factors. The reasons people decide not to have children can be influenced by several factors, namely: (a) The rapidly increasing socio-economic factors make more and more women have careers and delay marriage related to women's roles as wives and career women; (b) The shift in age at first marriage, the shift in age at marriage has become a trend in Asia for the past ten years; (c) Delaying having children due to personal reasons, such as personal time, time with a partner, pursuing higher goals or career paths, wanting to collect money for child care (d) Biological factors, namely choosing not to have children to avoid passing on the disease passed on to his son. (Komala & Dewi, 2022, p. 120)

There are several studies related to child-free viewing from a psychological and sociological approach. (Wijaya, 2022, p. 43) The research on childfree can be categorized into four forms: First, the study of committed selection for childfree using a psychological approach. In this study, it is understood that the happiness of a married couple is not measured by having a child/offspring; instead, harmony between

husband and wife is the key to their happiness. (Arlotas et al., 2021, p. 226) Second, childfree is seen from the socio-cultural aspect. This study explains that in the socio-cultural aspect, childfree is the life choice of a married couple, and this life choice must be equated with the choice of married couples to have children. (Pralat, 2021, p. 276) Third, the concept of childfree shows the meaning of having offspring for the child's good. This study finds that the couple's decision to choose child-free is not selfish. However, the husband and wife must have thought beforehand together with their partner. A husband and wife also decided it was for the child's good. (Rahayu, 2022, p. 31) Fourth, this conception of childfree can cultivate gender bias, where a woman becomes the object of patriarchy in fulfilling her husband's and family's desire to have children. (Gillespie, 2003, p. 122)

Method

This study is field research using a quantitative and descriptive approach. Descriptive research is one type of research that aims to describe systematically, factually, and accurately the facts of population characteristics or try to describe phenomena in detail. (Yusuf, 2014, p. 81) This study will describe why married couples choose the child-free trend, the development of the child-free trend in the millennial generation, and the impact of child-free understanding on the Muslim community. Data collection techniques are used in surveys. Respondents in this study amounted to 215 people, consisting of married couples who chose the child-free trend, the unmarried millennial generation, and Islamic religious leaders in the provinces of Bengkulu, Palembang, and Lampung. The sampling selection technique uses a proportional sampling technique with the following criteria: (1) married couples who choose the child-free trend, (2) the millennial generation who are ready to get married, and (3) religious leaders who understand Islamic law. The instrument used is a Likert scale model. The data obtained were analyzed using the statistical percentage technique.

Results and Discussion

Childfree is the decision of a couple who chooses not to have biological and adopted children. According to Houseknecht, childfree since the 1970s. Childfree is defined as a person who does not have children and does not wish to have children in the future. (Hadi et al., 2022, p. 648) Childfree is a term for people who decide not to have children. Child-free is defined as child-free. Some people consider this decision a selfish decision. However, some think that the decision is not selfish but a decision that is based on mature and conscious thought. Having children means being ready to take on all the responsibilities of being a parent. Likewise, if you choose to be child-free. (Khasanah & Ridho, 2021, p. 116) Childfree is different from Childless. Childlessness is a condition where (forced) circumstances cause someone without children. Childfree is a choice made by a person or partner, while childless is influenced by external factors such as miscarriage and other physical and biological conditions. In the construction of society in Indonesia, childless seem to be more tolerated than their peers who choose and make decisions childfree. (Faridah, 2022) Couples who choose not to have children can also be called voluntary childlessness or "childless by choice." (Hapsari & Septiani, 2015, p. 49)

The Reasons Married Couples Choose the Childfree Concept

Indonesia is a pronatalist country, as evidenced by the pressure from society for married couples to immediately have children because if they do not have children, their marriage is considered imperfect. Society interprets the presence of a child as hope and the next generation for husband and wife. From a social and economic perspective, the presence of children can improve the family's economy because children are considered to bring sustenance and receive positive social recognition from the community. These reasons reinforce the demand for offspring in the pronatalist society. Along with the times, the mindset of a small number of married couples in Indonesia chooses not to have children, and sociologists consider changing mindsets to be an exciting thing. (Hanandita, 2022, p. 13) Several main factors cause so many married couples who choose to be childfree in their marriage. Based on the results of a survey conducted, several significant findings were found regarding the reasons why a married couple chose not to have children in their marriage,

The Reasons Married Couples Choose Childfree

Table 1. Reasons Married Couples Choose Childfree Concept (N = 214)

No	The Reasons Married Couples Choose Childfree	F	Percent
1	Economic Factor	90	42.1%
2	Health Factor	60	21.5%
3	Association Factor	43	20.1%
4	Trauma Factors (Psychological Disorders)	12	5.6%
5	Other Factors	9	10.7%

The total number of informants who answered why a married couple chose Childfree was 214. From this data, it can be seen that the most influencing factors for married couples to choose the child-free trend are economic factors, followed by health factors and social factors (influenced by their friends).

The impact of the Childfree Phenomenon on the Muslim community

Based on the results of the survey conducted, several significant findings related to the impact of husband and wife choose not to have children in their marriage in the Muslim community,

The Impact Of The Childfree Phenomenon On The Muslim Community

Table 2. Impact of the Childfree Phenomenon on the Muslim community (N=215)

No	The Impact of the Childfree Phenomenon on the Muslim Community	F	Percent
1	Yes	52	24.21%
2	Not	47	21.9%
3	Possible	116	54%

Most informants stated that the child-free phenomenon answered "maybe" when asked whether child-freedom impacted Muslim society. This opinion is reinforced by Islam's teachings, which encourage its people to have many children. (Warsito, 2018, p. 145) Getting children is one of the goals of marriage, so logically the Muslim community rejects the childfree phenomenon.

Trend Childfree Islamic law perspective

Childfree from the Islamic law perspective will be studied in detail from two aspects. First, the aspect of the reason why married couples choose the child-free trend. Second is the aspect of how to do or implement childfree itself. Different reasons for choosing the child-free trend will also give birth to legal differences. In terms of ushul fiqh is known as *15 ihukmu yaduru ma'a ilitihi wujudan wa adaman* (the law depends on the reason)." (Khoirin, 2018, p. 61) Based on the survey results, it was found that several factors make married couples choose the child-free trend, including economic factors, health factors, social factors, and trauma factors (psychological disorders). Therefore, it is necessary to analyze Islamic law one by one on these factors. In the view of Islam, the childfree phenomenon can be analogized with the Family Planning (birth control) program. (Sari, 2019, p. 57) The Family Planning (birth control) program on the grounds of economic factors is strictly prohibited for several reasons: The Word of God in Surah Al-An'aam verse 151

"Do not kill your children because of poverty (you). We will provide sustenance to you and them."

The next argument is Surah Al-Israa verse 31,

"Meaning: And do not kill your children for fear of poverty. We will provide sustenance to them as well as to you. Indeed, killing them is a very big sin."

According to Mahmud Shaltut, the Family Planning (birth control) program should not be legal when the goal is to implement it because of fear of poverty or problems resulting from having many children. This prohibition law is based on the fact that the availability of food on Earth will not decrease even though the number of people is increasing, so there is no need to worry about food shortages. Humans only need to make good use of natural resources and protect them from extinction or damage so that they can become a source of life for humans. Lack of food causes people to be afraid to have many children, so many parents kill their children for fear of poverty. The fear of having many children is a fear that has existed since the days of ignorance when ignorant people kill their children for fear of poverty. (Irawan & Nasrullah, 2020, p. 189) While the Family Planning (birth control) program on the grounds of social factors is also considered *haram* (prohibited) because there is no reason accepted by the Shari'a (*udzur syar'i*), the law of origin of the Family Planning (birth control) program is *haram*, so to change it requires a strong reason that the Shari'ah can accept. The Family Planning (birth control) program on the grounds of health factors and trauma factors (psychological disorders) was deemed permissible on the grounds of *udzur syar'i*.

The second important aspect being studied is the method chosen by married couples in realizing the child-free trend. Childfree goals can be realized, of course, by using contraceptives, either permanently or temporarily. In Islam, temporary contraception can be analogous to "Azl." (Akbar & Umam, 2021, p. 159) Azl, in biological terms called coitus interruptus, is a term used to name the husband's act of releasing sperm outside the wife's vagina. This *azl* action is meant by the husband as a form of preventing the Pregnancy of

the woman (wife). The practice of *azl* has actually been studied by scholars for a long time, and *azl* is a classic theme that until now, has a practical impact on the lives of Muslims. One of the developments of this *Azl* law is the Family Planning (KB) program, which regulates the spacing of pregnancies using condoms, among others. The problem of preventing Pregnancy in this century is an extension of the *Azl* law. (Djawas et al., 2019, p. 235)

The majority of scholars allow *azl* based on the hadith of the Prophet Muhammad narrated by a friend of Jabir: (Ahmad, 2010, p. 5)

Meaning: We did *azl* (coitus interruptus) at the time of the Prophet Muhammad. At the time, the verses of the Qur'an were still being revealed (and there is not a single verse that forbids it. (Narrated by Bukhari and Muslim)

In another narration it is stated,

Meaning: We used to do '*azl*' in the time of the Prophet *sallallahu 'alaihi wa sallam*, and it reached his ears, but he did not forbid it. (HR. Muslim)

The opinion of scholars who allow *azl* is supported by Imam Ghozali; he argues that *azl* (Coitus Interruptus) is legal (not prohibited). Among the reasons that encourage the permissibility of '*azl*' are: (1) to maintain the health of the mother due to frequent births, (2) to avoid the difficulties of life due to many children, and (3) to maintain the beauty of the mother. (Sholihah, 2019, p. 81) Meanwhile, scholars consider permanent contraception, such as tubectomy and vasectomy, haram (prohibited). Vasectomy and tubectomy are legal because they cause infertility permanently. (Mustofa et al., 2020, p. 97) more details on child-free law from the perspective of Islamic law can be seen in the table below,

The Law of Child-free On Islamic law Perspective

Table 3. Law of Child-free On Islamic law Perspective

No	Factors/reasons for child-free	Law	Type of contraception used	Law
1	Economic factors	Haram	Permanent contraception	Haram
2	Social factors	Haram	Non-permanent contraception	Mubah
3	Health factor	Mubah		
4	Trauma factors (physiological disorders)	Mubah		

The conclusion of the child-free law on the grounds of economic and social factors is that it is forbidden. Likewise, child-free use of permanent types of contraception is illegal. Meanwhile, the law is permissible to be child-free for reasons of health and trauma factors (psychological disorders). The permissibility here is temporary; when it is healthy and not sick (the trauma is cured), the child-free law becomes haram again. In principle, child-free use of non-permanent types of contraception is allowed as long as this child-free is carried out with the aim of healing (health).

Based on the results of the survey conducted, several significant findings were found regarding the views of the Muslim community towards Islam husband and wife choose not to have children in their marriage,

The Response of the Muslim community to the Childfree Trend as an Understanding that Violates Islamic teachings

Table 4. The Response of the Muslim Community to the Childfree trend as an Understanding that Violates Islamic Teachings (N=214)

No	The Response of the Muslim Community to the Childfree Trend as an Understanding that Violates Islamic Teachings	F	Percent
1	Violating Islamic teachings	88	41.1%
2	Do not violate Islamic teachings	50	23.4%
3	Do not know	76	35.5%

Total informants answered questions about the Response of the Muslim community to the childfree trend as an understanding that violates Islamic teachings were 214 informants. The Response of the Muslim community to the childfree trend as an understanding that violates Islamic teachings is 163 informants.

The View of the Muslim Community Toward Childfree

Indonesia is a country that is classified as a pronatalist country with a total fertility rate of 2.26, and 93% of the people believe that the presence of children is an essential thing in marriage. In Indonesian society, the perfect family picture is father, mother, and children. (Arlotas et al., 2021, p. 226) With strong pronatalist values, children have an essential meaning for most people in Indonesia. A study from Fahmi and

Pinem (2018) on the Riau Malay community shows that children are considered to provide social benefits as a source of peace and social status, economic benefits as a source of income and guarantees for old age, cultural benefits as heirs, religious benefits as a mandate from God and conditioning, in the household and psychological benefits as a source of satisfaction for the family. Several ethnic groups in Indonesia are known to emphasize the importance of having children for marriage. For example, in the Batak tribe, there is a hagabeon value, which is a value that emphasizes the importance of having children as the successor to the lineage. A study of childless couples in Makassar shows a stigma against couples who do not have children due to 4 conditions: no family regeneration, no inheritance, no one to care for in old age, and no one to pray for when they die. (Patnani et al., 2021, p. 119)

Based on the results of a survey conducted by researchers, essential findings were found regarding married couples who are interested in following the childfree trend,

The Trend of Child-Free

Table 5. Married Couples Who Are Interested In Following The Child-Free Trend (N=214)

No	Married Couples Who Are Interested In Following The Childfree Trend	F	Percent
1	Yes	35	16.4%
2	Not	179	83.6%

The total number of informants who answered questions about being interested in joining the child-free trend was 214. Married couples who are not interested in following the child-free trend are 179 informants. Although the interest in following the concept of childfree is still relatively low, it is possible that one day this understanding will grow and be in demand by married couples. Currently, most Muslim communities believe that child-free understanding is a category of understanding that is dangerous if followed. The logic is simple if all married couples use the concept of childfree, then all humans will automatically perish from this Earth. This phenomenon is called genocide euphemistically. Human regeneration will not occur, and annihilation will occur automatically. This opinion is based on a survey conducted in the field.

Based on the results of the survey conducted, several significant findings were found regarding the views of the Muslim community towards Islam husband and wife choose not to have children in their marriage,

The Response Of The Muslim Community (Childfree Trend As A Dangerous Ideology)

Table 6. The Response Of The Muslim Community To The Childfree Trend As A Dangerous Ideology (N=215)

No	The Response Of The Muslim Community To The Childfree Trend As A Dangerous Understanding	F	Percent
1	Agree	93	43.3%
2	Disagree	88	40.9%
3	Possible	34	15.8%

The total number of informants who answered the survey was 215. From this survey, an important finding was that the number of informants stated the childfree trend as a dangerous ideology was 93 informants. Even though people think that the child-free trend is dangerous teaching, people are more accepting of child-free, which occurs because of health factors. This condition is based on the survey results,

The Response Of The Muslim Community (Childfree Trend Due To Health Factors)

Table 7. The Response Of The Muslim Community To The Childfree Trend Due To Health Factors (N=215)

No	The Response Of The Muslim Community To The Childfree Trend Due To Health Factors	F	Percent
1	Agree	96	45.1%
2	Disagree	91	42.7%
3	Not care	26	12.2%

Two hundred fifteen informants gave answers to the survey. From this survey, an important finding was found that 96 informants agreed that a married couple chose childfree because of health factors. It is different if a husband and wife choose childfree because of economic factors; most people reject or express their disagreement. This condition is based on the survey results,

The Response Of The Muslim Community (Childfree Trend Due To Economic Factors)

Table 8. The Response Of The Muslim Community To The Childfree Trend Due To Economic Factors (N=215)

No	The Response Of The Muslim Community To The Childfree Trend Is Due To Economic Factors	F	Percent
1	Agree	72	33.5%
2	Disagree	121	56.3%

3	Not care	22	10.2%
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Two hundred fifteen informants gave answers to the survey. From this survey, an important finding was found that 121 informants stated that they disagreed if a married couple chose childfree because of economic factors. Public rejection of the child-free trend due to economic factors is around 56.3%. While the community's rejection of the childfree trend for reasons to be happier amounted to around 76.2%. This condition is based on the survey results,

The Response Of The Muslim Community To The Childfree Trend Is Because Of The Factor Of Being Happier

Table 9. The Response Of The Muslim Community To The Childfree Trend Is Because Of The Factor Of Being Happier (N=214)

NO	The Response Of The Muslim Community To The Childfree Trend Is Because Of The Factor Of Being Happier	F	Percent
1	Agree	28	13.1%
2	Disagree	163	76.2%
3	Not care	23	10.7%

Total informants who wanted to answer questions about the Response of the Muslim community to the childfree trend because of the factor to make them happier were 214 informants. The community's rejection of the child-free trend for reasons to be happier totalled 163 informants.

Conclusion

After conducting in-depth research, several important conclusions were found, including: First, the phenomenon of child-free growth in Indonesia was caused by several factors. The most influencing factors for married couples to choose the child-free trend are economic factors as much as 42% and health factors as much as 21.5%. Most informants (54%) stated that the child-free phenomenon might impact the social life of the Muslim community. Second, the child-free law of each married couple is different from one another. Childfree because of economic factors and social factors is *haram*. Likewise, child-free use of permanent types of contraception is illegal.

Meanwhile, the law is permissible to be child-free for reasons of health and trauma factors (psychological disorders). The permissibility here is temporary; when it is healthy and not sick (the trauma is cured), the child-free law becomes *haram* again. However, child-free for reasons of health factors and trauma factors (psychological disorders), the law is permissible. The permissibility here is temporary; when it is healthy and not sick (the trauma is cured), the child-free law becomes *haram* again. In principle, child-free use of non-permanent types of contraception is allowed as long as this child-free is carried out with the aim of healing (health). Third, the community's rejection of the child-free trend due to economic factors is around 56.3%. At the same time, the community's rejection of the child-free trend for reasons to be happier amounted to around 76.2%.

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