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The Phenomenon Of Being Childfree Among Couples With Disabilities: A Perspective On The Rights And Obligations Of Spouses And Maqashid Syariah

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Abstract

The phenomenon of being "childfree"—a couple's decision not to have children—presents an intriguing subject for examination within the framework of Islamic law, particularly concerning couples with disabilities. This article aims to analyze the childfree phenomenon among couples with disabilities through the lens of the rights and obligations of spouses, as well as the principles of Maqāṣid Syarīʿah (the objectives of Islamic law). The study employs a qualitative methodology based on library research, involving an examination of books, academic journals, the Quran, hadith, classical fiqh (Islamic jurisprudence) texts, and relevant legislation. Data were analyzed using a descriptive-qualitative approach, categorizing and interpreting information in alignment with the study's focus. The findings indicate that a decision to remain childfree among couples with disabilities cannot be evaluated solely based on their disability status; rather, it requires consideration of the underlying reasons for the decision, the couple's health status, mental readiness, economic capacity, and their ability to fulfill the rights and needs of a child. Furthermore, such a decision must be reached through mutual consultation and agreement between both partners. From the perspective of Maqāṣid Syarīʿah, this issue relates to the principles of ḥifẓ al-nasl (preservation of lineage), ḥifẓ al-nafs (preservation of life/self), ḥifẓ al-ʻaql (preservation of the intellect), and ḥifẓ al-māl (preservation of property/wealth). Consequently, the status of a childfree choice among couples with disabilities must be examined contextually—

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prioritizing the well-being of the family and the prevention of harm—to ensure an interpretation of Islamic law that is both equitable and non-discriminatory.

Keywords: Childfree, persons with disabilities, rights and obligations of spouses, Maqāṣid Sharīʿah.

INTRODUCTION

Marriage in Islam not only binds two people in a halal relationship, but also aims to form a family that is sakinah, mawaddah, warahmah and maintains the continuity of generations. Therefore, offspring (ḥifẓ al-nasl) is placed as one of the main goals of the Shari'a (Maqāṣid Syarīʿah), and Islam strongly recommends marriage and the birth of children. However, this recommendation does not stand alone. It runs along the principles of ability (istiṭāʿah), responsibility and benefit. There are no provisions that absolutely oblige every couple to have children in all circumstances, so the decision to have children concerns readiness to carry out obligations as parents, not just a desire (Munawarudin, 2023).[1]

In recent years, the "childfree" phenomenon—a conscious decision by a married couple not to have children—has emerged. This phenomenon has sparked debate within society and among scholars of Islamic family law, as it directly intersects with the objectives of marriage and the preservation of lineage (ḥifẓ al-nasl). Previous studies have generally evaluated the legal status of being childfree based on the underlying reasons for the decision. Choosing to be childfree for reasons such as lifestyle, career, or a desire for personal freedom is considered to be in conflict with ḥifẓ al-nasl, whereas choosing to be childfree due to compelling circumstances—such as health issues or an inability to conceive—may be viewed differently. In other words, the legal status of the decision depends heavily on the couple's motives and circumstances (Wahda Hilwani Damanik, 2026).[2]

The issue takes on a more specific dimension when the concept of being "childfree" is

[1] Munawarudin, A. (2023). Chiuldfree dalam Pandangan Maqashid Syariah. *Jurnal Hukum Dan Hukum Islam*, 119-137.

[2] Wahda Hilwani Damanik, S. I. (2026). Analisis Fiqh Al - Usrah Terhadap Kesepakatan Childfre Dalam Perkawinan: Studi Pandangan Anggota Komisi Ftwa Mui Kota Medan. *SEIKAT*, 1933-1946.

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considered in the context of individuals with disabilities. People with disabilities possess the same right to marry and establish a family. However, in certain circumstances, physical, sensory, intellectual, or mental limitations may affect their capacity to care for, supervise, and educate a child, or to provide for a child's needs. Consequently, some couples with disabilities choose not to have children—not because they reject the presence of a child, but out of concern that they may be unable to adequately fulfill a child's rights. On the other hand, they may also face social pressure or feel an obligation to have children. It is at this juncture that a significant question arises: can such a decision be justified under Islamic law? (Zunanda, 2024).[3]

From the perspective of Islamic family law, a disability does not negate the rights and obligations of a husband and wife. Both parties remain duty-bound to love, respect, and assist one another to the best of their abilities—a principle reflected in the Quran, Law No. 1 of 1974, and the Compilation of Islamic Law. Furthermore, the responsibilities toward children—encompassing their care, education, and well-being—require a tangible capacity to fulfill them. Within the framework of Maqāṣid al-Sharīʿah (the objectives of Islamic law), this issue intersects ḥifẓ al-nasl (preservation of lineage) and ḥifẓ al-nafs (preservation of life), alongside the principle of averting harm (darʾ al-mafāsid). If pregnancy or child-rearing poses a serious risk to either the couple or the child, the protection of life and the prevention of harm may warrant a different set of considerations. Consequently, the legal status of a "child-free" choice for couples with disabilities cannot be generalized; rather, it must be evaluated based on the underlying reasons, the nature and extent of the disability, the couple's capacity, and the overall well-being of the family (Izam, 2025).[4]

Although there is already a substantial body of research on the "child-free" choice, studies specifically examining this phenomenon among couples with disabilities—while linking it to the rights and obligations of spouses and the Maqāṣid Syarīʿah (the higher objectives of Islamic law)—remain very limited. This gap serves as the basis for this research and constitutes the novelty of this article. Consequently, this article aims to analyze the child-free phenomenon

[3] Zunanda, I. (2024). Upaya Pemenuhan Hak Dan Kewajiban Suami Istri Disabilitas. *Jurnal Pemikiran dan Hukum Islam*, 203–216.

[4] Izam, Z. (2025). Analisis Maqashid Al Syariah Terhadap Kesepakatan Childfree Dalam Pernikahn Muslim. *El-Faqih: Jurnal Pemikiran dan Hukum Islam*, 203-215.

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among couples with disabilities through the lens of spousal rights and obligations and the Maqāṣid Syarīʿah, with the goal of providing a more contextual and equitable legal perspective for both couples with disabilities and any potential children they might have.

KAJIAN TEORI

The Childfree Phenomenon

The term "childfree" emerged and gained traction toward the end of the 20th century. This concept refers to couples who consciously decide not to have children—a choice made entirely of their own volition. Those who opt to remain childfree generally believe that the decision of whether or not to have children is a personal right, one that should not be coerced by others. A frequently cited reason is the desire to mitigate the impact of a continuously growing human population. Furthermore, some perspectives are shaped by the concept of "bodily autonomy," which asserts that women have full rights over their own bodies—including the decision of whether to carry a pregnancy to term and whether or not to have children (Fadhilah, 2022).[5]

The emergence of the "childfree" phenomenon is also influenced by shifting societal attitudes toward the meaning of marriage. In the past, marriage was viewed as a social institution centered on procreation and the fulfillment of societal expectations. Today, it is increasingly perceived as a personal decision aimed at achieving individual happiness. Within the institutional model of marriage, the presence of children is considered essential, as it addresses social needs and ensures the continuity of the family line. Conversely, in a more individual-centered approach to marriage, couples often prioritize emotional fulfillment, a rewarding relationship, and personal growth—making the decision to have children not necessarily a primary objective of the union.

The phenomenon of choosing not to have children warrants further analysis from the perspective of Islamic law. In Islam, children are regarded as a gift and a sacred trust (amanah) from Allah SWT. Indeed, many Islamic scholars consider the presence of children to be one of the fundamental purposes of marriage. Consequently, the "childfree" phenomenon has sparked significant discussion regarding the extent to which it aligns with the values and objectives of

[5] Fadhilah, E. (2022). Childfree Dalam Prespektif Islam . *Jurnal Syartah & Hukum*, 71-79.

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marriage as understood in Islam (Alya Syahwa Fitria, 2023).[6]

In the Islamic perspective, marriage is not merely intended to form a harmonious, affectionate, and happy family; it also aims to produce children and ensure the continuity of one's lineage (hifz al-nasl). Consequently, children are regarded as a gift, a trust (amanah), and a blessing from Allah SWT, bringing grace to the family. Although no verse in the Quran explicitly forbids a person from remaining childless, Islam encourages its followers to have offspring—a point reflected in various verses and hadith that underscore the importance of preserving the continuity of generations. Nevertheless, the decision of whether or not to have children remains the prerogative of the husband and wife, and cannot be coerced by others.

Rights and Obligations of Spouses

The responsibilities of a husband and wife within a household encompass specific rights and duties to be fulfilled by both parties. A husband is obligated to provide a mahr (dowry) to his wife, cover her living expenses and housing needs according to his means, treat her with kindness, offer affection, and protect and guide the family to ensure they do not fall into practices that contradict religious teachings.

Conversely, a wife is expected to obey her husband in matters that are righteous, reside where her husband provides (commensurate with his means), safeguard her own honor and her husband's property in his absence, and assist in the care and upbringing of their children. Furthermore, a wife is encouraged to keep her husband's flaws or shortcomings private, as a form of mutual protection within the marital bond. However, a wife's role in managing the household does not render her a servant; the husband must also remain mindful of his wife's well-being and contribute to domestic tasks.

In other words, the exercise of rights and obligations between a husband and wife should be carried out with mutual respect, understanding, love, and cooperation, fostering a harmonious family life—a household characterized by sakinah (tranquility), mawaddah (affection), and rahmah (mercy). Furthermore, family life requires collaboration, mutual respect, and support between partners. Differences should never serve as a pretext for blaming or belittling one another. Both husband and wife must fulfill their respective responsibilities

[6] Alya Syahwa Fitria, d. (2023). Childfree dalam Presfektif Islam : Solusi Atau Kontroversi. *Junal Wanita Dan Keluarga*, 1-14.

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according to their individual capacities, maintain open communication, and strive to understand each other when facing family challenges. It is also essential for both to provide support and care to ensure the relationship remains harmonious. Partners should value each other's decisions and roles within the family.

Any issues that arise should be resolved through dialogue and a spirit of mutual understanding. Praying for one another and expressing affection are also vital for maintaining family harmony. By balancing the fulfillment of rights and responsibilities, the relationship can become more harmonious and filled with love, ultimately creating a family defined by sakinah, mawaddah, and rahmah (Suhartawan, 2024).[7]

In technical terms, Maqāṣid Syarīʿah refers to the objectives, underlying wisdom, and secrets established by Allah SWT within every Islamic law, aimed at realizing the well-being (maṣlaḥah) and preserving human life—both in this world and the hereafter. To achieve this well-being, Islamic scholars have identified five fundamental principles or essential needs (al-kulliyyāt al-khams) that must be safeguarded: the preservation of religion (ḥifẓ ad-dīn), life (ḥifẓ an-nafs), intellect (ḥifẓ an-ʿaql), lineage (ḥifẓ an-nasl), and property (ḥifẓ al-māl). These five core principles serve as the primary benchmarks for deriving and establishing Islamic laws, ensuring they remain relevant to human needs (Paryadi, 2021).[8]

[7] Suhartawan, B. (2024). Hak Dan Kewajiban Suami Istri dalam Prespektif Al Quran (Kajian Tematik). *TAFAKKUR*, 106-126.

[8] Paryadi. (2021). Maqashid Syariah: Definisi Dan Pendapat Ulama. 201-216.

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In the context of the "childfree" phenomenon—a couple's decision not to have children—the principle of the preservation of progeny (ḥifẓ an-nasl) serves as the primary basis for legal analysis. Given that one of the key purposes and underlying wisdoms behind the institution of marriage in Islam is the legitimate and honorable procreation of offspring, a decision to remain childfree—absent a valid justification under Sharia—may be considered a departure from the spirit of preserving progeny. However, if the deferral or limitation of pregnancy is based on urgent considerations, such as risks to the mother's physical health or her life, then such a decision may be deemed justifiable under the principle of the preservation of life (ḥifẓ an-nafs) (Azizah, 2024).[9]

Overall, legal determination of social phenomena is always Maqāṣid Syarīʿah oriented towards achieving benefit (maslahah) and avoiding harm (mafsadah). Maslahah is achieved by striving for goodness (jalb al-masāliḥ), while mafsadah is avoided by preventing damage (dar'u al-mafāsid). In the rules of physical law, preventing harm always takes precedence over taking advantage, so that every legal decision, including regarding family planning, must consider the good and bad impacts on individual life and the sustainability of the community.

RESEARCH METHODS

This study employs a qualitative method using a library research approach. The investigation involves examining various written sources concerning the choice to remain child-free among couples with disabilities, the rights and obligations of spouses, and the principles of Maqāṣid al-Syarīʿah (the objectives of Islamic Law). The sources analyzed include books, journal articles, the Quran, hadith, fiqh (Islamic jurisprudence) texts, legislative regulations, the Compilation of Islamic Law, and findings from previous research. The selection of these sources is based on their relevance and connection to the research focus.

Data were collected through the identification and documentation of pertinent literature. Subsequently, the data were analyzed using a descriptive-qualitative approach, which involved categorizing information by theme, comparing diverse perspectives, and interpreting the content in relation to the research problem. The results of this analysis are used to understand the decision to remain child-free among couples with disabilities, taking into account the rights and obligations of spouses, parenting capacity, child protection, ḥifẓ al-nasl (preservation of progeny), ḥifẓ al-nafs (preservation of life), maṣlaḥah (public interest/well-being), and the prevention of

[9] Azizah, A. I. (2024). Hak dan Kewajiban Suami Istri dalam Hukum Keluarga Islam. *MIJ*, 916-925.

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harm. (Fadli, 2021).[10]

RESULT AND DISCUSSION

In the perspective of Islamic family law, marriage is not only aimed at establishing a relationship between husband and wife, but also has the aim of producing offspring and building a harmonious family. Therefore, the decision not to have children intentionally and permanently can give rise to legal problems if the decision is contrary to the purpose of marriage and is carried out without reasons that can be justified according to Sharia. A number of studies regarding childfree state that the permanent decision not to have children is in tension with the aim of hifẓ al-nasl or maintenance of offspring in Maqāṣid Syarīʿah (Muhammad Syarif, 2023).[11]

However, the issue takes on a different dimension when a decision to remain child-free is made by a couple with disabilities. Having a disability cannot automatically be used as a basis to claim that an individual is incapable of being a husband, wife, or parent. Research on couples with disabilities indicates that, in principle, they possess the same rights and responsibilities within a marriage as anyone else—even if certain limitations may mean that the way they fulfill these responsibilities differs from that of other couples (Zulfa Amalia Firdaus, 2025).[12]

Therefore, in determining the religious ruling regarding a decision to remain child-free among couples with disabilities, it is necessary to consider the type and severity of the disability, health conditions, the capacity to fulfill household responsibilities, the ability to meet a child's needs, and the mutual agreement between the husband and wife. This is significant because, in Islam, having children entails not only the act of procreation but also the responsibility for a child's upbringing, education, protection, and well-being.

Regarding the rights and obligations of spouses, a decision to remain child-free should not be made unilaterally. Both husband and wife share an equal interest in matters of

[10] Fadli, M. R. (2021). Memahami Desain Metode Penelitian Kualitatif. *Humanika*, 33-54.

[11] Muhammad Syarif, d. (2023). Maqashid Al- Syariah Kesepakatan Pasangan Suami Istri Tidak Memiki Anak (Childfree) Dalam Prespektif Hukum Islam. *Jurnal Al- Ijtmaiyah*, 51-70.

[12] Zulfa Amalia Firdaus, d. (2025). The Reason For Clidfree In Maqashid Sharia Prepective. *AHKAM*, 85-107.

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reproduction; thus, such a decision must be based on consultation and the consent of both parties. Research on the concept of remaining child-free from the perspective of Maqāṣid Syarīʿah (the higher objectives of Islamic Law) also emphasizes the importance of a joint decision and the consideration of maṣlaḥah (public interest or well-being) in this regard.

Furthermore, based on the principle of maṣlaḥah, Islamic law evaluates the potential benefits and harms resulting from a given decision. In the context of couples with disabilities, if specific circumstances—such as pregnancy or child-rearing—pose a serious risk to the health of the couple, or if the couple is unable to fulfill a child's fundamental rights, these factors may be taken into account when determining the religious ruling. Studies on the reasons for choosing to be child-free, viewed through the lens of Maqāṣid Syarīʿah, even identify physical and health-related factors as considerations that may fall under the category of ḍarūriyyāt (essential needs/necessities), although the application of this must always be assessed based on the specific, concrete circumstances of the individuals involved (Nabila Anisah, 2024).[13]

Consequently, a decision to remain child-free among couples with disabilities cannot be judged solely based on their disability status. Instead, the assessment should focus on the rationale behind the decision, the couple's circumstances, their capacity to fulfill the rights and obligations of marriage, the rights of a potential child, and whether the decision is genuinely intended to prevent harm and promote the well-being of the family. Under this approach, the legal or ethical standing of a child-free choice may vary depending on the specific circumstances and underlying reasons. Contemporary literature also reflects perspectives that distinguish between choosing to be child-free without a compelling reason and deciding not to have children due to health considerations or clear, substantive benefits for the family's well-being. (Maulidina, 2024).[14]

Sharīʿah is the intention achieved by Islamic law through various legal rules established for humanity. This concept emphasizes that Islamic law is not just related to halal and haram, but aims to create benefits and prevent damage to human life. As a result, every sharia rule is

[13] Nabila Anisah, d. (2024). Studi Komprasi Relasi Hak Dan Kewajiban Pasangan Penyandang Disabilitas Prepektif Hukum Islam dan KHI. 1-11.

[14] Maulidina, A. (2024). Tinjauan Hukum Positif Dan Hukum Islam Terhadap Keputusan Childfree Pasangan Suami Istri. *MIJ*, 165-173.

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made to protect human interests and create a good life, both in this world and in the afterlife. Thoughts about Maqāṣid Syarīʿah developed through the ideas of scholars such as Al-Ghazali and Al-Syatibi who made benefit an important basis for understanding the objectives of Islamic law (Azilla Fitria Ramdhani, 2026).[15]

The primary objective of *Maqāṣid Syarīʿah* (the purposes of Islamic Law) is to realize human well-being by safeguarding fundamental necessities known as *al-darūriyyāt al-khams*—the five essential needs. These five needs are: *hifẓ al-dīn* (preservation of religion), *hifẓ al-nafs* (preservation of life), *hifẓ al-'aql* (preservation of the intellect), *hifẓ al-nasl* (preservation of lineage/progeny), and *hifẓ al-māl* (preservation of property). These elements constitute vital requirements that must be upheld to ensure that human life proceeds in an orderly and proper manner. Consequently, *Maqāṣid Syarīʿah* can serve as a framework for evaluating decisions based on the promotion of well-being and the protection of human life (Mustaqim Roslan, 2024).[16]

In the context of marriage and the decision to have children, one of the objectives of Maqāṣid al-Sharīʿah (the higher purposes of Islamic Law) that is highly relevant is ḥifẓ al-nasl—the preservation and nurturing of progeny to ensure the continuity of the human race. Ḥifẓ al-nasl encompasses lawful marriage, the preservation of lineage, the protection of children, upbringing, and the provision of a proper education and a decent life for them. While the birth of a child is one way to ensure the continuity of one's lineage, ḥifẓ al-nasl does not merely mean having a large number of children. This principle also emphasizes the responsibility to care for, educate, and fulfill the rights of children so that they may grow and thrive. Therefore, any discussion regarding having children must take into account the well-being of the family and the responsibilities toward the child's life (Ubaidillah, 2024).[17]

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[15] Azilla Fitria Ramdhani, d. (2026). Childfree dalam Prespektif Hukum Keluarga Islam Dan Hukum Yuridis: Tantangan Terhadap Penmaknaan Hifzh Al- Nask Di Indonesai. *SAMAWA*, 57-73.

[16] Mustaqim Roslan, M. (2024). HIFZ AL-NAFS DALAM MAQASID SYARIAH: ANALISIS TEORITIKAL . *AL-TAKAMUL AL-MA'RIFI* , 8-12.

[17] Ubaidillah. (2024). Revitalizing Financial Freedom to Achieve a Sustainable Economy Based on Maqāṣid al-Sharīʿah in Ḥifẓ al-Māl . *Jurnal Penelitian Hukum Syraih Ekonomi*, 1-19.

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This becomes significant when the discussion focuses on couples with disabilities who choose to be childfree. Such a decision cannot be evaluated solely by the presence or absence of children; rather, it must be examined in light of the underlying reasons, circumstances, capabilities, and the well-being that the couple seeks to achieve. A disability cannot serve as a basis for assuming that an individual is incapable of building a family. Every couple possesses unique physical, mental, and economic conditions, as well as varying capabilities; therefore, the decision regarding whether or not to have children must be assessed based on their specific circumstances. From the perspective of hifẓ al-nafs (preservation of life), the concept entails protecting and ensuring an individual's life, including their health and safety. Within a marriage, this principle implies that a husband and wife should support one another in maintaining their respective health, while carefully considering their physical and mental well-being when making decisions related to reproduction. Couples with disabilities must realistically evaluate their health status and potential risks. Consequently, the decision to remain childfree can be aligned with the principle of hifẓ al-nafs if it is rooted in considerations for the health and safety of both partners and is reached through mutual agreement. (Asma, 2026).[18]

Beyond hifẓ al-nafs (the preservation of life), the decision to remain childfree may also relate to hifẓ al-māl—the preservation or proper management of wealth. Hifẓ al-māl entails caring for and managing one's resources effectively so that they may yield benefits. In a family context, this principle concerns the capacity to provide for daily necessities, such as food, healthcare, education, and decent housing. For couples with disabilities, financial considerations may serve as a reason to choose not to have children, particularly if certain circumstances lead to increased family expenses. However, one's financial situation cannot be assessed solely based on the presence of a disability, as every couple's economic circumstances differ. Therefore, financial capacity must be evaluated realistically to ensure that family responsibilities can be fulfilled appropriately (Fillaili, 2023).[19]

Furthermore, the decision to remain child-free can be linked to hifẓ al-'aql—the preservation of a sound intellect—which encompasses mental well-being, the capacity for clear

[18] Asma, A. Z. (2026). MENJAGA AKAL (HIFZ AL-'AQL) DALAM PERSPEKTIF KEPERAWATAN . *Jurnal Rumah Islam*, 113 - 130 .

[19] Fillaili, N. N. (2023). Trend Bebas Anak Child Free di Kalang. *Edukasi IPS*, 36-44.

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reasoning, and the ability to fulfill one's duties and responsibilities. When deciding whether to have children, this principle relates to mental readiness, communication skills, and parenting capacity. Such readiness must be assessed based on the specific circumstances of each couple, rather than on prejudices or stereotypes regarding disability. Thus, the choice not to have children may be associated with hifẓ al-'aql if a couple feels they lack the necessary mental readiness or the capacity to care for a child (Alya Syahwa Fitria, 2023)[20]

Based on these considerations, it is clear that a couple's decision to remain child-free can stem from a variety of reasons. While some people find happiness in having children within their marriage, others feel content living as a couple without children. There are many factors that may lead a married couple to agree not to have children. For couples with disabilities, such reasons might include a lack of readiness, or medical, economic, or psychological factors. First, there is the issue of not being prepared to have children. Anyone who wishes to have a child must be thoroughly prepared, both physically and mentally—as physical and mental health are interconnected and inseparable. Doubts regarding one's ability to care for a child can be a reason for choosing to remain child-free. For individuals with disabilities, this lack of readiness may stem from the recognition that raising a child is a significant responsibility—one that not everyone feels prepared to undertake. This responsibility extends not only to one's partner but also to the child who would be brought into the world (Kholidah, 2026).[21]

Second, there are medical or health-related factors. Individuals with certain health conditions may require extra attention and care; consequently, they might worry about facing difficulties in raising a child when they themselves still need ongoing care. They may also be concerned that their specific health conditions could affect their child. This can be a factor that leads couples to choose not to have children—a lifestyle often referred to as being "childfree."

[20] Alya Syahwa Fitria, d. (2023). Childfree dalam Presfektif Islam : Solusi Atau Kontroversi. *Junal Wanita Dan Keluarga*, 1-14.

[21] Kholidah, d. (2026). Menimbang Maslahah dan Mudharat Fenomena Childfree di Era Modern (Analisis Maqashid Syari'ah). *Jurnal el-Qanuniy: Jurnal Ilmu-Ilmu Kesyariahan dan Pranata Sosial*, 135-152.

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(Muhammad Syarif, 2023)[22]

Under such circumstances, the decision can be explained through the principle of ḥifẓ al-nafs (preservation of life), as it prioritizes health and safety. Third, there is the economic factor. Many couples cite economic concerns as a reason for not having children, fearing they will be unable to provide for a child who would become a new member of the family. The costs involved in raising a child are extensive, encompassing everything from pregnancy, childbirth, and infant essentials to education and the child's future. Consequently, financial readiness becomes a key consideration for couples when deciding whether or not to have children. (Kholidah, 2026).[23]

Second, there are health or medical factors. Individuals with certain health conditions require special attention and extra care; consequently, they may feel anxious about the challenges of raising a child when they themselves still need ongoing care. They might also worry that their health condition could affect their child. This can be a reason for couples to choose a life without children, or to be "childfree" (Alya Syahwa Fitria, 2023). In this situation, the decision may relate to the principle of ḥifẓ al-nafs (preservation of life), as it involves considerations for maintaining health and safety.[24]

Third, there is the economic factor. Many couples view economic considerations as a reason to forgo having children, fearing that they may be unable to meet a child's needs—a situation that could become a burden on the household in the future. The costs of raising a child encompass a wide range of expenses, from pregnancy, childbirth, and baby supplies to education and the child's future. Consequently, financial readiness becomes a crucial factor

[22] Muhammad Syarif, d. (2023). Maqashid Al- Syariah Kesepakatan Pasangan Suami Istri Tidak Memiki Anak (Childfree) Dalam Prespektif Hukum Islam. *Jurnal Al- Ijtmaiyah*, 51-70.

[23] Kholidah, d. (2026). Menimbang Maslahah dan Mudharat Fenomena Childfree di Era Modern (Analisis Maqashid Syari'ah). *Jurnal el-Qanuniy: Jurnal Ilmu-Ilmu Kesyariahan dan Pranata Sosial*, 135-152.

[24] Alya Syahwa Fitria, d. (2023). Childfree dalam Presfektif Islam : Solusi Atau Kontroversi. *Junal Wanita Dan Keluarga*, 1-14.

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when couples decide whether or not to have children (Kholidah, 2026)[25].

From the perspective of Maqāṣid Syarīʿah (the objectives of Islamic Law), this consideration relates to ḥifẓ al-māl (the preservation of wealth/resources) and may also pertain to ḥifẓ al-nasl (the preservation of progeny), as providing for a child's needs constitutes a responsibility toward one's offspring. Fourth, there is the mental or psychological factor. Parenthood is no easy task; therefore, mental readiness is essential. A lack of such readiness can leave an individual feeling incapable of fulfilling the role of a parent effectively. Mental preparedness concerns the capacity to face the challenges involved in raising and educating a child. Concerns regarding the pregnancy process or the fear of failing to raise a child well can be reasons why a couple might choose not to have children (Alya Syahwa Fitria, 2023).[26]

This relates to ḥifẓ al-'aql (preservation of the intellect/mind), as such a decision may be rooted in an effort to safeguard mental well-being and the capacity to fulfill family responsibilities. Having children is not an obligation for every couple; rather, it is a choice tailored to the needs and objectives of their marriage. Nevertheless, the decision to remain child-free must still take into account the principles of maṣlaḥah (public interest or well-being) while striving to avoid maḍarrah (harm). Thus, the choice to be child-free cannot be evaluated solely by the presence or absence of offspring; it must also be analyzed based on the underlying reasons and circumstances.

From the perspective of maṣlaḥah, choosing to be child-free can offer certain benefits—most notably, the preservation of life (ḥifẓ al-nafs). A decision to forgo having children for health-related reasons can be viewed as an effort to protect an individual's life or safety. Pregnancy risks vary from woman to woman, and in certain health conditions, it can pose serious dangers. Consequently, for couples with specific health issues that make pregnancy high-risk, the decision not to have children can be seen as a measure to avoid harm that could threaten their safety. In this context, the choice to be child-free—provided it is genuinely based on health

[25] Kholidah, d. (2026). Menimbang Maslahah dan Mudharat Fenomena Childfree di Era Modern (Analisis Maqashid Syari'ah). *Jurnal el-Qanuniy: Jurnal Ilmu-Ilmu Kesyariahan dan Pranata Sosial*, 135-152.

[26] Alya Syahwa Fitria, d. (2023). Childfree dalam Presfektif Islam : Solusi Atau Kontroversi. *Junal Wanita Dan Keluarga*, 1-14.

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considerations—can be understood as a form of protecting one's life.

Second, the preservation of the intellect (ḥifẓ al-'aql). A couple or an individual who chooses a child-free lifestyle to avoid undue pressure or because they are not yet mentally prepared can be viewed through the lens of preserving the intellect. Mental well-being plays a crucial role in navigating family life. If an individual feels mentally unprepared to become a parent, the decision not to have children may be a considered response to their mental state and their capacity to fulfill the associated responsibilities. In this sense, such a decision can be beneficial (maṣlaḥah) if it serves to prevent conditions that might otherwise compromise mental health or the harmony of family life.

Third, the preservation of progeny (ḥifẓ al-nasl). In a broader sense, preserving progeny does not merely mean having many children; it also entails safeguarding their quality of life and well-being. Every child born has the right to a decent life, proper upbringing, education, protection, and the fulfillment of their needs. Therefore, if a couple feels unable to meet these responsibilities, the decision to remain child-free can be understood as a consideration regarding the quality of life of potential offspring. Having children without the ability to fulfill their rights and needs could, in fact, be harmful to the children themselves.

However, the decision to remain child-free can also be examined from the perspective of potential harm (maḍarrah). One such concern is the potential threat to the preservation of religion (ḥifẓ al-dīn). In certain Islamic sources, reproduction and the existence of progeny are linked to the continuity of human life and future generations. Offspring can support the perpetuation of religious life and the sharī'ah from one generation to the next. Nevertheless, this must be understood in a balanced manner; simply having a large number of children does not automatically yield a positive outcome (maṣlaḥah) if it is not accompanied by quality education and upbringing.

Furthermore, the choice to be "childfree" may have implications for the preservation of progeny (ḥifẓ al-nasl) if such a decision is perceived as a disregard for the purpose of marriage—namely, to ensure the continuation of one's lineage. From certain perspectives, marriage is intended for the procreation and preservation of offspring. However, cases involving couples who choose this path due to health concerns, safety, mental readiness, or other specific circumstances must be distinguished, as such decisions may be rooted in different considerations regarding the greater good (maṣlaḥah).

From the perspective of the preservation of life (ḥifẓ al-nafs), some argue that choosing

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to be childfree—in the absence of health-related reasons—could have specific impacts on biological and reproductive health. Nevertheless, claims regarding the link between remaining childless, the use of contraception, and the risk of disease must be evaluated based on robust medical evidence and the specific circumstances of each individual. Consequently, health-related issues cannot be generalized across all childfree couples. (Kholidah, 2026).[27]

Therefore, an analysis of the decision to remain child-free—viewed through the lens of Maqāṣid al-Sharīʿah (the objectives of Islamic Law)—suggests that such a choice must be examined contextually, taking into account a couple's underlying reasons, circumstances, capabilities, and objectives. The principle of ḥifẓ al-nafs (preservation of life/self) is relevant when the decision is made to safeguard one's health and safety, while ḥifẓ al-'aql (preservation of the intellect) pertains to mental readiness and psychological well-being. Furthermore, ḥifẓ al-māl (preservation of wealth/resources) must be considered in relation to the capacity to provide for a family, and ḥifẓ al-nasl (preservation of lineage/progeny) is significant when weighing the quality of life and the fulfillment of a child's rights. At the same time, such a decision must also account for the fundamental purpose of marriage, which includes the preservation of progeny.

Consequently, the decision to remain child-free cannot be evaluated solely based on the binary choice of having or not having children; rather, it must be assessed according to whether it is grounded in principles consistent with Sharīʿah, aimed at securing maṣlaḥah (public interest or well-being), and intended to avoid maḍarrah (harm). Under specific circumstances—such as the presence of serious health risks or a lack of mental readiness—the choice not to have children may be viewed as an effort to prioritize maṣlaḥah. Conversely, if such a decision contradicts Sharīʿah principles and carries the potential to cause harm, it must be re-evaluated. (Alya Syahwa Fitria, 2023).[28]

CONCLUSION

[27] Kholidah, d. (2026). Menimbang Maslahah dan Mudharat Fenomena Childfree di Era Modern (Analisis Maqashid Syari'ah). *Jurnal el-Qanuniy: Jurnal Ilmu-Ilmu Kesyariahan dan Pranata Sosial*, 135-152.

[28] Alya Syahwa Fitria, d. (2023). Childfree dalam Presfektif Islam : Solusi Atau Kontroversi. *Junal Wanita Dan Keluarga*, 1-14.

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Based on the preceding discussion, the phenomenon of being "childfree" among couples with disabilities must be examined by considering the rights and obligations of spouses, as well as the principles of Maqāṣid Syarīʿah (the objectives of Islamic Law). In Islam, marriage is not merely intended to establish a family characterized by sakīnah (tranquility), mawaddah (affection), and raḥmah (mercy); it also encourages the continuation of lineage. However, the decision to have or not to have children cannot be judged in absolute terms without considering the underlying circumstances and reasons.

Individuals with disabilities retain the right to marry and build a family. A disability cannot serve as a basis for assuming that a person is incapable of being a parent. Therefore, a decision to remain childfree should take into account health conditions, mental readiness, economic capacity, and the couple's ability to fulfill the rights and needs of a child. Such a decision should be discussed and mutually agreed upon by both the husband and wife, rather than being determined unilaterally.

From the perspective of Maqāṣid Syarīʿah, the decision to be childfree relates to the principles of ḥifẓ al-nasl (preservation of lineage), ḥifẓ al-nafs (preservation of life/self), ḥifẓ al-‘aql (preservation of the intellect), and ḥifẓ al-māl (preservation of property/wealth). These principles indicate that the decision to have children involves not only the continuation of lineage but also the responsibility to safeguard health, mental preparedness, and the well-being of the family. Consequently, the status of a childfree choice among couples with disabilities should be evaluated contextually, based on the underlying reasons, capabilities, and the maṣlaḥah (public interest or well-being) sought. This approach is intended to foster an understanding of Islamic Law that is more equitable, prudent, and non-discriminatory toward individuals with disabilities.

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