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## Criticizing Childfree in the View of Radical Libertarian and Cultural Feminism: Maqāṣid al-Sharī‘ah Perspective

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### Article History Abstract

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*This research examines the childfree decision made by Gita Savitri and her partner through the lens of radical feminism and Islamic jurisprudence, specifically the Maqāṣid al-Sharī‘ah (higher objectives of Islamic law) as outlined by Imam al-Syatibi. The phenomenon of childfree is explored in relation to the feminist concepts of libertarian radical feminism and cultural radical feminism, alongside Islamic perspectives on family and reproduction. purpose of this study is to ascertain how these viewpoints support or contradict the maqasid al-shari'ah, especially the fundamental Islamic legal precepts of life preservation (hifz h nafs) and offspring preservation (hifz h nasl). To collect pertinent data, a variety of books, articles, and journals are read as part of the qualitative research methodology, which is based on a library research strategy. Depending on the feminist and Islamic perspectives used, the finding may indicate that different people have varied opinions about childfree choices. 1) Cultural radical feminists could interpret childfree options as a rejection of traditional femininity and authority. 2) Whereas libertarian feminists see them as a way for women to achieve their own emancipation. 3) Although having children is highly regarded in the Islamic framework, women's liberty may be respected without completely abandoning Islamic family and ancestry-related beliefs if society norms and individual choice are balanced.*

**Keywords:** Childfree, Libertarian Radical Feminism, Maqāṣid al-Sharī‘ah

### INTRODUCTION

Childfree is a debatable topic for moment This as the decision both of husband and wife influencer, Paul Partohap and Gita Savitri, Victoria Tunggono who chose this decision (Koropecjy-Cox et al., 2007). Childfree is a decision or life choice not to have children, whether biological children, stepchildren, or adopted children, the term childfree appeared

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at the end of the 20th century.

Corinne Maier examines the various factors that influence people's decisions to live childless lives, highlighting both social and personal obstacles. The substantial duty that comes with providing care, whether for an ageing parent, a disabled sibling, or a partner dealing with health concerns, is one important factor. Many people find that the financial and emotional strain of providing care is too much to handle, leaving little time for the additional duty of childrearing. The decision is also heavily influenced by financial considerations because raising a kid can be quite expensive, particularly if one has access to adequate resources or support systems. According to Maier, these support networks are either unavailable or insufficient in many societies, which makes parenthood an even more intimidating experience (Stahnke et al., 2023).

Childfree is not a new phenomenon in Indonesia, a number of partners has decision for life with no children (Nazah, 2020). Although this phenomenon still rarely occurs in Indonesia, therefore childfree has become a topic of much discussion consequence statement partner influencers Gita Savitri which deciding not to have children for the reason that having children is a big responsibility and they are not able to bear this responsibility. Even though this decision is the right of every couple not to have children, especially women who are free to use their womb, will but different case in corner look religion and culture which carries a stigma negative (Martinez Phillips, 2024).

From a religious perspective, especially the Islamic religion, childfree is a decision that violates Allah's commands, the nature of women, and the nature of marriage in producing offspring (Daulay et al., 2023). Allah created a command such as having children, although this command is not mandatory, but Allah has a purpose that invites benefit. as well as preventing *mafsadat*, such as *Maqāṣid al-Sharī'ah* according to Imam Al-Syatibi, who is one of the pioneers of *Maqāṣid al-Sharī'ah* who connects *Maqāṣid* with fiqh, according to him there are five primary needs that must be fulfilled by humans, if these five needs are not met it can threaten safety in society. the afterlife or the world, including; *hifẓ al-din* (maintaining religion), *hifẓ al-nafs* (maintaining the soul), *hifẓ al-'aql* (maintaining reason), *hifẓ al-nasl* (maintaining offspring), and *hifẓ al-mal* (maintaining wealth) (Nurjanah & Nur, 2022).

Looking at the problems above, the author reviews using *Maqāṣid al-Sharī'ah* from Imam Al-Syatibi's perspective to find out whether childfree achieves human benefit. Apart

from a religious perspective, the cultural perspective in Indonesia regarding childfree believes that children are the successors of the descendants, successors of the nation, and heirs, for example in the Toba area, where the people there consider children as something that is highly expected after marriage, according to them children become bearers of their clan as well as their heirs (Rauf & Farhah, 2020).

Researchers found that radical feminism is the only feminism that is involved in several of the discussions above, even though they both discuss natural reproduction, motherhood, children, and the sex/gender system, within the scope of radical feminism it turns out that there are two groups of ideas, namely libertarian radical feminism and cultural radical feminism. Researchers are interested in examining their views on childfree which is related to the claims of a patriarchal society that is still ongoing in Indonesia (Zuhriah et al., 2023).

The type of research used is library research or specifically using library research. According to Creswell, library research is conducting, searching for and processing library sources for the problem to be researched (Attridge & Lesch, 2020). As for the data collection method, it uses a method related to the data source. This method is used by researchers to collect data and explore data that has primary data sources and secondary data, because the primary and secondary data sources are written data, the researcher uses the data collection method using literature review. The library study data collection method is a method of collecting various sources from books, journals, magazines with this library research for literature related to the childfree (Healey, 2016). In collecting using literature, researchers use several methods, including; editing, organizing and finding.

This research stems from academic anxiety regarding childfree as a decision both of husband and wife couples. Apart from that the researchers found a childfree is related to the purpose of Allah ordering his servants to have offspring, therefore researchers are interested in studying in review the *Maqāṣid al-Shari'ah* of Imam Al-Syatibi, namely, *hifẓ al-nasl* (maintaining offspring) (Syafi'i et al., 2023). Research related to the childfree from the perspective of radical feminism with a review of Imam Al-Syatibi's *Maqāṣid al-Shari'ah* is a new problem where there has been no research relevant to the research that the researcher will discuss, therefore the researcher is interested in researching and studying more deeply

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about "Childfree in the view of libertarian and cultural radical feminism (Review of Imam Al-Syatibi's Maqasid al-Shari'ah)" (Shulamith, 2015).

### **DISCUSSION**

#### **Definition of Childfree**

Childfree is not a foreign term, which defines Childfree as used to describe someone who has decided not to have children (used to describe someone who has decided not to have children) (Koropeckyj-Cox et al., 2018). In some of the definitions above, childfree is related to a person's choice or decision, this situation is not a compulsion that causes a person to choose that thing, but people make this choice consciously without compulsion (Salgado & Magalhães, 2024). It can be defined that childfree is a person's or partner's life choice that is made voluntarily aware of living life without wanting to have children, whether biological children, adopted children, or adopted children (DeLysér, 2012).

Childfree is currently being discussed among Indonesian people. Even though the term childfree sounds new, in practice childfree has become a decision for many people to live their lives. The term childfree itself appeared before 1901 in the Merriam-Webster English dictionary, the term first appeared and became a skeptical term for contemporary life (Bicharova et al., 2017).

Hostility towards values, norms and culture that are not in accordance with the childfree lifestyle attracts a lot of negative stigma from various circles of society, even the lower the birth rate, the more people follow the childfree lifestyle, especially for someone who considers that children are an obstacle to work and activities. Childfree adherents realize that this lifestyle is a stigma that needs to be labeled (Ashburn-Nardo, 2017). Therefore, some childfree adherents have built their identity as "someone who is free or without children".

This identity labeling began when the National Organization for Non-Parents in 1973 marked a non-parental day which later changed to "International Childfree Day" which functions as support and acceptance of childfree. This day is on the agenda every year to promote, unite, strengthen identity and provide support. International Childfree Day is held every year and celebrated on August 1, in fact childfree supporters have been around since 1970 marked by a non-profit organization called the Organization for Non-Parents (NON) "where the organization has a mission to educate people who choose childfree their lifestyle is a valid thing (Bhambhani & Inbanathan, 2020).

The commemoration of childfree day and nominations indicate that childfree is not

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just an ordinary lifestyle, childfree even has several adherents who unite to form various organizations such as "Friend First" Fun Friends Group in the United States and No Kidding in the United States as well as various other groups. The identity as a childfree *person* is recognized internationally, because apart from being a follower of style many childfree lives, childfree also has an identity that shows support from various parties. Several other groups are on Facebook such as Childfree, Pro-choice, Child-free by choice, Childfree Australia, Childfree Ireland, Childfree Academia, Childfree Cape Town, Child-Free Zone Australia.



**Figure 1.** Childfree Social Groups in the United States

Source: Journal of Stuart Basten, PhD "Voluntary childlessness and being Childfree"



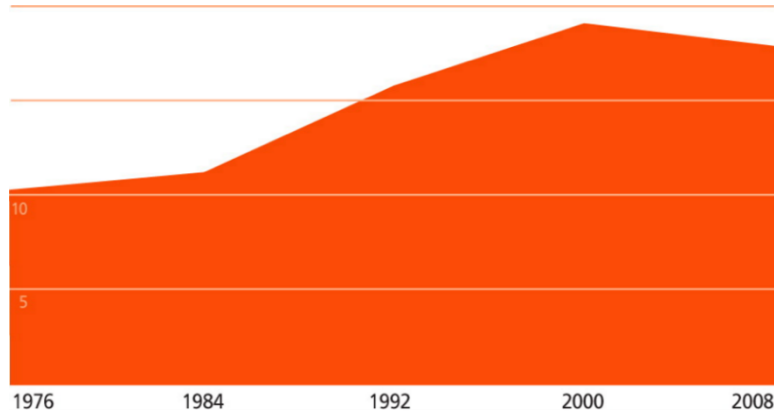
**Figure 2 :** Childfree Meetup Group Rochester at the Bowling Alley, United States

Source: Journal of Stuart Basten, PhD "Voluntary childlessness and being Childfree"

Childfree has occurred in several countries such as the United States, South Korea, Japan, and several other countries, the Japanese government even provides rewards in the form of money to its citizens who give birth to children, the government encourages its citizens due to the low birth rate and causes a low population in Japan. In Amy Blackstone's research entitled "Childless...or Childfree? (Blackstone, 2014)" describes a diagram of women

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in the United States who choose childfree at the age of 40-44 years in the vulnerable years 1976-2008, as follows;



**Figure 3 . Childfree growth in ages 40-44 years in the United States**

Source: **Pew Resource Center**

The diagram shows that women aged 40-44 years who do not have children have increased over the years in the United States, in 1976 it was 11%, then in 1984 it was 12%, in 1992 it was 18%, then in 2000 with the figure was 19%, and in 2008 the decline was at 18%. Then other data shows the childfree that occurs in various European countries, this data is shown in research entitled "Increasing Childlessness in Europe: time trends and country differences" written by Anneli Miettinen, Anna Rotkirch, Ivett Szalma, Annalisa Donoo, and Maria - Letizia Tanturri (Shenaar-Golan & Lans, 2023).

Childfree in European countries is rarely found in women aged 18-40 years in 2011, in Hungary as much as 0%, Latvia as much as 1.5%, Lithuania 2.8%, Ireland 1.8%, Czech R 1.3%, Slovenia 1.8%, Slovakia 0%, Romania 1.6%, France 0.5%, Hungary 4%, Portugal 0.7%, Estonia 0.5%, Cyprus 0%, Denmark 3.2%, Greece 5.6%, Sweden 1.7%, Poland 1.3%, Italy 2.1%, Spain 3.7%, Germany 6.7%, UK 4%, Finland 4.3%, Belgium 3.9%, Austria 7%, Netherlands 6%, from the data above it can be seen that Germany is the country with the highest number of citizens with childfree decisions (Ribeiro & De Cássia Sobreira Lopes, 2023).

**Childfree in the Perspective of Radical Libertarian and Cultural Feminism**

Childfree is a decision that is considered a personal decision, a decision to have the right to do what they want, especially women, women have the right to use their womb or not is the right of someone who has a womb. They have the right to give birth to a child or

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not, this situation is related to feminist thinking radical which raises issues regarding the sex and gender system, female reproduction, children, and the concept of motherhood for a woman. This also indicates that every feminist does not always think in the same forum, such as regarding power, dominance, hierarchy and competence, because Feminism is a forum for different ideas.

In the view of radical feminism itself, it broadly discusses thoughts that are closely related to the childfree, such as the sex and gender system, female reproduction, the biological condition of women, children and mothers. Radical feminism is divided into two schools of thought, namely libertarian and cultural radical feminism, both have different thoughts and are broadly contradictory even within the same scope of feminism (Nakkerud, 2023).

Therefore, it is necessary to compare how libertarian and cultural radical feminism views some of these thoughts which also have a close relationship with the childfree. To see the views of libertarian and cultural radical feminism on childfree, it is necessary to qualify several radical libertarian feminist thoughts, namely; sex and gender systems, female reproduction, children and mothers, and childfree.

**Childfree in the Perspective of Radical Libertarian**

Libertarian radical is feminism that pays first attention to female reproduction, which is often a limitation for women to develop themselves. Libertarian radical feminism wants androgyny, by showing full coverage of masculine and feminine qualities, starting from their views. First, sex and gender system, libertarian radical feminism as a view of the childfree, it is necessary to define the sex/gender system, one of the radical-libertarian feminists. Gayle Rubin, defines the sex/gender system as "sex/gender system is the set of arrangements by which a society transforms biological sexuality into products of human activity (Neal & Neal, 2024).

Second, women's natural reproduction, apart from the sex/gender system which is a form of oppression against women, libertarian radical feminism also believes that women's biological reproduction is a factor in oppression of women. One of the libertarian radical feminists. Shulamith Firestone argued for this liberation, there needs to be a change in

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women's biological reproduction. According to him there needs to be a revolution in biological reproduction by replacing natural reproduction (in utero) with artificial reproduction (ex utero) (George-Allen, 2022). By liberating women from biological orders, women do not need to be passive or a sign of being owned by men.

Radical feminism believes that if women move further away from the reproductive process, the more time and energy they will spend actively in society. According to Firestone, the existence of class differences comes from different reproductive roles between humans. Firestone believes that if natural reproduction still exists, oppression towards women will continue, natural reproduction of women is not in women's interests, joy during childbirth is just a myth of patriarchal society. Radical-libertarian feminism does not want to use their womb to have children, they hope that one day if they want a child, whether with a boy or a girl, they hope for pregnancy outside the body using an artificial placenta which can completely replace natural reproduction (Çakmak & Rumson, 2022; Ihza, I. M., & Fadhilah, N., 2022).

Third, mother and child, radical-libertarian feminism really avoids natural reproduction, this becomes a focus that every woman does not have to be a mother. They need to be differences in being a mother socially or biologically. For a radical-libertarian feminism, being a mother does not have to be biological, different with the emphasis of patriarchal society. They believe that becoming a mother must be through biological reproduction, one of the radical-libertarian feminists who opposes the presence of biological mothers is Ann Oakley. According to her, biological motherhood is a myth based on three layers of belief that all women need to be mothers, all mothers need her child, and all children need their mother (Stahnke et al., 2020).

The first opinion states that all women need to be mothers, opposed by Oakley, that women who become mothers, does not always have to be associated with ownership of the uterus and ovaries (Volsche, 2017). Women should feel when they become mothers is a relationship with women through social means, in addition to getting a sense of Self-respect doesn't have to be a mother.

According to Oakley, being a mother is a culture that is built and has become a myth, not to be selfish when women don't want children, where women have to care for the child for 24 hours which can delay their development, so many women are unhappy when they have child. Similar to Oakley, Firestone also opposes the opinion of biological mothers, if

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someone wants to be close to a child they don't have to be a mother (Stahnke et al., 2022). According to him, to be close to their child they can carry out activities related to children, such as teaching, playing at child care, and so on.

Fourth, childfree, starting from the childfree where, childfree is a person's decision not to have children, this decision is made voluntarily, until in old age or at the end of life, the person does not intend to have children, whether biological or adopted. A person chooses childfree for many factors, such as not having experience in raising children, children can hinder their activities, economics, and various other reasons. Childfree is often considered to be selfish, because they only care about the person's life, the childfree even has an impact on numbers birth of a child in a country.

**Childfree in the Perspective of Cultural Radical Feminism**

Radical feminism has a variety of thoughts, the thoughts of both libertarian and cultural radical feminism have significant differences. To find out what cultural radical feminism thinks about childfree, you need to know their thoughts about the sex/gender system, natural reproduction, mother and child, and childfree. First, the sex/gender system, one of the radical-cultural feminists. Marilyn French, mentioned the basic difference between radical-libertarian and cultural feminism. Starting from the differences between men and women, where radical-libertarian feminism considers that gender and sex are secondary (Ciesielski, 2024). While, radical-cultural feminism assumes that the differences between men and women come from their biological conditions.

According to radical-cultural feminism androgyny is not the liberation of women from oppression, they do not agree with the claims of radical-libertarian feminism, they oppose androgyny of radical-libertarian feminism, the problem of oppression is not their femininity, but the existence of a low assessment of the quality of feminism, such as softness, simplicity, supportive, empathetic, caring. High marks are only given to masculine qualities such as assertiveness, aggressiveness, logic, violence, society thinks that giving affection and sympathy is wrong (Eisenberg & Brummett, 2023; Fadhilah, N., & Rohmaniyah, A., 2023).

Second, women's natural reproduction, not only do they have different views regarding sex, gender and androgyny, radical-libertarian and cultural feminism have different views on reproduction, radical-libertarian feminism believes that women must replace their

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natural reproduction with artificial reproduction, while Radical-cultural feminism believes that natural reproduction carries its own interests. According to radical-libertarian feminism, the more women are not involved in the reproductive process, the more time they spend on being active in community activities rather than being at home taking care of the family (Stephani, 2024).

Third, mothers and children, the existence of biological mothers is opposed by radical-libertarian feminism, in fact according to them women do not have to be biological or social mothers, it is not always women who have to be mothers for children, because children need someone who is an adult who is close to the child. Radical-libertarian feminism tends to be strong against biological mothers, therefore, radical-cultural feminism does not agree with the thinking of radical-libertarian feminism.

Fourth, childfree, radical-cultural feminism views this phenomenon as a form of loss of women's power, because with this lifestyle. Women will completely lose the power to bring children into the world. Which is that children hinder their work making the patriarchal society happy that they succeeded in providing the claim that mothers can only be at home 24 hours without being active in society. If female reproduction is eliminated, women will become tools for men to satisfy their sexual desires.

Childfree means that patriarchal society cannot disappear, because childfree is a person's decision not to have children, women will lose the power to bring life into the world. Childfree from the perspective of libertarian and cultural radical feminism, it is necessary to describe their views on the sex/gender system, natural reproduction, mother and child which have a close relationship with childfree, therefore the researcher made a comparison table between the two.

Aspects	Libertarian Radical Feminism	Cultural Radical Feminism
Sex/gender system	Creating an androgynous society (mixing masculine and feminine)	Return to original femininity without mixing feminine and masculine
Natural Reproduction	Avoid biological reproduction	Natural reproduction is a woman's strength
Mother and child	Every woman does not have to be a mother and have children	Becoming a biological mother is the power to present someone in the world and is only possessed by women

Childfree	Supports and agrees with the childfree which prevents women from reproducing women	Disagree with the childfree which distances women from the plenary power of women (biological reproduction)
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**Table 1. Comparison of sex/gender systems, natural reproduction, mother and child, childfree in the perspective of radical libertarian and cultural feminism**

**Criticizing Childfree from the View of *Maqāṣid al-Sharī‘ah***

Childfree is a problem discussed by several groups, especially Muslims, children are the sustenance that parents hope for, Allah SWT and Rasulullah strongly recommend that Muslims and Muslim women increase their offspring. The existence of the childfree in the view of libertarian and cultural radical feminism links this lifestyle to *Maqāṣid al-Sharī‘ah* regarding the maintenance of the soul and offspring which is closely related to the concept of children and reproduction, whether this phenomenon achieves benefit and threatens the existence of the soul and lineage of the community. Every human being who chooses this decision, with the existence of the childfree which is related to *hifẓ nafs* and *hifẓ nasl*, the analysis is carried out based on the classification of *maslahah* and *dharuriyat* of *Maqāṣid al-Sharī‘ah* Imam Al-Syatibi because the childfree is included in the classification of *dharuriyat* (*hifẓ nafs hifẓ, nasl*).

**1. *Dharuriyyat***

The decision to take childfree steps has various reasons behind this decision, starting from economics, not being ready to have children, children being a career obstacle, and various other reasons, libertarian radical feminism and cultural radical feminism which have contrasting differences to childfree, in where libertarian radical feminism which rejects having children and things related to femininity such as breastfeeding, is in contrast to cultural radical feminism which views women's biological reproduction as a strength, a gift given to women to avoid oppression against women.

One of the adherents of childfree, Gita Savitri, is a Muslim woman who chooses to be childfree because having children is not an easy thing to do, whereas Allah SWT recommends His servants to have children, this is in line with the main aim of *Maqasid al-syari'ah* in *maslahah dharuriyat*, namely maintaining soul and looking after offspring:

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libertarian radical feminism which believes that the female body is a source of oppression against women, especially the biological condition of women, namely giving birth. and having children, they consider things related to femininity only make women more oppressed.

Radical libertarian feminists assumed that childfree is certainly a way out for them to avoid forms of oppression against women, in fact, according to them, breastfeeding is one of the things that results in oppression against women. This is different from cultural radical feminism which assumed that men cannot do anything if they can bring a child into the world. They imagine what it would be like if women did not exist in the world, therefore for cultural radical feminism giving birth and having children is the greatest power for women to avoid of oppression against women.

Childfree causes a person's lineage to be broken, while scholars of Islamic law seem to consider that the issue of heredity and the care or preservation of offspring is important. Al-Syatibi said that humans are consistently asked to seek benefit, where all human activities contain a benefit for the people humans fall into the category of needs. Al-Syatibi has formulated it in the hierarchy of *dharuriyat* because the care of offspring is the basic foundation for realizing the benefits of a human need. Apart from that, caring for offspring is a form of *maslahah* in this world and the hereafter which has the aim of ensuring the preservation of offspring from generation to generation (Ahmad Syukron, 2019).

Libertarian radical feminism which strongly rejects the existence of biological reproduction and children getting into a situation that is dangerous for the existence of their offspring. If this childfree is increasingly taken up by various partners can certainly break a person's lineage and cannot achieve offspring maintenance (*hifzh nasl*). Cultural radical feminism which rejects the existence of childfree is in line with *Maqāṣid al-Sharī'ah*, namely *hifzh nasl* (Haq et al., 2023). The maintenance of offspring brings many problems to a person, children are a source of sustenance with the permission of Allah SWT, Allah SWT says:

وَلَا تَقْتُلُوا أَوْلَادَكُمْ حَشِيَّةَ إِمْلَاقٍ ۖ نَحْنُ نَرْزُقُهُمْ وَإِيَّاكُمْ ۚ إِنَّ قَتْلَهُمْ كَانَ خِطْئًا كَبِيرًا

"It is forbidden to kill your children out of fear, because Allah is the one who gives sustenance to humans." (Surat Al-Isra': 31).

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Marriage, one of whose aims is to produce offspring, is not achieved due to the childfree still exist. Of course, making a childfree decision for each couple endangers the existence of offspring, destroys the lineage and threatens offspring that cannot achieve the benefit of the goal of *Maqāṣid al-Sharī'ah* (Jayana & Edi Susanto, 2023).

Remaining childless can be viewed from an Islamic standpoint as going against the core goals of *Maqāṣid al-Sharī'ah*, especially the maintenance of ancestry (*hifzḥ nasl*) and the performance of marital responsibilities, which include having children. Islam views marriage as a way to accomplish divine commands and contribute to the continuation of the human race by producing children in addition to providing companionship. The Qur'an and Hadith promote reproduction because they see children as Allah's gifts and means of subsistence (Muasomah & Dzul kifli M. Mooduto, 2021).

Therefore, choosing to be childfree may be perceived as undermining these core goals of Islamic law, potentially jeopardizing the preservation of lineage and depriving society of the benefits children bring, both in terms of family legacy and communal growth. While Islam acknowledges the autonomy of individuals in making personal decisions, including those related to family planning, deliberately choosing to forgo children without valid reasons may be viewed as contradictory to the broader objectives of Islamic law, which seeks to protect and nurture life and lineage.

**CONCLUSION**

This study explores radical feminism's divergent perspectives on the decision to ignore having children. Radical-libertarian feminism promotes reproductive control, encourages the childless lifestyle, and sees parenthood as an oppressive act that curtails women's liberty. Radical-cultural feminism, on the other hand, rejects the childfree choice because it views motherhood as essential to women's dignity and authority and holds that refusing biological reproduction lowers women's worth in society. The research findings show attention to the ideological differences between these two feminist viewpoints about women's autonomy, reproductive rights, and roles. Furthermore, the study might benefit from an in-depth study of Islamic feminism, men's viewpoints, and family dynamics while avoiding ethical and confirmation bias. Future research should broaden these topics to offer a more thorough and impartial knowledge of how childfree decisions are interpreted in

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Islamic and feminist contexts.

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