

No. Reg: 22117000055112

KLASTER PENELITIAN TERAPAN GLOBAL/ INTERNASIONAL

**THE EMERGENCE OF THE TREND OF CHILDLESS MARRIAGE IN EUROPE
AND ITS RELEVANCE TO FAMILY PLANNING PROGRAMS
IN INDONESIA IN THE PERSPECTIVE OF ISLAMIC LAW**



Compiled by

Name : Dr.H. Fatahuddin Aziz Siregar,M.Ag.
NIDN 2028117302
ID Researcher 202811730207884

Name : Dr. Ikhwanuddin Harahap,M.Ag.
NIDN 2003017502
ID Researcher 200301750207998

**STATE ISLAMIC INSTITUTE OF PADANGSIDIMPUAN
PADANGSIDIMPUAN**

2022



**KEMENTERIAN AGAMA REPUBLIK INDONESIA
INSTITUT AGAMA ISLAM NEGERI
PADANGSIDIMPUAN**

Jl. T. Rizal Nurdin, Km. 4,5 Sihitang- Kota Padangsidimpuan

Telpn. (0634) 22080, Fax. (0634) 24022, Web. <http://lppm.iain-padangsidimpuan.ac.id>

VALIDITY OF RESEARCH RESULTS

Research Cluster : International Global Applied Research
Judul Penelitian : The Emergence of The Trend of Childless Marriage in Europe
And Its Relevance to Family Planning Programs in
Indonesia in The Perspective of Islamic Law
Subject : Islamic Law
Head of Team
Full name : Dr. H. Fatahuddin Aziz Siregar, M. Ag.
NIP./ NIDN : 197311282001121001
ID Researcher : 202811730207884
Faculty : Sharia and Law
Address : Jl. Jati Lk. II Pijorkoling Padangsidimpuan
Phone Number : 085275251726
Email : fatahuddinazizsiregar@iain-adangsidimpuan.ac.id
Research Funding : IDR. 150.000.000,-

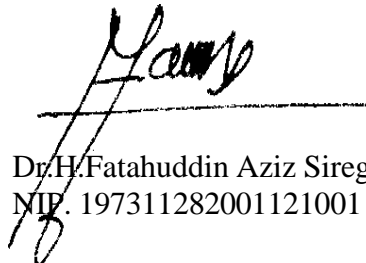
Padangsidimpuan, Desember 2022

Head of Team,

Approved
Head of LPPM
IAIN Padangsidimpuan



Dr. H. Adam Rasyid, M.A.
NIP. 19730725 199903 1002
NIP. 19730725 199903 1 002


Dr. H. Fatahuddin Aziz Siregar, M. Ag
NIP. 197311282001121001



**KEMENTERIAN AGAMA REPUBLIK INDONESIA
INSTITUT AGAMA ISLAM NEGERI
PADANGSIDIMPUAN**

Jl. T. Rizal Nurdin, Km. 4,5 Sihitang- Kota Padangsidimpuan

Telpn. (0634) 22080, Fax. (0634) 24022, Web. <http://lppm.iain-padangsidimpuan.ac.id>

RESEARCHERS IDENTITY

I. Head of Team

Full name : Dr.H. Fatahuddin Aziz Siregar, M.Ag.
Gender : Male
NIP. 197311282001121001
ID Researcher 202811730207884
Faculty : Sharia and Law
Jati Lk. II Pijorkoling Padangsidimpuan
Phone Number 082274130937
Email : fatahuddinazizsiregar@iain-adangsidimpuan.ac.id

I. Member of Team

Full name : Dr. IKhwanuddin Harahap, M.Ag.
Gender : Male
NIP. 197501032002121001
ID Researcher 200301750207998
Faculty : Sharia and Law
Address : Jl. Jati Lk. II Pijorkoling Padangsidimpuan
Phone Number 081263734120
Email : ikhwanuddin_harahap@yahoo.com

Foreword

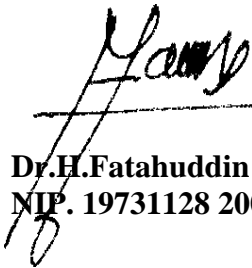
The Research Team is grateful for the completion of the report on the results of this study. The research entitled is an international global Applied cluster research that was successfully completed according to the provisions. Researchers are given the experience of conducting this challenging research. Researchers are also proud to be pioneers in research on an international scale.

The essence of the results of this research is hopefully to produce articles that will be published in reputable international journals and provide benefits for enthusiasts of Islamic law studies, especially in the field of family law. Hopefully, the results of this study can also inspire young researchers, both in terms of research experience on a global scale, especially from the substance of the results of this research to conduct further research.

The research team felt indebted, and expressed their sincere heartfelt gratitude, as well as high appreciation to the Rector of the Padangsidempuan State Islamic Institute who had designated us as the recipient of research assistance. We also express our gratitude to the Head of the Institute for Research and Community Service and all staff who have provided a lot of technical assistance in completing this research.

Padangsidempuan, December 2022

Head of Research Team



Dr.H.Fatahuddin Aziz Siregar, M.Ag
NIP. 19731128 2001121001

CONTENTS

COVER.....	i
VALIDITY OF RESEARCH RESULTS.....	ii
RESEARCHERS IDENTITY.....	iii
FOREWORD.....	iv
CONTENTS.....	v
CHAPTER I INTRODUCTION	
A Background	1
B Research Problem.....	3
C Research Objectives.....	4
D Relevant Past Research.....	4
E Relevant Concepts or Teories.....	8
F Research Method.....	13
G Plan of Discussion.....	15
CHAPTER II GENDER PERSPECTIVE; EXPOSING THE INJUSTICE OF CONJUGAL RELATIONS IN DOMESTIC AFFAIRS	
A Marriage According to Indonesian Law.....	18
B Marriage According to Islamic Law.....	20
C Household Leadership.....	26
CHAPTER III FAMILY PLANNING: UNRAVELING THE PRESENCE OF THE STATE IN CONTROLLING THE RATE OF BIRTH OF CHILDREN	
A Definiton of Family Palanning (KB).....	41
B Purpose and Benefits of Family Planning (KB).....	44
C The Role of the State in Controlling the Rate of Child Birth.....	47
D The Value of Children in the Family.....	56
CHAPTER IV SECOND DEMOGRAPHIC TRANSITION: UNDERSTANDING THE EMERGENCE OF CHILDLESS MARRIAGE IN EUROPE	
A Trend of Childless Marriag.....	64
B Childfree Marriage in Various Perspectives.....	68
C Avoiding Toxic Family, Experiencing Romance, Being Happy and Well Without Children.....	75
D Chlidfree Marriage as a Product of Social Construct.....	82
CHAPTER V PERSPECTIVES ON ISLAMIC LAW: A CRITICAL AND COMPREHENSIVE STUDY OF CHILDLESS MARRIAGE	
A The Term Childless Marriage in Islam.....	90
B Legal Status of Negation of Children in the Family.....	92
C Reasons That Prohibit Childless Marriage.....	93
D Reasons That Allow Childless Marriage.....	98
E Intersection between <i>Illat</i> and <i>Maqashid Al-shari'ah</i> in Childfree	

Marriage.....	105
F Conclusion.....	112

CHAPTER I

INTRODUCTION

A. Background

The commitment to childlessness in a marriage bond is a trend for married couples in Europe.¹ Referring to Frejka and Sardon (2004) the increasing rate of childless marriage as such a social trend occurred for 45 years especially in Scandinavian countries.² About 20% of women who are now reaching the end of their reproductive period remain childless, this figure has increased steadily in recent years.³ Referring to Merz and Liefbroer (2012), marriage agreements with a voluntary childless commitment are rated the most positively by society in Europe.⁴ The assessment is closely related to the development of the Second Demographic Transition (SDT) in Europe.

The concept of SDT was first proposed by Van de Kaa and Lesthaeghe (1986) to explain the unexpected decline in fertility as a result of changes in family formation patterns caused by changes in values in post-modern society.⁵ The demographic first phase occurred in the late 18th to early 20th centuries where European countries were undergoing a transition from high fertility-high

¹ Donald T. Rowland, "Historical Trends in Childlessness," *Journal of Family Issues* 28, no. 10 (2007): 1311–37.

² Tomas Frejka and Jean-Paul Sardon, *Childbearing Trends and Prospects in Low-Fertility Countries: A Cohort Analysis*, vol. 13 (Springer Science & Business Media, 2006).

³ Michaela Kreyenfeld and Dirk Konietzka, *Childlessness in Europe: Contexts, Causes, and Consequences* (Springer Nature, 2017).

⁴ Eva-Maria Merz and Aart C. Liefbroer, "The Attitude toward Voluntary Childlessness in Europe: Cultural and Institutional Explanations," *Journal of Marriage and Family* 74, no. 3 (2012): 587–600.

⁵ Dirk J. Van de Kaa, "Options and Sequences: Europe's Demographic Patterns," *Journal of the Australian Population Association* 14, no. 1 (1997): 1–29.

mortality rates to low fertility-low mortality rates. This process was formulated as a demographic transition model by F.W. Notestein. In this first transition, traditional and religious norms based on altruistic interests still bind married couples to have children.⁶

The second phase is characterized by the emergence of a post-industrial and post-materialistic society. In this phase, young people have been freed from traditional norms regarding sexual behavior, cohabitation, marriage, divorce, and the time of birth, with the spread of the oral contraceptive pill. The highest value lies in women who have the right to their reproductive organs.⁷ The emergence of understanding, awareness and actualization of gender roles in various social relations is one of the considerations for marrying without a commitment to have children. In this perspective, referring to Kahlert (2007), the increase in childless marriage can be interpreted as a rational adaptation to the structural inequality of gender roles, caused by limited institutional support for childcare in society.⁸

The limited support of the state or other institutions to provide childcare space (especially toddlers) then became a new issue. This issue arises as an implication of the commitment to marriage by having children. Given that women have carried a heavier burden than men in providing childcare,⁹ and considering

⁶ Frank W. Notestein, "The Population of the World in the Year 2000," *Journal of the American Statistical Association* 45, no. 251 (1950): 335–45.

⁷ Toshihiko Hara, "Increasing Childlessness in Germany and Japan: Toward a Childless Society?," *International Journal of Japanese Sociology* 17, no. 1 (2008): 42–62.

⁸ Heike Kahlert, "Die Kinderfrage Und Der Halbierte Wandel in Den Geschlechterverhältnissen," in *Ein Leben Ohne Kinder* (Springer, 2007), 337–63.

⁹ Alice Schoonbroodt, "Parental Child Care during and Outside of Typical Work Hours," *Review of Economics of the Household* 16, no. 2 (2018): 453–76.

that husband and wife work, women will carry a heavier burden than men if they have to take care of children, especially during the Covid-19 pandemic crisis.¹⁰

In this perspective, the Family Planning (KB) program by the Indonesian government can be a solution so that married couples remain committed to having children, but through pregnancy planning. Family planning is an effort to regulate the birth of children, distance and the ideal age of childbirth, regulate pregnancy, through promotion, protection, and assistance in accordance with reproductive rights to realize a quality family (Law 52 of 2009). Women as owners of reproductive rights must be protected, justice for husband and wife in the upbringing of children who both work together, social acceptance of marriage with childless commitment and the importance of the presence of the state through arrangements that provide protection to pregnant women on the other hand are the complexity of the problems that exist around the trend of marrying with childless commitment as central to the problem of this study. The complexity of the issue will be comprehensively reviewed in the perspective of Islamic law.

B. RESEARCH PROBLEM

With this background, the formulation of this research problem is: What is the perspective of Islamic law on the emergence of childless marriage in Europe and its relevance to the Family Planning program in Indonesia?

¹⁰ Gema Zamarró and María J. Prados, "Gender Differences in Couples" Division of Childcare, Work and Mental Health during COVID-19," *Review of Economics of the Household* 19, no. 1 (2021): 11–40.

C. RESEARCH OBJECTIVES

This study aims to find knowledge about Islamic law that is more progressive and comprehensive in looking at the phenomenon of childless marriage trends in Europe, especially Scandinavian countries, especially Norway and its relevance to the family planning program in Indonesia. This research has added value because it helps realize Family Planning as an Indonesian government program.

D. RELEVANT PAST RESEARCH

Some experts state that not having children has become the status most in line with contemporary society.¹¹ In fact, a person who is not bound by marital commitments to have children becomes the criterion of winning the race for career and success in life.¹² Thus, according to Beck (1992), the main society of Europe is a childless society. Nevertheless, this mainstream understanding has also been met with resistance by pointing to the low number of survey respondents who state that not having children is ideal in their lives.¹³ This shows that, not all Europeans can accept the trend of marrying without the commitment of husbands and wives to have children.

¹¹ Tomáš Sobotka, "Childlessness in Europe: Reconstructing Long-Term Trends among Women Born in 1900–1972," in *Childlessness in Europe: Contexts, Causes, and Consequences* (Springer, Cham, 2017), 17–53.

¹² P. F. McDonald, "Sustaining Fertility through Public Policy: The Range of Options," *Demografie* 46, no. 1 (2004): 1–21.

¹³ Anneli Miettinen and Ivett Szalma, "Childlessness Intentions and Ideals in Europe," *Finnish Yearbook of Population Research* 49 (2014): 31–55.

Many factors cause married couples in Europe to decide not to have children. Women's educational attainment, which previously lagged behind men until the 1980s, was one of the factors that women as owners of child reproductive devices decided to marry without a commitment to have children. Women today are more likely than their male counterparts to earn tertiary titles in all European countries.¹⁴ Higher education has shifted the values associated with reproduction and marriage, and related changes in partnership behavior known as the "second demographic transition".¹⁵ Through education women have more awareness that they are the owners of the most important organs as a means of child reproduction. This awareness leads to a higher level of childlessness. A survey conducted by Merz and Liefbroer (2012) in Scandinavian countries such as Norway and Denmark found that consent to voluntary childlessness was closely related to the development of the second demographic transition was widely viewed as something positive.¹⁶ This awareness leads to a higher level of childlessness. A survey conducted by Merz and Liefbroer (2012) in Scandinavian countries such as Norway and Denmark found that consent to voluntary childlessness was closely related to the development of the second demographic transition was widely viewed as something positive.¹⁷

What's more, women today have relatively high labor participation rates, even in southern European countries, where in the past the majority of women

¹⁴ M. Mamolo et al., "European Demographic Data Sheet 2014," 2014.

¹⁵ Ron Lesthaeghe, "The Unfolding Story of the Second Demographic Transition," *Population and Development Review* 36, no. 2 (2010): 211-51.

¹⁶ Merz and Liefbroer, "The Attitude toward Voluntary Childlessness in Europe."

¹⁷ Merz and Liefbroer.

remained outside the labor market .¹⁸ While young women now almost universally expect to be employed throughout their lives (Goldin 2006). Women's increasing participation in the workforce due to their increased education is another major factor driving the decision of married couples to marry without a commitment to have children.¹⁹ While young women now almost universally expect to be employed throughout their lives.²⁰

While from a male perspective, husbands have not been able to fully adjust to being fairly involved in parenting, cooking and other housework.²¹ This unfairness of domestic work is another subtle factor that drives married couples to decide not to have children. This phenomenon of injustice in childcare and the management of domestic work in the household between husband and wife is considered by Esping-Andersen (2009) as an incomplete gender revolution.²² This condition has forced women into a difficult dilemma between a career in work or being a mother who takes care of their child.²³

At the same time, the rapid pace of industrialization of contraceptives that can prevent married couples from having children is also increasingly accessible. Referring to van de Kaa (1997), easy access to modern contraceptives—including

¹⁸ "Doing Better for Families - OECD," accessed December 13, 2022, <https://www.oecd.org/social/soc/doingbetterforfamilies.htm>.

¹⁹ "Doing Better for Families - OECD."

²⁰ Claudia Goldin, "The Quiet Revolution That Transformed Women's Employment, Education, and Family," *American Economic Review* 96, no. 2 (2006): 1–21.

²¹ Jennifer L. Hook, "Care in Context: Men's Unpaid Work in 20 Countries, 1965–2003," *American Sociological Review* 71, no. 4 (2006): 639–60.

²² Gosta Esping-Andersen, *Incomplete Revolution: Adapting Welfare States to Women's New Roles* (Polity, 2009).

²³ J. KOK, "O. Thévenon • Increased Women's Labour Force Participation in Europe: Progress in the Work-Life Balance or Polarization of Behaviours?..... 235," n.d.

postpartum emergency contraceptives, which were first available in the late 1990s—has expanded a couple's ability to decide if and when to parent, and arguably made them more likely to choose to remain childless.²⁴

Nevertheless, some other literature also explains that the decision to marry with a childless commitment was rather than consistently planned from a young age. The decision not to have children is often driven by a mixture of adverse circumstances and adjustments to unforeseen events, such as infertility, poor health, not having the right partner, and the breakup of a partnership between a husband and wife.²⁵ These conditions have prompted married couples of productive age to adopt a strategy of delaying having children.²⁶ This adaptation strategy was originally only delaying having children, not committing to not having children. But this adaptive strategy often leads fertile couples to gradually adapt to a child-free lifestyle, and eventually they will lose interest in having children.²⁷ In general, married couples who are in childless childbearing age reveal delaying child reproduction plans more than they claim to choose and decide not to have children.²⁸

In the Indonesian context, postponing plans to have children in a commitment of a married couple at childbearing age can actually be categorized

²⁴ Van de Kaa, "Options and Sequences."

²⁵ Edith Gray, Ann Evans, and Anna Reimondos, "Childbearing Desires of Childless Men and Women: When Are Goals Adjusted?," *Advances in Life Course Research* 18, no. 2 (2013): 141–49.

²⁶ Ann Berrington, "Perpetual Postponers? Women's, Men's and Couple's Fertility Intentions and Subsequent Fertility Behaviour," *Population Trends* 117 (2004): 9–19.

²⁷ Ronald R. Rindfuss, S. Philip Morgan, and Gray Swicegood, "First Births InAmerica: Changes in the Timing of Parenthood," *Berkeley: University of California Press*, 1988.

²⁸ Máire Ní Bhrolcháin and Éva Beaujouan, "Uncertainty in Fertility Intentions in Britain, 1979-2007," *Vienna Yearbook of Population Research*, 2011, 99–129.

as Family Planning (KB). Referring to Law number 52 of 2009 concerning Population Development and Family Development, family planning is understood as an effort to regulate the birth of children, distance and the ideal age of childbirth, regulate pregnancy, through promotion, protection, and assistance in accordance with reproductive rights to realize a quality family. This understanding affirms that delaying plans to have children is part of planning to have children by means of regulating the birth of a child, the distance and ideal age of childbirth, or regulating pregnancy. The arrangement is included in the national scheme as the official policy of the government (state). That is, the state can interfere to regulate married couples who will have children. However, the government's interference still respects the reproductive rights of wives through promotion, protection and assistance.

This perspective of the birth control program can be actively used as a solution for married couples who initially choose adaptation to postpone having children, not commit to not having children because both are workers. The active use of the birth control perspective can avoid married couples losing their fertile period due to being carried away by the flow of a child-free lifestyle as described by Rindfuss, et al (1988).²⁹

E. RELEVANT CONCEPTS OR THEORIES

Theories or concepts of gender and related concepts such as female reproductive devices were chosen as theoretical frameworks that were considered

²⁹ Rindfuss, Morgan, and Swicegood, "First Births InAmerica."

relevant in this study. This explanation will generally use the perspective of women in understanding the phenomenon to be studied. This perspective supposes the understanding that women are a vital and central factor in the decision making to have or not to have children for married couples. This is because women who have reproductive organs and biological women who later conceive and breastfeed the children they give birth to. This basic understanding will discuss gender injustice or imbalance in the relationship between husband, wife and state.

Regarding gender imbalances in husband-wife relationships, Adams-Prassl et al. (2020) found that in America wives spend more time caring for children than husbands.³⁰ While Heggeness (2020) explained, wives who initially had jobs were forced to choose not to work for reasons of parenting.³¹ At least, wives reduce their working hours more than husbands.³²

A similar phenomenon also occurs in Europe. Husbands are indeed involved in childcare, but their participation in household chores and childcare is very small. The rest of the burden and other additional burdens in childcare and household chores are placed on the wife.³³ In the UK, wives also shoulder a higher burden of childcare duties than husbands although the gender gap in childcare hours appears to have narrowed compared to before the Covid-19

³⁰ Abi Adams-Prassl et al., "Inequality in the Impact of the Coronavirus Shock: Evidence from Real Time Surveys," *Journal of Public Economics* 189 (2020): 104245.

³¹ Misty L. Heggeness, "Estimating the Immediate Impact of the COVID-19 Shock on Parental Attachment to the Labor Market and the Double Bind of Mothers," *Review of Economics of the Household* 18, no. 4 (2020): 1053–78.

³² Caitlyn Collins et al., "COVID-19 and the Gender Gap in Work Hours," *Gender, Work & Organization* 28 (2021): 101–12.

³³ Lúdia Farré et al., "How the COVID-19 Lockdown Affected Gender Inequality in Paid and Unpaid Work in Spain," 2020.

pandemic.³⁴ In Italy, survey data show that the division of childcare time depends on work arrangements with men and women devoting less time to childcare if they continue to work outside the home.³⁵

The dimensions of gender justice in childcare and the management of domestic work affairs in working married couples, on the one hand and the presence of the state on the other are the most important central points that should receive attention. Because, it seems that this is the most important meeting point that is used as the reason why a husband and wife couple marry with a commitment to not having children. Sevilla and Smith (2020) explain, on average, wives do ten hours more a week than men in the totality of their work outside the home and inside the home. Even during the Covid-19 pandemic, wives are more likely to lose their jobs than husbands due to the pandemic.

In general, wives who have children but also work outside the home show increased female labor force participation. But it did not result in a more balanced gender division between husband and wife in domestic work.³⁶ Even wives tend to spend more time on childcare regardless of the hours spent in their work outside the home.³⁷

³⁴ Almudena Sevilla and Sarah Smith, "Baby Steps: The Gender Division of Childcare during the COVID-19 Pandemic," *Oxford Review of Economic Policy* 36, no. Supplement_1 (2020): S169–86.

³⁵ Daniela Del Boca et al., "Women's and Men's Work, Housework and Childcare, before and during COVID-19," *Review of Economics of the Household* 18, no. 4 (2020): 1001–17.

³⁶ Sonja Drobníč, Hans-Peter Blossfeld, and Götz Rohwer, "Dynamics of Women's Employment Patterns over the Family Life Course: A Comparison of the United States and Germany," *Journal of Marriage and the Family*, 1999, 133–46.

³⁷ Lyn Craig, "Does Father Care Mean Fathers Share? A Comparison of How Mothers and Fathers in Intact Families Spend Time with Children," *Gender & Society* 20, no. 2 (2006): 259–81.

Although the gender gap between husbands and wives working outside the home continues in the household, it does not reflect the difference in income (salary) that also differs between husband and wife. This means that the wife's income may be greater than the husband's, even if they are given more burden in childcare and housework. In fact, this can be used as an excuse to deny the social construction of gender roles that position women's primary roles as nannies and housekeeping.³⁸ That is, with the position of the wife working outside the home with an income exceeding that of the husband, it should be able to encourage a fair relationship between husband and wife in childcare and other domestic affairs. However, the dominant role of isrti in childcare and other domestic affairs is so culturally entrenched that it can even happen that wives become the main breadwinners, but they perform more household tasks to strengthen traditional gender identities.³⁹

The discussion about gender injustice in the relationship between husbands and wives who work even though they have children in principle has not received an in-depth discussion. In fact, the trend of marriage with a commitment to not having children, one of which is triggered by working husband and wife. This discussion will then flow on the responsibility of providing a living in the household. From an Islamic perspective, in principle the fuqaha have not discussed in detail the obligation of husbands to keep their working wives, even though they have children.

³⁸ Kay A. Chick, Rose Ann Heilman-Houser, and Maxwell W. Hunter, "The Impact of Child Care on Gender Role Development and Gender Stereotypes," *Early Childhood Education Journal* 29, no. 3 (2002): 149–54.

³⁹ Richard Breen and Lynn Prince Cooke, "The Persistence of the Gendered Division of Domestic Labour," *European Sociological Review* 21, no. 1 (2005): 43–57.

Nevertheless, the fuqaha of the Hanafi school has the view that the working wife does not fully surrender herself to the husband, therefore she is not entitled to a living.⁴⁰ That is, the working wife has no right to a living from the husband, and the husband has no obligation to provide a living.⁴¹ However, there is also another opinion in the Hanafi school that states that if the wife leaves the house for the purpose of working and the husband agrees to it, she is entitled to a living because she still obeys the husband's wishes and is not part of the nushūz. If the husband does not consent, he will lose the right to maintenance because he is considered nushūz.⁴²

From the discussions and disagreements of the Hanafi fuqaha about working wives it seems that the obligation of the husband to provide for the wife and the right of the wife to earn a living from the husband is based on the principle of the wife's obedience to the husband. This fiqh perspective has placed the dominant authority of the husband in the household as the center of gender injustice against working wives. From a gender perspective, the relationship will be more complicated and complicated if the husband and wife have children. Such silliness and complexity can for example be seen in the views of contemporary scholars Abd al Fatt Amru and Zakī al-Dīn Sha'bān. Both argue that if the wife works she is not entitled to a living if her husband does not allow it. If at the time of marriage the wife is a career woman, then the husband has the right to ask the

⁴⁰ Ibn Nujaym, "Al-Bahr al-Rā'iq," *Cairo: Dār al-Kutub al-'Arabiyyah al-Kubrā*, Nd 5 (n.d.): 151–52.

⁴¹ Muhammad al-Khatib Al-Sharbini and Ibn Muhammad al-Khatib, "Mughni Al-Muhtaj Ila Ma „rifah Ma „ani Alfaz al-Minhaj," *Beirut: Dar al-Fikr*, 2003.

⁴² Muḥammad Amīn bin „Umar Ibn „Ābidin, "Radd Al-Muḥtār „alā Al-Darr Al-Mukhtār Sharḥ Tanwīr Al-Abṣār" (Beirut: Dār al-Kutub al-„Ilmiyyah, 1994).

wife to quit her job, and if she refuses and continues her work, she is considered nushūz and is not entitled to a living.⁴³ From the discussions and disagreements of the Hanafī fuqaha about working wives it seems that the obligation of the husband to provide for the wife and the right of the wife to earn a living from the husband is based on the principle of the wife's obedience to the husband. This fiqh perspective has placed the dominant authority of the husband in the household as the center of gender injustice against working wives. From a gender perspective, the relationship will be more complicated and complicated if the husband and wife have children. Such silliness and complexity can for example be seen in the views of contemporary scholars Abd al Fatt Amru and Zakī al-Dīn Sha'bān. Both argue that if the wife works she is not entitled to a living if her husband does not allow it. If at the time of marriage the wife is a career woman, then the husband has the right to ask the wife to quit her job, and if she refuses and continues her work, she is considered nushūz and is not entitled to a living.

F. RESEARCH METHOD

This is a qualitative study to describe the trend of childless marriage in Europe, especially Norway. The description is the object of research as a phenomenon of marriage in Western (European) culture. The description will then be drawn in relevance to the kb program in Indonesia. The relationship between the two will then be viewed from the perspective of Islamic law. So that the

⁴³ "عبد الفتاح عمرو, "السياسة الشرعية في الأحوال الشخصية" n.d.

perspective of Islamic law is a research subject that will be actively used to find new knowledge.

The data in this study was collected through a combination of various techniques in various different levels. In the initial section, data were collected through interviews of married couples with childless commitments or researchers at Oslo University who examined the phenomenon of childless marriage in Norway. It is intended that researchers find perspectives and arguments for marriage with a childless commitment. The information obtained was then confirmed with the kb program in Indonesia. To obtain information, data is obtained by conducting interviews with parties who have authority at the National Population and Family Planning Agency (BKKBN). In the second part, data are collected from a literature review, especially in describing islamic law perspectives on the phenomenon of childless marriage.

Interviewees were chosen because of the feasibility and availability of access that researchers have.⁴⁴ In this study, access is very important because it is related to the process of contacting important sources and negotiating with them to obtain the data and information needed to answer research problems. Access is therefore a dynamic process that depends on the researcher's ability to convince sources to provide the information they need and protect them.⁴⁵

The collected data is then categorized thematically based on information obtained from the speakers. It is a process of identifying information to discover

⁴⁴ Jane Stokes, *How to Do Media and Cultural Studies* (Sage, 2021).

⁴⁵ Juliane Riese, "What Is „Access“ in the Context of Qualitative Research?," *Qualitative Research* 19, no. 6 (2019): 669–84.

important concepts. As a qualitative research, this process has even been carried out in the first stage when examining the literature on childless marriage and in the second stage when designing questions for interviews. Then the two are reunited to find more meaningful conceptual categories in relation to the context of the study.⁴⁶

Data that has been conceptually categorized is then analyzed and presented interpretively and descriptively. Descriptive presentation is carried out using emic focus to represent the terms proposed by informants or their perspectives on the problem under study. Meanwhile, interpretive presentation is carried out with an ethical focus to represent terms that arise from the researcher's point of view on the subject of research.

G. PLAN OF DISCUSSION

GENDER PERSPECTIVE: EXPOSING THE INJUSTICE OF HUSBAND AND WIFE RELATIONS IN DOMESTIC AFFAIRS

This section will focus on providing a critical review of the imbalance in relations between husbands and wives who work but have children, or decide to marry without children due to gender justice considerations.

⁴⁶ Russell K. Schutt, *Investigating the Social World: The Process and Practice of Research* (Sage publications, 2018).

FAMILY PLANNING: UNRAVELING THE PRESENCE OF THE STATE IN CONTROLLING THE RATE OF BIRTH OF CHILDREN

This section will show how the birth control program can be offered as a conceptual resolution to the phenomenon of childless marriage while still accommodating gender justice and balance in the relationship between husband and wife.

SECOND DEMOGRAPHIC TRANSITION: UNDERSTANDING THE EMERGENCE OF CHILDLESS MARRIAGE IN EUROPE

This section will describe the context and relationship of the various factors that triggered the emergence of the childless marriage trend in Europe.

PERSPECTIVES ON ISLAMIC LAW: A CRITICAL AND COMPREHENSIVE STUDY OF CHILDLESS MARRIAGE

This section will activate a comprehensive study of Islamic law or marriage fiqh not just limited to the responsibility of giving the husband a living to the wife or the prominence of the husband's superiority in the household.

CHAPTER II

GENDER PERSPECTIVE; EXPOSING THE INJUSTICE OF CONJUGAL RELATIONS IN DOMESTIC AFFAIRS

In the Indonesian legal system, the position and role of husband and wife in the family are regulated through their written law, namely Law No. 1 of 1974 concerning Marriage (UUP) and Presidential Instruction of the Republic of Indonesia of 1991 concerning the Compilation of Islamic Law in Indonesia (KHI). The pattern of conjugal relations, both within the UUP and KHI follows a hierarchical and unequal pattern. The husband is the head of the family with the obligation to provide for his wife, protect, educate, and such. Meanwhile, the wife is a housewife with the obligation to organize and manage household needs as well as possible, and the main thing is to be filial and mental filial to her husband. The division of roles between husband and wife really does not need to be disputed, let alone sued as long as it does not cause problems. However, it is suspected that the rigid division of roles, rights, and obligations of husband and wife is full of gender biases that cause gender injustice so that it needs to be re-discussed.¹

Ironically, the division of roles that are very gender biased is standardized by the Indonesian government through its written law, namely Law No. 1 of 1974 concerning Marriage (UUP) and the Presidential Instruction of the Republic of Indonesia in 1991 against the Compilation of Islamic Law in Indonesia (KHI).³ Thus,

¹Siti Rofi'ah, "Membangun Pola Relasi Keluarga Berbasis Kesetaraan Dan Keadilan Gender," Muwazah: Jurnal Kajian Gender 7, no. 2 (Desember 2015): 105.

the Indonesian state as an institution that has coercive power against its people descends on gender injustice. According to Mansour Fakhri, there are three types of sources of gender injustice, namely culture of the law, community culture in obeying legal materials and interpretation.

A. MARRIAGE ACCORDING TO INDONESIAN LAW

Marriage is the inner birth bond between a man and a woman as husband and wife with the aim of forming a happy and eternal family (household) based on the One True Godhead. This is according to article 1 of Law Number 1 of 1974 concerning Marriage. So according to this law marriage only exists when it is performed between a man and a woman, of course it is not called a marriage if the person who is bound by the agreement is 2 (two) men only (homo sexual) or 2 (two) women only (lesbian).

A marriage is valid, if it is performed according to the laws of his religion and that belief. Each marriage is recorded according to the prevailing laws and regulations.²

There are 6 principles that are principled in this Marriage Law:

1. The purpose of marriage is to form a happy and eternal family. For this reason, husband and wife need to help and complement each other so that

²Durotun Nafisah, "Politisasi Relasi Suami-Istri: Telaah KHI Perspektif Gender," Yin Yang: Jurnal Studi Islam, Gender, dan Anak 3, no. 2 (2008): 200, <https://doi.org/10.24090/yy.v3i2.2008.pp195-208>.

each can develop their personality to help and achieve spiritual and material well-being.

2. The law affirms that a marriage is valid if it is performed according to the laws of each religion and belief, and in addition, each marriage must be recorded according to the applicable laws and regulations.
3. This law adheres to the principle of monogamy. Only if he is desired by the person concerned, because the law and religion of the person concerned allow a husband to have more than one wife.
4. This marriage law adheres to the principle that the future husband and wife must have cooked their physical soul to be able to carry out the marriage, in order to realize the purpose of marriage, properly without thinking about divorce and get good and healthy offspring.
5. Since the purpose of marriage is to form an eternally happy family and a prosperous position, this law adheres to the principle of making it difficult for divorce to occur.
6. The right and position of the wife is balanced with the right and position of the husband, both in domestic life and in social society, so that thus everything in the family can be negotiated and decided jointly by the husband and wife.

For Muslims, marriage is not only considered sacred, but also means worship, because family life, in addition to preserving the survival of human children, also ensures social stability and a dignified existence for men and women. Marriage has a

great purpose and a noble motive, because marriage is a place of love, affection and an intimate reciprocal relationship between husband and wife, as depicted in the Quran surah ar-Rum verse 21.

The law of taklifi for marriage is referred to by some scholars as the nature of the nature enshrined in a marriage. These traits vary according to a person's condition, which is seen in terms of his ability to fulfill his obligations and in terms of fear of falling into the abyss of toxicity.

B. Marriage according to Islamic Law

The purpose of marriage according to Islamic law consists of: Filial piety to Allah, Fulfilling or fulfilling the nature of human life which has become the law that men and women need each other, Maintaining the offspring of mankind, Continuing the development and peace of spiritual life between men and women, Bringing closer and mutually understanding between human groups to maintain the safety of religious life, as well as legal structures.

The pattern of husband-wife relations in KHI is reflected in their position and role in the household. This is based on the consideration that KHI is the only Islamic law written and has been justified by the Indonesian government. Based on the explanation above, there are two problems studied. First, what are the manifestations of gender injustice in KHI related to the position and role of husband and wife in the family? Second, why does KHI formulate regulations so gender biased? To analyze

gender bias in KHI used gender analysis offered by Mansour Fakih in his book *Gender Analysis and Social Transformation*.

The Muslim family or household is the most important institution in the life of Muslims in general and Islamic families in particular. And in every family, it definitely takes the existence of a leader or someone who is able to manage and supervise other individuals. Because it is called a family, the minimum in it is a husband and a wife, which subsequently appear children and so on. Thus, it is appropriate that in a family there is also a need for a family leader whose task is to guide and direct as well as meet the needs of both the needs that are born and those that are inner in the household so that a *sakinah* family is formed, *mawaddah wa rahmah*.³

Explicitly, the Qur'an as the source of Islamic law from the beginning did provide a different role for husband and wife in both matters of livelihood and household structure. The responsibility of providing in a household according to the Qur'an is the responsibility of the husband as in the Quran (Q.S Al-Baqarah verse 233)

"Mothers should feed their children for two whole years, that is, for those who want to perfect the feeding. And the duty of the father to feed and clothe the mothers in a *ma'ruf* way. A person is not burdened but according to the degree of his ability. Let not a mother suffer misery because of her child and a father

³Zaimatus Sa`diyah, "Relasi Gender Dalam Keluarga Pasangan Pernikahan Difabel Di Kudus Jawa Tengah," *PALASTREN Jurnal Studi Gender* 9, no. 1 (27 Februari 2017): 64–65,

because of her child, and the heir is obliged to do so. If both want to wean (before two years) with the willingness of both and consultancy, then there is no sin against both. And if you want your child to be abused by someone else, then there is no sin for you if you pay accordingly. Be devoted to God and know that Allah is all-seeing what you do."

In terms of household structure, the Qur'an also asserts that the responsibility of leadership rests with the husband, as stated in QS. an-Nisa' verse 34.

"The men are the leaders of the women, because God has exaggerated some of them (men) over others (women), and because they (men) have provided for some of their property. Therefore, a righteous woman, who obeys God, takes care of herself when her husband is not around, because God has taken care of (them). The women you worry about, then advise them and separate them in their beds, and beat them. Then if they obey you, then you shall not look for ways to trouble them. Indeed, Allah is Most High again Great".

Although classical and contemporary scholars still debate whether or not the role of household leadership is absolute. However, in the books of jurisprudence that developed in classical and middle times, the position of women was generally shown as inferior to men. This happened in part because the understanding of the writers did not dare to come out of the sharih statement of the verses of the Qur'an. Another part of it is probably because the structure of the society in which the writers of jurisprudence live, is so patriarhat that it is not imagined that there is a bilaterally

structured or even matrilineal society. It can be proven that conversations about women in Islam always lead to the conclusion that Islam is less friendly to women.

Theoretically, this clear division of roles from the outset as stipulated in the Marriage Act of 1974 and the Compilation of Islamic Law and religious texts is intended so that there is no conflict in domestic life. Thus, both the Marriage Law and the KHI and the Qur'an expressly distinguish the role of the husband as the head of the productive household and the role of the wife as a reproductive housewife, which can be interpreted as an effort to minimize the occurrence of conflicts in the household.

The Quran describes the possibility of women dissenting in discussions with men including husbands or fathers. An example of this is when the Quran enshrines the event of a woman's discussion with rosulullah saw, which at that time impressed that the Prophet still wanted to impose customs that diminished women's rights (Shihab, 2007). In those verses, God justifies the woman's opinion. In addition, there is also an example recorded by history of how a woman's intelligence is that she refutes the views of Umar bin Khatab ra, regarding the right of acquisition of maskawin without restrictions that would have been applied by the second head of state and caliph.⁴

The reason why the author chose to examine Husband and Wife Relations in the Family Perspective of Islamic Law is because the one founded by Maulana

⁴Ali Kadarisman, "Pola Diferensiasi Peran Suami Istri dan Implikasinya Terhadap Keharmonisan Rumah Tangga (Studi Pada Anggota Perempuan DPRD Kota Malang)" (UIN Maulana Malik Ibrahim, 2011), 51.

Muhammad Ilyas seeks to realize the teachings of Islam consistently in accordance with the teachings carried out by the Prophet SAW at that time. Starting from how to dress the prophet, how to preach the prophet, even what foods were consumed in the prophet's time.

So that sometimes what is done is no longer in accordance with the times, especially problems related to the balance of rights and obligations in the household. Maulana Muhammad Ilyas argued that every Muslim, both male and female, should follow in the footsteps of the Prophet SAW. Calling man to the right path must be made a task in his life. From some of the family models that we made the object of study, all couples consider that *Khuruj* in the sense of Da'wah is something very important and it is their obligation as creatures of God to carry it out. Such is the importance of a Muslim's responsibility to his life in the world as a servant of Allah who is believed to bear the title of caliph *fi al-ard*. In some respects related to the responsibility to his family and the responsibility as a Muslim as a servant of Allah.

The issue of the role of husband and wife studied in the text of the Qur'an in fact also reaps many patterns of interpretation in understanding it. The pattern of interpretation in the Qur'an was born because of its historical social background, namely, classical interpretation and modern style interpretation. Where the classical interpretation of the Qur'an seems to prioritize caution based on *ma'tsur* (periwayatan) considering that the prophet at that time was the main source of meaning of the Qur'an.

After the Prophet died, there was no longer any place to ask questions whose truth of interpretation could be believed, so the companions of the prophet interpreted in Husband and Wife Relations in the Family Perspectives of Islamic Law in understanding the Qur'an, especially those who have the ability in the field of interpretation, such as Ali ibn Abi Talib, Ibn Abbas, Ubay bin Ka'ab and Ibn Mas'ud. It continued until its time tabi'in and tabi'ut tabi'in. it was during this last generation that several interpretations appeared, one of which was the scholars' Ibn Katsir who appeared in the VIII century H. Where Ibn Katsir's tafsir book is said to be the most famous book in the study of tafsir.⁵

As mentioned in another verse. Ali ibn Abu Thalhah narrated from Ibn Abbas in connection with Q.S An-nisa' verse 34, i.e. being the head over them, a wife is required to obey her husband in matters commanded by Allah that requires a wife to obey her husband. Obedience to the husband is to do good to the husband's family and take care of the husband's property. The same was said by Muqatil, As-Saddi, and Ad-Dahhak.

Ibn Katsir's interpretation is more moderate. According to her, the verse is a prohibition for women to leave the house. If there is no religiously justified need, such as prayer, women's place is at home, they are not exempt from out-of-home work except that they are always at home with peace and respect, so that they can carry out household obligations. As for if there is a need to go out, then it is okay for

⁵ Rehman, Talha. 2020. "Islamic Feminism: The Challenges and Choices of Reinterpreting Sexual Ethics in Islamic Tradition." *Society and Culture in South Asia*

them to leave the house on condition that they pay attention to the aspect of chastity and maintain shame.

Women in the early Islamic era also worked, when conditions demanded them to work. The problem does not lie in the presence or absence of their right to work, the problem is that Islam does not tend to push women out of the house except for jobs that are very necessary, needed by society, or on the basis of certain women's needs. For example, the need to work because he does not have to pay for his life, or is not sufficient for his needs. Furthermore, this does not mean that they should not leave the house. This hints that the household is his main duty, whereas besides it is the place where he settles and not his main task.⁶

C, Household Leadership

Men become leaders against women Ibn Katsir prefers to translate protectors or keepers (Maswan, 2010). The advantages of a man or woman because of his resourcefulness, decisiveness, strong determination, physical strength, or in general have the ability and courage and the ability to overcome difficulties. Meanwhile, women are more sensitive and emotional.

Scholars understand the verse to be general, so the implications of that understanding are that women should not have access to domestic leadership. However, for the issue of burden in the household, classical fiqh agrees that it does

⁶Anita Rahmawati, "Harmoni Dalam Keluarga Perempuan Karir: Upaya Mewujudkan Kesetaraan Dan Keadilan Gender Dalam Keluarga," PALASTREN Jurnal Studi Gender 8, no. 1 (30 Maret 2016):

not give burden to the wife at all, whether it is domestic work, non-natural reproduction, such as caring for children, bathing, feeding, parenting, even according to Imam Malik who has the responsibility of breastfeeding is the husband, especially the economic burden is the full burden of a husband (Taqiyyudin, tt). Fiqh also requires the husband to be psychologically kind to the wife. The wife's duty according to fiqh is to obey the husband. According to Quraysh Shihab, understanding the verse in a special sense, namely domestic life, is more in line with the context of the verse's description, especially since the continuation of the verse confirms the cause of leadership, namely, among other things, because men are obliged to bear the living expenses of their respective wives/families (Shihab, 1994). According to him, this leadership does not actually deprive the wife of rights in various aspects, including in the right of ownership of personal property and management rights even without the consent of the husband. In his opinion, this leadership is a necessity, because the family is seen as the smallest social unit that requires a leader. The reason he stated was that the husband or man had physical and psychic traits that could better support the success of the leadership of the household than the wife. In addition, the husband has the obligation to provide for his wife and all members of her family (Shihab, 1997).

To strengthen his opinion, Quraysh Shihab quotes the Qur'an surah Al-Baqarah verse 228.

'The women who were rejected held back (waited) three times quru'. They must not hide what God created in their wombs, if they have faith in God and the

hereafter. And her husbands are entitled to refer to her in that waiting period, if they (the husbands) will. And women have equal rights with their obligations in a ma'ruf way. Husbands, however, have one level of advantage over their wives. And Allah is Mighty again All-Wise."

In sura an-Nisa' verse 34 the word ar-rijal is a form of jama' translated by men, although the Qur'an does not always use it in that sense. In the book Insights of the Qur'an, it is argued that ar-rijaalu qawwamuna ala an-nisa', does not mean men in general because the consideration of the above statement, as confirmed in the continuation of the verse, is because they (the husbands) provide a portion of their property which is for their wives. If what is meant by the word man is men in general, then of course the consideration is not so.

The phrase ar-Rijal qawwam ala annisa' means that men are the leaders of women, who are more aged over them, who are the breakers of all things, and who are obliged to educate them if they deviate or make mistakes. A man is obliged to carry out protection and maintenance of the female. Therefore, jihad is an obligation on men and does not apply to women. Men also get a larger share of inheritance than women because it is men who get the burden of bearing a living on Women.⁷

Ash-Shabuni in Shofwah at-Tafasir when interpreting this verse states that the husband has an obligation to his wife to look after, educate, and provide a living. Meanwhile, the shalihah wife is one who is obedient and obedient to Allah and to her

⁷ Zuhaili, W., (2011), Fiqih Islam wa Adillatuhu / Wabbah Az-Zuhaili ; Penerjemah, Abdul Hayyie al- Kattani, dkk ; penyunting, Budi Permadi, Jakarta: Gema Insani.

husband, performs all her obligations, keeps herself from bad deeds, and keeps her husband's property from depravity. Both have the ability to cover each other, complement each other's shortcomings, and keep each other's personal secrets (Ash-Shabuni, 1993).

The above verse uses the plural form, namely *qawwamun* in line with the meaning of *ar-Rijal* which means many men. Often this time is translated with the leader. However, as read from the meaning above, it seems that the translation has not described the entire desired meaning, although it must be admitted that leadership is one aspect it contains, in other words in the sense of 'leadership' it includes the fulfillment of needs, attention, maintenance, defense and coaching (Daudin, 1996).

Apparently, the duties of such housewives are light and small, but, in fact, a housewife spends her time busy in the household. This is where sometimes a head of household is less aware of the duties of a housewife. So, if husbands want to be honest with themselves, then husbands will realize that the concrete duties of a wife are heavier than those of a husband.

Thus, a wife's willingness to be a housewife and her sincerity to consider her husband to be the head of the household are the high respect that a wife can give to her husband. And this has indeed been mechanized by nature, that such a division is a natural one. It should be underlined, that the leadership that God bestows upon the husband must not lead him to arbitrariness. The paradigm of the leader of the people is their servant, it must be practiced by men in leading women or families, so that he does not develop dictatorial, authoritarian and *zalim* leadership. Because, as

explained by Taqiyyudin An-Nabhani in the book *An-Nizham al-Husband and Wife Relations in the Family Perspectives of Islamic Law*, that the relationship between a man and a woman in a household is not a *syirkah* (company) contract, a civil contract that contradicts a contract or *ijarah* contract (rent) so that the wife is like a slave for the husband to be employed.⁸

But the relationship between the two is *sakinah, mawaddah and rahmah*, that is, conditioning each other the emergence of *sakinah mawaddah warahmah*. Thus, the husband will be a good advocate, and will get good service from the wife and family members, and will even get better than what the husband has given to his wife and family members. From the results of this study, it was found that the pattern of leadership in Muslim family households is absolutely held by men (husbands). However, in the view of the majority of them, the meaning of a household leader is a priest who is able to guide them always towards the truth. This is in contrast to the editorial stated in *sura an-nisa'* verse 34, in the *shahih tafsir* of Ibn Katsir it is stated that the men were made leaders for the women because they had the advantage of being able to lead women and provide a living.

So the opinion of scholars with this verse is still general, so that women cannot have access to be leaders in the household. Here also from the translation of the verse *dzohiriyah al-baqarah* verse 228, it is mentioned there that the husbands have one

⁸Mufidah Ch. *Psikologi Keluarga Islam: Berwawasan Gender*. Malang: UIN-Maliki Press, 2013.

degree of merit over their wives. Men become leaders against women. Ibn Katsir preferred to translate protectors or keepers.

Meanwhile, according to Quraysh Shihab, in the understanding of the verse in a special sense, namely in the continuation of the verse, it is explained that the reason for the leadership is that is, because men are obliged to bear the living expenses of their respective wives/families.⁹

From what is obtained from the results of research that leads to the pattern of leadership in the household of Muslim families, it can be included in the meaning of dzohir surat al-baqarah verse 228, that is, husbands should be called a leader because they are given a level of advantage over women.

Whereas in the Marriage Law of 1974 article 31 and the Compilation of Islamic Law article 79 paragraph 1 states explicitly, that a husband is a leader in the household. However, the consequence is contained in section 34 of the Marriage Act 1974. Which states that the husband is obliged to protect his wife and provide all the necessities of domestic life according to his ability. In the pattern of working on daily activities in the household, namely:

1. All work is done together.
2. There is a distinction in the work of certain activities.

This is in line with the content of KHI article 77, that there is an obligation between husband and wife to love, respect each other, be faithful and give birth and

⁹ Shihab, M. Q., *Membumikan Al-Quran: fungsi dan peran wahyu dalam kehidupan masyarakat*, Jakarta (1994): Mizan Pustaka, 12.

mental assistance to one another. It is also explained in the verse of the Qur'an which explicitly commands that husbands and wives help each other, in An-nisa': 19 there is a sentence of their Concern in a proper way. The translation does not only interpret caring for the wife in terms of sexual needs in a good way, but also includes husband and wife relationships in their daily lives, mutual communication, helping each other, advising each other and so on.

In the pattern of household relations, there are many things that can support the pattern of relationships between household members well. One form of relationship pattern in the household is the decision-making pattern, where this decision-making pattern when not properly regulated, it is impossible for a peaceful and peaceful family to be achieved.¹⁰

In the Qur'an it has been explicitly explained that, the best way of making decisions is by means of deliberation on every matter, including domestic affairs. From the results of this study, two models were found in decision making, namely:

1. Decision making is based on deliberation.
2. Decision making dominated by one of the parties.

For example, the pattern of decision-making based on deliberation occurs in the pair of Erfandi and Halimatus Sa'diyah, where the choice applied by the latifah dawn is supported by the content of verse ali-imron verse 159, in which there is an order to deliberate which even in that verse the order of deliberation when deciding on

¹⁰Maskuri, M. (2015). Relasi Politik dan Agama di Tengah Ketidakpastian Ideologi. *LISAN AL-HAL: Jurnal Pengembangan Pemikiran dan Kebudayaan*, 9(1), 83-104.

strategy in uhud war, however, it is not possible that the musyawarah order is also used for other affairs. And in deliberations there must be such a thing as dissent, so people who are deliberating must pay attention to opinions that are closer to the verses of the Qur'an. And when God has shown something, then one should be determined to make a decision with a laugh to God. The second is in sura ash-shura verse 38 in which there is a sentence (while with their affairs it is decided by deliberation between them). This verse covers many things, so it is very applicable in domestic affairs.

Unlike the couple Ainur Rasyidi and Sutriya Ningsih, in making decisions on domestic affairs, her husband gives more freedom to his wife when it is positive. In the typology developed by Letha Dawson Scanzoni and John Scanzoni, the relationship pattern falls into the Senior-Junior Partner category. Because in this relationship pattern, the wife's power increases, and the husband is determined in making decisions. Even so, the wife still fulfills her obligations as a wife and mother who is considerate of her child. Explicitly, article 80 paragraph (1) of the KHI states: the husband is the guide to the wife and her household, but regarding matters of domestic affairs that are important to be decided by the husband and wife together, this article idealizes the existence of a decision-making pattern involving the husband and wife collectively.

In one account, a wife was indeed allowed to bear the cost of family living, as was once reported by Abu Sa'id Al-Khudri, that zainab the wife of Ibn Mas'ud came saying, O Messenger of Allah, indeed you have ordered almsgiving today, while I

have jewels and I want to give them alms, but Ibn Mas'ud said that she and her son are more entitled to receive my alms. Then the Prophet said, True (what is said) Ibn Mas'ud your husband and your son are more entitled to receive your alms (HR Bukhari).

However, as the editor of the hadith above, the statement is limited to conditions where the husband is indeed economically incapable. In the condition that the husband is able to work and has income, the obligation to provide remains within the responsibility of the husband. The relationship between men and women in the family context is conceptually carried out based on the principle of *muasyarah bil al- ma'rif* which is realized through the balance of rights and obligations of each member. According to Siti Rofi'ah, the ideal husband and wife relationship is carried out based on the principles of gender equality and justice. This can be realized through the division of roles both in the domestic and public areas, the transparency of the use of resources, the existence of mutual needs carried out on the basis of trust and mutual respect. The realization of a harmonious life in the family environment becomes the foundation of life to build peace in the life of the community, the resilience of the nation and the state. The pattern of relationships built between husband and wife in domestic life is certainly inseparable from various aspects that affect it.

As explained in Ali Kadarisman's research, husband and wife relations in domestic life are certainly influenced by various factors including educational background, socioeconomic conditions, and understanding of religious teachings, as

well as the level of social status of husband and wife in society. A person's social status can be seen from several aspects, including: job or position, level of education, wealth, descent (nasab), and a person's religion. However, the social status referred to in this study only focused on two aspects, namely the level of education and the descent (nasab) of a person.

The ideal relationship of husband and wife in the Islamic context should be relied on the domestic practice of the Prophet Muhammad Saw. As an Apostle and head of state who handles many public matters, Prophet Muhammad Saw. is willing to help his wives' work in meeting daily needs in the domestic area. Meanwhile, the history of Islamic proselytizing is also inseparable from the role of the wives of the Prophet Muhammad Saw. This practice shows that the concept of *mua'syarah bil al- ma'ruf* in conjugal relations only applies in the domestic area, but is also carried out in the public area.¹¹

The ideal relationship between husband and wife in domestic life can be built by having positive interactions, peaceful moods, and a balance of rights and obligations with each other. It aims to realize a home life that is *sakinah, mawaddah* and *rahmah*. There are several other things that also reflect the ideal relationship between husband and wife, including: First, Accepting each other's situation and empowering each other to improve the quality of the couple. Because, everyone has their own advantages and disadvantages. In the household must be created a sincere

¹¹ Shihab, M. Q., (2007). *Tafsir AL-Mishbah: Pesan, Kesan, dan Keserasian Al-Qur'an*, Jakarta: Lentera Hati, Cet. Ke-X, Jil 2

and qana'ah attitude towards the condition of the spouse. When one needs help, it is the duty of his spouse to provide support and assistance. Second, foster an attitude of trust and honesty in the household. The joint commitment of married couples to love, respect, respect and trust each other is one of the keys to building a harmonious relationship.

Third, be wise to differences of opinion and the choice of roles that a husband or wife wants to take. The selection of gender roles formed through social construction is what requires adaptation and sharing between husband and wife. When these roles can be compromised with each other, it will avoid a double burden on one party and also gender discrimination that harms both. Fourth, face family problems together through discussion, deliberation, making alternative solutions and determining the best solution dialogically. According to Zaimatus Sa'diyah, the ideal husband and wife relationship will be realized through good communication.

A good husband and wife relationship depends on the division of roles and responsibilities of the husband and wife in the household. According to Mufidah Ch, a balanced division of roles is carried out by: 1) Sharing joys and sorrows and understanding the roles, functions and positions of husband and wife in their social life and profession. Each other provides support, access, sharing roles in certain contexts and acting out roles together in certain contexts as well; 2) The wife is positioned as a mother, friend and lover to the husband. And vice versa placing husbands as fathers, friends and lovers who both need attention, affection, protection, motivation, and donation of advice. Each other married couples have a responsibility

to empower in social, intellectual and spiritual life; 3) Make the couple as friends of discussion (deliberation) in the decision-making process. The decision-making process in the family becomes something urgent and onerous when it is only imposed on one party. The concept in a gender-equal family uses the principle of togetherness in the decision-making process, so that each husband and wife do not feel heavy, because decisions are made through a deliberative mechanism of consensus.¹²

Letha Dawson Scanzoni and John Scanzoni divide conjugal relations in domestic life into four:

First, the ownership relationship, that is, the position or position of the wife is likened to money and other valuables, so that the wife belongs to the husband as a whole. Meeting the economic needs of the family is the husband's duty as the head of the family, while the wife's task is to organize all household affairs such as cooking, washing, taking care of children and so on. Husbands are not uncommon to be authoritarian, family decisions are largely determined by the husband. According to Evelyn Suleeman in T.O. Ihromi in the ownership model, a wife has a responsibility to make her husband happy. The wife must be obedient to the husband in everything, the wife must give birth and educate her children. In addition, a wife must also be able to maintain the good name of the husband.

Second, a complementary relationship (complementary) where the wife acts as a complement to the activities carried out by the husband. The husband involves the

¹² Tohari, Chomim. 2013. "Fatwa Ulama Tentang Hukum Nikah Misyar Perspektif Maqasid Shari'ah." *Al-Tahrir: Jurnal Pemikiran Islam*.

wife in various things, it's just that the wife still depends on the husband, especially in family decision-making. A wife is responsible for maintaining the good name of the husband in her social environment. However, the division of responsibilities in the family in this pattern is more flexible, when the husband has free time, the husband can also help the wife's duties in organizing household affairs such as washing, parenting and so on.

Third, Hierarkhi or senior-junior relationship, that is, the husband puts himself as the superior and the wife puts himself as the subordinate. The wife also contributes economically to the family although the main duty of fulfillment of livelihood remains with the husband. The contribution made by the wife in the family also influences the decision-making process. The wife has the power to present her arguments in decision-making in the family. But the husband's power in this process is greater because the husband is the main breadwinner. The wife has the freedom to make a career and continue higher education after the husband's successful career. The social status of the wife and children follows the social status of the husband.

Fourth, The partnership relationship (partnership) is that the husband and wife are in an equal position, there is no higher or lower position. The wife has the right and obligation in fully developing herself and performing household duties. The husband's career is as important as the wife's, so the wife can also be the main breadwinner in the family. The reason for the wife to have a career or continue her education to a higher level is so that the wife can be fully independent and not only dependent on the husband. Husbands and wives are more treated as friends who

support and need each other. Some of the principles that develop in the partnership relationship model are: 1) Husbands and wives have equal opportunities to develop themselves both in career and education; 2) Decision-making in the family through a deliberative process between husband and wife taking into account each other's needs and satisfaction; 3) The wife with her ability to get support and recognition from others without being associated with the husband. Scanzoni's marriage typology, so the pattern of fulfilling a living in modern families like this is categorized on the pattern of equal partner marriage. Husband and wife are in an equal position i.e. there is no higher or lower position. This happens because economically, the husband and wife both contribute to the family, although the wife's career is only helping the husband.

In the marriage pattern, equal partners between husband and wife *samasama* have the opportunity to develop themselves both in terms of education and career. Self-development in wives is of course also one of the obligations of the husband, this is as stipulated in KHI article 80 paragraph (3) which states that the husband is obliged to provide religious education to his wife and provide opportunities to learn useful and useful knowledge. So that the wife's self-development and career are as important as the husband's self-development and career. The role of decision-making in the family becomes an urgent and onerous role when it is only imposed on one person, both men and women. Allah said in Q.S. *ath-Thalaq* [65]: 6 which affirms that the decision-making process in the family must go through a process of deliberation/dialogue between husband and wife. Although in the implementation in

society, decision-making in the family is only imposed on men on the basis of the stereotype that physically men are stronger than women, responsible and courageous. Meanwhile, domestic work roles are charged to women on the basis of stereotypes that cooking is a duty for a married woman. Husband and wife relations when viewed from the aspect of decision-making in the family produce two typologies, namely First: the equal position (equal partner) between husband and wife. Both husband and wife have the opportunity to put forward their arguments, so that the decision-making process goes through a deliberative process between husband and wife taking into account the various challenges of both.

CHAPTER III

FAMILY PLANNING: UNRAVELING THE PRESENCE OF THE STATE IN CONTROLLING THE RATE OF BIRTH OF CHILDREN

A. Definition of Family Planning (KB)

Getting married is certainly familiar with the term family planning or family planning, family planning is a program on a national scale that aims to reduce the birth rate and control population growth in a country. The definition of Family Planning (KB) according to Law Number 10 of 1992 concerning Population Development and Development of Prosperous Families is an effort to increase community concern and participation through Maturation of Marriage Age (PUP), birth arrangements, fostering family resilience, improving the welfare of small, happy and prosperous families.

Family planning is a government program designed to balance the needs and population, and it is a fantastic achievement that the Indonesian National Family Planning Movement has been considered by the world community as a program that has succeeded in reducing the birth rate. Planning the number of families with restrictions can be done by using contraceptives or birth control, for example birth control pills, condoms, spirals, IUD, and so on. As for the methods or procedures for the use of oral contraceptive pills, implants, injections, spirals and condoms, each of these types of birth control has different procedures and effectiveness in controlling pregnancy or preventing unwanted pregnancies, the difference can be seen in the procedure as follows :

1. Natural Contraceptives

This method is done by calculating the fertile period of women manually through the calculation of the menstrual cycle, this method can be done by checking body temperature, changes in vaginal fluids, as well as calculating using the fertility calendar.

2. Birth control pills

3. Birth control pills are one of the most widely used contraceptives, these pills contain estrogen and progesterone hormones that function to prevent ovulation, there are two types of birth control pills, namely combination birth control pills and pills that only contain progesterone.

4. Male condoms

This contraceptive is used on male genitalia to prevent sperm from entering the vagina during intercourse, in addition to preventing pregnancy, the use of male condoms is useful for preventing the transmission of Sexually Transmitted Infections (STIs), but this model of contraceptives is only disposable.

5. Injection Terdapat dua jenis KB suntik, suntik yang memiliki jangka waktu tiga bulan dan suntik yang hanya bisa bertahan selama satu bulan, metode ini dinilai lebih efektif dibandingkan dengan mengonsumsi pil KB.

6. Implant

This type of contraceptive has the shape and size of a matchstick and is inserted into the lower part of the skin, usually on the upper arm, this implantable birth control will secrete progestin hormones slowly and can prevent pregnancy for up to three years, but this model of birth control has side

effects, namely irregular menstruation, swelling and bruising of the installed skin area, and is not effective at preventing the transmission of STIs.

7. *Intrauterine Device (IUD)*

Intrauterine Device (IUD) has a shape like the letter T, this birth control device is installed on the uterus to block sperm from the fertilization process, IUD generally has two main forms, namely IUD made from copper, for example ParaGard which has a resistance of up to 10 years, while other types are IUD which contains hormones such as Mirena which must be updated every five years.

8. Female Condoms

Women can also use special condoms, which are in the form of plastic that is installed to envelop the vagina, at the end of which there is a plastic ring that plays a role in adjusting the position of the male genitals during intercourse. This term family planning, also known in Islamic teachings called tahzhim an-nasl or arrangement of offspring, means that by participating in a family planning program, married couples have sought planning regarding the birth distance of children so that parents can provide maximum breastfeeding and education to their children.

While tahdid an-nasl or the restriction or abolition of birth in the form of sterilization, abortion, termination of offspring, and sedition, this is what is forbidden in Islam, it is also excluded against a woman who suffers from diseases in her womb, or her limbs who if she becomes pregnant can endanger her life. Family planning itself is a form of human effort or effort in regulating

pregnancy in the family, because family planning is also one of the government programs designed to balance the needs and population. Family planning or family planning or which in Arabic has the term tanzimu al-nasl (arrangement of offspring or birth) means a married couple who have a concrete plan regarding when their children are expected to be born so that every child born is welcomed with happiness and gratitude.

B. Purpose and Benefits of Family Planning (KB)

Children are one of the things that are eagerly awaited in marriage, when it is difficult to have a child, various ways are then done by couples so that they can have children, both for treatment and adoption, but on the contrary there are some couples who apparently do not want to have children after they get married or want to adjust the distance of childbirth with birth control. Couples who use birth control usually have their own goals, because birth control is not only done to reduce the number of child births, but more than that, birth control also aims as follows: Meningkatkan kesejahteraan ibu dan anak dengan mengendalikan kelahiran dan menjamin terkendalinya penduduk;

1. Forming a small prosperous family according to the economic conditions of a family;
2. Increased public awareness to use contraceptives;
3. Launched a small family with only two children;
4. Preventing marriage at an early age

5. Reducing maternal and infant mortality rates due to pregnancy at too young or too old an age;
6. Reducing population and balancing the number of needs with the number of people in Indonesia;
7. Improving family planning health by controlling birth.

Meanwhile, the benefits of the family planning program for married couples include the following:

1. Suppressing Unwanted Pregnancies

Contraceptives serve to prevent unwanted pregnancy, and serve to reduce the risk of giving birth at too young or too old age, because if a woman is too young and has not menopause to have intercourse without using contraceptives, then there is a possibility of an unwanted pregnancy, while giving birth over the age of 35 years can be very risky.

2. Encouraging Adequate Breastfeeding and Good Parenting

If a child who is not yet one year old already has a younger sibling, then his growth and development are at risk of being disturbed, normally, the distance between the first and second children is between 3 to 5 years. Because if a child who is not yet 2 years old already has a younger sibling, then breast milk for the first child cannot be full 2 years old, this allows the child to experience health problems.

In addition, parents who have two children will have difficulty dividing time, so that older children will be less attentive, even though the

child still needs the full attention of both parents, then by having birth control very much to the child as follows:

- a. The growth and health of the child is well maintained;
- b. The child gets enough attention, care, and food;
- c. The future and education of the child is well planned.

3. Preventing Family Mental Health Disorders

Some women are at risk of depression after giving birth, this depression will usually disappear if the mother gets support from a partner, so if there is a birth of a child with too close a distance, the risk of depression will increase. This depression can actually also occur in fathers if they are not physically and mentally prepared. Both conditions can be prevented by conducting a birth control program, because if the pregnancy is arranged in such a way, married couples can live healthier and more prosperous lives, while the child can grow up optimally and pregnancy planning will run well.

4. Reducing Infant and Maternal Mortality

Birth control programs can prevent unwanted close-range pregnancies and births, thus the infant mortality rate can also be reduced, mothers who die from childbirth accompanied by poor health can be avoided.

5. Preventing Reproductive Health Disorders

Getting pregnant at too young, too old, or a pregnancy that is too close can pose a risk, because pregnant women can experience problems during pregnancy, such as hypertension, preeclampsia, premature labor, and so

on, so with the birth control program pregnancy can be better planned so that the risk of reproductive health disorders can be prevented.

6. Preventing the occurrence of sexually transmitted diseases

Sexual intercourse is inseparable from the risk of sexually transmitted diseases, even though it is carried out between husband and wife, this Sexually Transmitted Disease (STD) is syphilis, gonorrhoea, to HIV / AIDS, so this STD is prevented by the use of contraceptives including condoms.

The birth control program aims to delay the occurrence of pregnancy, so that every child born into the world can be met properly, and become a qualified citizen, the family planning program not only provides benefits from the social side but also from the economic to spiritual side. In addition, the use of birth control can also reduce abortion, because unwanted pregnancies can increase the number of abortions that have a large and serious impact, especially in Indonesia itself, abortion is considered an illegal practice.

C. The Role of the State in Controlling the Rate of Child Birth

The Family Planning Program (KB) in Indonesia is a movement to form healthy and prosperous families by limiting births launched in 1970 with the aim of improving the welfare of mothers, children in order to realize the Norms of Small Happy Prosperous Families (NKKBS) which are the basis for the realization of a prosperous society by controlling births while ensuring controlled population growth, through this family planning program has brought Indonesia

won an award from the United Nations as a country that managed to control the population growth rate from 4.6% in 1970 to 2.6% in 1990. However, this family planning program was forgotten and no longer a priority in national development, as a result, the population increased rapidly and even increased even more before the reform era.¹

In 2018, the population has reached 265 million people and is even projected to reach 284 million people by 2025, this number puts Indonesia in the fourth rank of the world's largest population, after China, India, and the United States. This is certainly inseparable from the rate of Indonesia's population growth which has not been fully controlled. BPS data (2018) shows that Indonesia's population growth rate in 2017 was 1.34%, which means that around 3-4 million babies are born every year. This figure is higher than in 2015 by 1.31% and in 2016 by 1.27%. The population growth rate is still relatively high due to the high total birth rate (TFR). Data from the results of the Indonesian Demographic and Health Survey (SDKI) in 2017 showed a total birth rate (TFR) of 2.4 children per woman, meaning that each female resident gave birth to an average of 2.4 children during her lifetime.²

The National Population and Family Planning Agency (BKKBN) is an institution tasked with population control and the implementation of Family Planning, through the Population, Family Planning and Family Development (KKBPK) program as a mainstay program in achieving the strategic goals of

¹ Syamsul1, Bala Bakri1, dan Hizry Stevany Limonu, *Penggunaan Alat Kb Pada Wanita Kawin Di Perdesaan Dan Perkotaan ; Studi Hasil SDKI 2017 Provinsi Gorontalo*, Jurnal Kependudukan Indonesia, Volume 15 Nomor 1 Edisi Juni Tahun 2020, hlm. 71-84.

² Badan Kependudukan dan Keluarga Berencana Nasional (BKKBN) Tahun 2018.

BKKBN in 2015-2019 and at the same time supporting the government's fifth priority agenda, namely improving the quality of human life in Indonesia, hence the strategic goal of controlling the pace population growth was set in 2017 at 1.25% and the total birth rate (TFR) at 2.33. As the KKBPK program progresses, the predetermined strategic goals have not been successfully achieved. The indicators of strategic goals that have not been achieved are not entirely due to the lack of government attention in dealing with population problems, but various implementations of programs in population control and birth restrictions, especially the KKBPK program, have not been running comprehensively and integrated from the national level to the regional level.

In the new order period, namely between the 1970s and the 1990s, the family planning program became the main program of the government and even absolutely, at that time the state seemed to be so aggressively suppressing the rate of population growth, the pretext was developmentalism (development), in the name of state development with an interest in boosting economic growth. A society, nation, and state will be considered successful in carrying out development if economic growth is high enough. On the other hand, economic growth itself will have no meaning and function if the population is not controlled, meaning that no matter how far prosperity, wealth as a result of development, the abundance of Natural Resources (SDA) will be meaningless if it has to bear a high population burden, it is necessary to implement a family

planning program which in its narrow sense is for the regulation and restriction of births.³

The results of the update as of June 30, 2016 based on data from the Ministry of Home Affairs, the total population of Indonesia is 257,912,349 people, a surprising figure but at the same time alarming if you look at the real condition of our nation and country now with its various national problems, the population continues to grow, even very rapidly around the figure of 2.7%, even though before the reform era was estimated at 2.3%, severe problems will come their way, starting from the environment, energy, economy, employment, education, and health, because after the fall of the new order regime, democratization spread to various sectors.⁴

At first glance, it can be seen that the family planning program is a form of restraint on human rights, but at the same time as the end of the new order regime in 1998, the community was allegedly involved in experiencing the euphoria of freedom, so the new order program was abandoned, including the family planning program.⁵

At the beginning of the reform era, BKKBN, which was appointed by the government as the leading sector of the family planning program, underwent a paradigm shift, if previously in the new order era the program emphasized the quantity aspect with the slogan "two children are enough", then in the reform era the focus of the program was emphasized on the quality aspect with a new vision

³ Rohim, S, *Argumen program Keluarga Berencana (KB) dalam Islam*, Jurnal Ilmu Syari'ah dan Hukum, Volume 1 Nomor 2 Tahun 2016, hlm. 147-170. <http://ejournal.iainsurakarta.ac.id/index.php/alakhkam/article/download/501/153>.

⁴ *Ibit.*,

⁵ *Ibit.*

of "quality families" and the slogan of being "two children are better". After more than a decade of running, it turns out that this approach is actually counterproductive in the community, not long ago BKKBN also returned to its original slogan of "two children are enough". The main target of family planning services is Couples of Childbearing Age (PUS), family planning services are provided in various service units, both by the government and the private sector, from the village level to the city level with very varied competencies, birth control service providers include hospitals, puskesmas, doctor practices, and midwife practices.

Too fast population growth can reduce the output that will be produced by each worker, thus suppressing various levels of life which results in life struggles that make life struggles very difficult.⁶ The baby boom that occurred in Indonesia is feared to increase sharply in the coming year if not addressed wisely.

The first anticipatory step taken in overcoming the increase in population is to regulate the number of increasing birth rates, then the Family Planning (KB) program is the frontline to control births, this population explosion will have a broad impact on the provision of budgets and health facilities, education, and food availability, the explosion of population that occurs continuously will also trigger increasing cases of poverty. high anyway. In addition, it also has an impact on the fulfillment of infant nutrition and the increase in the unemployment rate. This condition will increase the burden of state financial expenditure, if the availability of the budget cannot be met, it will have an impact on the quality of human

⁶ Budiarto, *Pertumbuhan Penduduk*, (Semarang: Universitas Diponegoro, 2016), hlm. 8.

resources, because the dense population will be difficult to meet their basic needs due to the government's diminishing budget.

Population control is very important for Indonesia, considering that the explosion of population growth will have major implications or impacts on social life which will certainly be a responsibility for the government, the high growth of the new labor force, in an economic situation that grows very slowly, will cause complicated social problems, the high unemployment rate will result in social instability such as an increase in the crime rate which is also increasingly increase.

However, another dissertation is that the practice of this birth control program turns out to be, by some people considered gender biased and discriminatory towards women, it can be seen that from year to year, the difference in the level of participation of women and men in the use of contraception is very unequal. The results of the BKKBN survey in 2018 showed that the participation rate of women in contraceptive use was 96.7%, this is much higher than the participation of men which was only 3.3%.

This inequality is largely due to the provision of contraceptives by countries whose types are more aimed at women, such as Intrauterine Device (IUD) or spiral, injectable, pill, milk or implant, and tubectomy (female sterilization), while for men the only options available are vasectomy (male sterilization) and condom use during sexual intercourse. Birth control campaigns everywhere almost never emphasize and prioritize condom use for men, from this it can be seen how the success of the birth control program nationwide shows the existence of gender

inequality, even though women suffer many side effects as a result of using contraceptives on their bodies, including weight gain that they do not want due to contraceptives that affect hormones in their bodies.

The main targets of the birth control program are mostly women, as if they cannot control their bodies and bodies, the control of women's bodies is carried out by the state through the political intervention of birth control programs, plus control by men or their husbands. Family planning programs in Indonesia are often only an obligation of women, supported by the decision of men as husbands, and often even husbands who manage wives should use what kind of contraceptive means, while condom use options are rarely a priority.

In the end, women lose the authority to regulate their bodies as well as manage and control their reproductive aspects, even though those who understand the condition and health of the female body are the women themselves, while the biggest factor that causes this situation is the patriarchal ideology that is still firmly attached to most Indonesian society.

This ideology appears in the assumption that reproductive health is only a woman's problem, because those who are able to give offspring or reproduce are women, besides that many people also still consider domestic roles such as the care, care, and education of children to be the nature of women.

The practice of family planning in Indonesia, currently shows gender inequality and the thick patriarchal culture, when in fact the implementation of family planning is a state effort to reduce population density in Indonesia, then basically it is the responsibility of men and women as Couples of Childbearing

Age (PUS), but in its application the use of contraception only focuses on women, even though there are contraceptive options also for men although a little.

Countries with patriarchal cultures use women's bodies as a means to achieve the goal of reducing the birth rate, as if women's place is only in the private or domestic sectors, through the model of implementing family planning that is currently running in Indonesia, women's bodies are the object of the state in controlling sexuality. Apart from the assumptions above, it turns out that gender equality also exists in the health environment, one of which is the family planning program where the use of the family planning program is not only aimed at women but also for men, then one form of gender equality in the family planning program is that the husband can contribute to the family planning program.

Apart from contraception which has always been aimed at women, even though men can also use contraception as part of the birth control program, as for the application of contraception for men is carried out to consider the side effects of taking birth control pills in women, then if men participate in using contraception, so that he can also contribute to birth control and pregnancy, thus the pregnancy and birth program is not only charged with women, but husbands also take part, here are the types of contraception in men:

First, using condoms correctly can reduce the chances of pregnancy, because condoms can work up to 98 percent to prevent conception, condoms can also protect men and women from sexually transmitted diseases.

Second, vasectomy is also known as sterilization in men, where a surgeon cuts and closes the tube through which sperm passes, vasectomy is also

considered the most effective birth control option, although many men still avoid it because it is considered too painful. After vasectomy takes about 3 months for semen to be completely free of sperm, vasectomy is a convenient and effective contraceptive option both for men and especially for women. Vasectomy does not change the way he has sex or ejaculates let alone semen, but if a man decides to have a vasectomy, it means that he is committed to not having any more children.

Third, interruption is a method of birth control that can be done by men, the method is to pull the penis out, before ejaculating, but this method arguably has many shortcomings, when penetration occurs, it is not impossible that the lubricating fluid that comes out also contains sperm, in addition, it could be that when you want to pull the penis out there is sperm that has already come out first.

Gender equality in the family is a demand that cannot be bargained at this time, not only related to the equality of the position of husband and wife which makes husband and wife have an equal role in decision making or family planning in the future, but also in sharing the role of husband and wife in taking care of the household, increasing income, as well as nurturing and educating children..

Gender equality in the family will bring at least three benefits: First, helping the family financially, the support of wives who work to increase family income, will certainly strengthen the family economy so that it is more independent. So far, economic problems have often been the trigger and spur of quarrels in the family that lead to divorce, thus gender equality brings positive meaning in realizing an economically independent family. Second, children grow healthier, the division of roles between husband and wife in nurturing and educating

children will have a positive effect on children, children are more concerned about their physical needs such as eating, drinking, and exercise, but also psychically so that a sense of security, comfort and tranquility grows up which causes the child as a whole to grow healthier. Third, fostering harmony, the application of gender equality in the family by sharing roles and respecting each other will certainly make the family more harmonious and happy, this will certainly not be obtained when gender equality is not applied in the family, where one of the partners feels depressed, gets too much burden and gets rough treatment which causes discomfort.

D. The Value of Children in the Family

Marriage is a social bond between a man and a woman that formalizes a relationship to form a family, basically the purpose of a marriage is to form a happy family and this is closely related to the issue of heredity, marriage will form a family whose one purpose is to obtain offspring, through marriage it is hoped that each couple can fill each other, love, understanding and appreciating each other's shortcomings.

One of the important purposes of a marriage is to have offspring, therefore, the presence of a child is a highly anticipated time by every married couple, the presence of children in a family has its own meaning, one of which is to unite and keep the family intact.

In addition, the presence of children in a family has several functions, when viewed from the Indonesian cultural background, the presence of children serves

as a sign of fertility and success, a friend and comfort for their parents, a gift and mandate given by Allah SWT, as well as a helper for parents in the world and in the hereafter.⁷ The presence of children is a sign of marital perfection and will be the perfect hope of marital happiness itself as the child grows and develops in the family, however, in reality not all married couples are endowed with offspring. Everyone's view of children's values is different, depending on how they interpret the values themselves, society interprets children's values according to the knowledge they get, regarding the sex of children, most people do not really mind the gender of children, boys and girls are the same as important to be born in good health, so that society still has a strong desire to increase the number of children, This is because according to most people that the number of children brings a lot of sustenance.⁸

The community strongly believes in the admonitions of ancestors who advocate having many children, one of the admonitions that is believed to be admonitions in Malay, namely "tuah ayam because of its feet, tuah man on his child" which means that parents will be more fortunate if they have many children, because according to society children have meanings that include the following:⁹

⁷ Estherline & Widayanti, C. G., *Makna Infertilitas Bagi Istri Dalam Keluarga Jawa*. Jurnal Empati Volume 5 Nomor 2 Tahun 2016, hlm. 276-281 <https://ejournal3.undip.ac.id/index.php/empati/article/view/15198>

⁸ Siska Fahmi & Mbina Pinem, *Analisis Nilai Anak dalam Gerakan Keluarga Berencana bagi Keluarga Melayu*, Jurnal Pendidikan Ilmu-Ilmu Sosial, Volume 10 Nomor 1 Tahun 2018, hlm. 112-119, <https://jurnal.unimed.ac.id/2012/index.php/jupiiis/article/view/9653/9068>.

⁹ Niken, Meilani dkk. (2010). *Pelayanan Keluarga Berencana; dilengkapi dengan penuntun belajar*, Yogyakarta: Fitramaya, hlm. 7.

1. Children of social value

The existence of children, when viewed from a social perspective is positioned as a source of peace in the family, the source of peace here means that parents will feel very complete, happy in the social environment if they have children. In addition, the presence of children in family life can improve the social status of parents in the community.

2. Children of economic value

The existence of children, when viewed from an economic perspective is positioned as a source of income if the children have grown up and are already working, while their parents are no longer able to work, then all parents always pin their hopes on their children, for example by providing economic assistance, in this case sending assistance in the form of money from the results of their children's work, This is where the economic value of a child is as a source of income.

Children are a guarantee of parents' old age in the future, the presence of a child can be a guarantee of old age in material terms as well as moral assistance in caring for, loving, giving affection, caring for and happy parents, especially girls, as a form of their return when they are cared for when they are young and can make them happy in their lives in the future, This is the value of children viewed from economic value.

3. Children of cultural value

The existence of children in the family has a fairly high cultural value in social life, namely the cultural pradigma of the community about many

children a lot of sustenance, this is one of the obstacles to the birth control movement in society, so this is also what must be changed or replaced with the language "children more than 2 are a burden" because the responsibility of welfare and caring for children is more important than increasing the number of children.

4. Children of religious value

The existence of children in the family has religious values that are discussed as a mandate, especially in Islam that children are dhaif and noble beings, so all children must be treated humanely by completing a living both physically and mentally so that later the child grows up to be a child of noble character. In the Islamic view, children are the entrustment or mandate of Allah SWT to both parents which must always be taken care of, even many people are reluctant to have birth control because according to them it means planning the number of children to have, so this act of planning the number of children according to them violates the rules of Allah SWT.

5. Children worth psychology

The existence of the child in the family is positioned as a psychiatric pleasure, as the decision of the parents towards the child is manifested in the form of parental affection given to the child that can please the child. For example, when a mother or father raises his child, they will definitely flatter his child, that his child is the most handsome or the most beautiful, and so on, even if the child is disabled. The value of the child as a fulfillment of parents, not

limited to age, even until adulthood and the child occupies a certain position, parents will feel proud, if the child excels.

The presence of children is considered one of the factors that determine the quality of marriage, so married couples who do not have children are often considered unhappy with their marriage, this assumption is especially developed in pronatalis countries, one of which is negra Indonesia which is a country that supports and encourages the birth of children.

Children can strengthen and perpetuate marriages between husbands and wives, and perpetuate households, although there are some households that are forced to destroy, even though they already have children, but in general a complete household there are husbands and wives and children, will be more eternal and solid than households that do not or do not have children.

However, even if a couple without children or the absence of children turns out to be financially advantaged, in terms of freer time, as well as close relationships with the couple, so they judge their marriage to be of high quality. Because when having children, the husband and wife's focus will be divided, as a result, the couple feels that they do not receive full attention, while if they do not have children, the husband and wife can focus more on themselves and their partners. In addition, money, time, and energy devoted to children can be used to help achieve dreams and life goals, such as vacations around the world or pursuing a career. When you have children, you and your partner may have difficulty making it happen, especially if you live mediocrely.

According to this group, although the presence of children is still considered an important thing, it does not mean that it is the main goal of marriage, according to them married couples emphasize more on the quality of relationships that satisfy and provide happiness for themselves and their partners than meeting social expectations.

The psychological burden of women due to the absence of children can be said to be heavier than men for several reasons: first, women tend to be cornered as the cause of infertility than men, in Indonesia women are the first figures to be blamed for being considered unable to provide offspring in their families.¹⁰ Second, women are also at risk of being divorced or left by husbands who marry other women, if indeed the wife is unable to provide offspring, the husband's actions can be justified as stipulated in the Law of the Republic of Indonesia Number 1 of 1974 concerning marriage article 4 paragraph 2 (c) which reads: "a husband is allowed to have more than one wife if the wife cannot give birth to offspring in her marriage." That is, the psychological burden of married women who do not have offspring is quite heavy. Third, cultural pressures, one of which is the different treatment of society for women who marry without children with women who have children.

Women who are married but have no children tend to feel psychological suffering such as experiencing deep sadness, feeling lonely, instability in marriage relationships, despair and some even think about ending their lives

¹⁰ Fariza, A. M, *Upaya Pasangan Yang Tidak Memiliki Anak Untuk Mempertahankan Perkawinan*, Jurnal Ilmiah Mahasiswa FISIP Unsyiah, Volume 1 Nomor 2 Tahun 2017, hlm. 1127-1146 <http://www.jim.unsyiah.ac.id/FISIP/article/view/2687/1676>.

because they feel useless. they feel that they are not perfect to be wives if they are not pregnant and give birth to offspring in their marriages.

Currently, more and more Indonesian women now dare to voice their desire not to have children because of their own decisions, various different reasons behind their decisions, but in essence they agree that children are not an important part of achieving happiness in life. People who think this way are not only from the people of the people but the Adamites also some who choose not to have children called the childfree group. There are many reasons for childfree, some are due to financial conditions, family, genetics or, health, and some psychologically feel unable to be parents, feel that they cannot be as great as their mothers, so they feel destined to be mothers..

In fact, some people choose not to have children because of their bad experiences in childhood related to relationships with parents, children in their view are precisely the source of problems, more than that some people think that women who do not have children are also beneficial to society. Not having children means consuming less of the earth's precious resources, women without children can share more of their wealth with others in need, and they can retire early and devote their time to important goals in the world.

Childfree or living without children or having children after marriage, this can happen based on two types of possibilities, namely the infertility of one of the partners or indeed it has become a life choice based on a joint decision, there are some health impacts that may be felt when a person is in a childfree marriage, according to the researchers that women without children

are at risk of having worse health later in life, can increase the risk of developing breast cancer when pregnant and breastfeeding, but on the contrary, the risk of developing breast cancer will be reduced for couples who have children due to hormonal changes during both phases. In Islam, if you use contraception because you are afraid of poverty or fear of not being able to pay for the lives of children, then according to some scholars this action is punished as haram, because it includes being prejudiced against Allah Almighty.

CHAPTER IV

SECOND DEMOGRAPHIC TRANSITION: UNDERSTANDING THE EMERGENCE OF CHILDLESS MARRIAGE IN EUROPE

A. TREND OF CHILDLESS MARRIAGE

Committing to a childfree marriage within the bond of matrimony has become a trend for married couples, particularly in Europe.¹ According to Frejka and Sardon (2004) the rising rate of childfree marriages as a social trend has occurred in the last 45 years.² Approximately 20% of women who are currently reaching the end of their reproductive period still remain childless, this figure continues to rise in the last few years.³ According to Merz and Liefbroer (2012), a marital agreement that includes the commitment of voluntary childlessness is regarded as most positive by society.⁴

Hara (2008) argues that the rise in childfree marriages can be afforded to women having control over their sexual and reproductive rights.⁵

¹ Donald T. Rowland, —Historical Trends in Childlessness,|| *Journal of Family Issues* 28, no. 10 (2007): 1311–37.

² Tomas Frejka and Jean-Paul Sardon, *Childbearing Trends and Prospects in Low-Fertility Countries: A Cohort Analysis*, vol. 13 (Springer Science & Business Media, 2006).

³ Michaela Kreyenfeld and Dirk Konietzka, *Childlessness in Europe: Contexts, Causes, and Consequences* (Springer Nature, 2017).

⁴ Eva-Maria Merz and Aart C. Liefbroer, —The Attitude toward Voluntary Childlessness in Europe: Cultural and Institutional Explanations,|| *Journal of Marriage and Family* 74, no. 3 (2012): 587–600.

⁵ Toshihiko Hara, —Increasing Childlessness in Germany and Japan: Toward a Childless Society?,|| *International Journal of Japanese Sociology* 17, no. 1 (2008): 42–62.

Increased understanding, awareness, and actualization of gender roles in various social relations have become one of the considerations to getting married without any commitment to having a child. In this perspective, according to Kahlert (2007), the increase in voluntary childless marriage can be understood as a rational adaptation of the structural imbalance in gender role, caused by the lack of institutional support for childcare in the society.⁶

The lack of support given by the state or other institutions to provide room for childcare (particularly for children under five years old/toddlers) has subsequently become a new issue. This issue is brought about by the implication that marital commitment to having a child has. It should also be noted that women bear greater burden than men in terms of childcare⁷ and also keeping in mind that for working married couples, the women carry a greater burden than men when it comes to childcare, even more so during the period of the COVID-19 pandemic.⁸

In this light, women's rights as a human being who holds full authority over her reproductive body seem to be the ultimate factor that

⁶ Heike Kahlert, –Die Kinderfrage Und Der Halbierte Wandel in Den Geschlechterverhältnissen,|| in *Ein Leben Ohne Kinder* (Springer, 2007), 337–63.

⁷ Alice Schoonbroodt, –Parental Child Care during and Outside of Typical Work Hours,|| *Review of Economics of the Household* 16, no. 2 (2018): 453–76.

⁸ Gema Zamarro and María J. Prados, –Gender Differences in Couples' Division of Childcare, Work and Mental Health during COVID-19,|| *Review of Economics of the Household* 19, no. 1 (2021): 11–40.

determines whether a married couple decides to have a child or otherwise. Nevertheless, the current study is aimed at finding more substantial, essential factors from the deepest perspectives that married couples who are committed to voluntary childlessness have. This is most important, in order to show that in addition to external factors, internal factors also need to be revealed to find new insights to complete existing knowledge on the matter.

Subsequently, these deepest perspectives, which married couples committed to voluntary childlessness have, are set against Islamic teachings and beliefs pertaining to childfree marriage as a current phenomenon of social reality. We consider this a vital aspect since according to al-Syâthibî (2003) one of the principles in *maqashid al-shari'ah* is to maintain one's heredity (procreate) as one of the purposes stipulated in Islamic law and commanded by Allah SWT in Al-Qur'an Surat Al-Furqan verse 74 and hadith instructing to take a wife who is loved and able to bear many children. Hence, in the perspective of Islamic law, having children is one of the primary aspects of human nature.⁹ Given the above background, the current study proposes the following problem statement, *how do we understand childfree marriage, which opposes maqashid al-shari'ah?*

⁹ Abu Ishaq Al-Syatibi, –Al-Muwafaqat Fi Ushul al-Syari'ah,|| Vol. II (Beirut: Dar al Kutub al Ilmiyah, Tt), 2003.

Data were collected by conducting interviews with 2 married couples committed to voluntary childlessness in France. One of the couples has a non-Muslim background while the other is a mixed couple, i.e., the wife is Muslim and the husband is not. This was done so that the researchers can find perspectives and arguments relating to voluntary childlessness marriage that the non-Muslim and mixed couples have committed to. Accordingly, the research involved 4 source persons from 2 married couples. Each couple is grouped as 1 single informant.

The sources were selected on account of feasibility and accessibility that the researchers had.¹⁰ In the present research, access is extremely vital because of the difficulty of finding the right criteria of sources, and the process of contacting the sources was also important, as well as the negotiations made to acquire the data and information required to address the research problem. As such, access is a dynamic process that depends on researcher's ability to convince sources to provide necessary information and protect them.¹¹

The collected data were then categorized thematically based on the information acquired from the informants. This was a process that involved identifying information to find significant concept(s). As a qualitative

¹⁰ Jane Stokes, *How to Do Media and Cultural Studies* (Sage, 2021).

¹¹ Juliane Riese, "What Is 'Access' in the Context of Qualitative Research?," *Qualitative Research* 19, no. 6 (2019): 669–84.

research, this process was even implemented during the first and second phases when preparing and designing the interview questions. Both were, subsequently, recombined to find more meaningful conceptual categories relating to the context of the research.¹²

Conceptually categorized data were then analyzed and presented in an interpretative and descriptive manner. Descriptive presentation is done by using emic focus to represent the terms expressed by the informants or their perspectives about the subject of study. Meanwhile, interpretative presentation is done by using etic focus to represent terms that emerged from the perspectives of the researchers about the research subject.

B. CHILDFREE MARRIAGE IN VARIOUS PERSPECTIVES

Initially, childlessness was used to illustrate the state of women who are a wife without child. This term is used to describe women who delay having children, are unable to have children, or choose to not have children after getting married. However, this description is confounding as it contains three varying conditions to explain one state in a particular period that women without children are in. This means that it is difficult to differentiate which women are delaying to have children, unable to have children, or

¹² Russell K. Schutt, *Investigating the Social World: The Process and Practice of Research* (Sage publications, 2018), 357.

refusing to have children. Accordingly, the term childlessness is hence divided into two categories, namely childless and childfree. The difference between the two is defined by female or male fertility in marriage. This defining factor has subsequently resulted in the terms voluntary childless and involuntary childless to distinguish between women unable to bear children due to certain factors, which are mostly related to issues of physical health.¹³

Voluntary childless undoubtedly refers to women's conscious and deliberate choice not to have children. As such, the term voluntary childless implies and emphasizes the spirit of freedom to have no child. Such spirit and emphasis bring voluntary childless closer to the term childfree. Therefore, childfree can be used to describe people who consciously and freely choose not to have children¹⁴ or a life choice of not having descendants.¹⁵ By contrast, involuntary childless describes a state where women have no children not because of their conscious and deliberate choice of not having children, but because of other factors, which brings it closer to the term childless. This is why the term childless tends to mean the loss of something that is desired.

¹³ –Childfree vs Childless - Penelusuran Google,|| accessed December 13, 2022,

¹⁴ Christian Agrillo and Cristian Nelini, –Childfree by Choice: A Review,|| *Journal of Cultural Geography* 25, no. 3 (2008): 347–63.

¹⁵ S. Stobert and A. Kemeny, –Childless by Choice,|| *Canadian Social Trends*, 2003, 11–008.

Some experts state that childfree has developed into a status that is most fitting for contemporary society.¹⁶ In fact, someone who is unrestricted by marital commitment to having children maintains a winning-criteria beneficial for their career competition and success in life.¹⁷ Hence, according to Beck (1992), Europe's main society is the childfree society.¹⁸ Nonetheless, this mainstream understanding also faces oppositions, as indicated by the low number of survey respondents stating that not having children in their life is ideal.¹⁹ This suggests that not all Europeans can accept the trend of marriage without any spousal commitment to having children.

Many factors cause married couples in Europe to decide not to have children. Women's academic achievement, which was behind men until the 1980s, is one of the factors for women, as bearers of reproductive rights, to decide getting into marriage without committing to having children. It is more likely for women today to obtain a tertiary degree throughout all European countries.²⁰ Higher education background has shifted values

¹⁶ Tomáš Sobotka, –Childlessness in Europe: Reconstructing Long-Term Trends among Women Born in 1900–1972,|| in *Childlessness in Europe: Contexts, Causes, and Consequences* (Springer, Cham, 2017), 17–53.

¹⁷ P. F. McDonald, –Sustaining Fertility through Public Policy: The Range of Options,|| *Demografie* 46, no. 1 (2004): 1–21.

¹⁸ Ulrich Beck, Scott Lash, and Brian Wynne, *Risk Society: Towards a New Modernity*, vol. 17 (sage, 1992).

¹⁹ Anneli Miettinen and Ivett Szalma, –Childlessness Intentions and Ideals in Europe,|| *Finnish Yearbook of Population Research* 49 (2014): 31–55.

²⁰ M. Mamolo et al., –European Demographic Data Sheet 2014,|| 2014.

relating to marriage and reproduction, as well as relevant changes in partnership behavior known as the –second demographic transition||.²¹ Through education, women become aware that they have the most important bodily function necessary to produce children. Such awareness leads to a higher level of childlessness. A survey conducted by Merz and Liefbroer (2012) in Scandinavian countries like Norway and Denmark found that the agreement not to have children voluntarily closely correlates with the development of the second demographic transition and it is widely regarded as a positive matter.²²

Furthermore, women today have a relatively high level of labor participation, even in South European countries, where in the past the majority of women remained left out of the labor market.²³ Meanwhile, young women today almost universally expect to be employed throughout their entire life.²⁴ Women’s participation in the workplace continues to rise due to the increase in their education level, which is another key factor

²¹ Ron Lesthaeghe, –The Unfolding Story of the Second Demographic Transition,|| *Population and Development Review* 36, no. 2 (2010): 211–51.

²² Merz and Liefbroer, –The Attitude toward Voluntary Childlessness in Europe.||

²³ –Doing Better for Families - OECD,|| accessed December 13, 2022, <https://www.oecd.org/social/soc/doingbetterforfamilies.htm>.

²⁴ Claudia Goldin, –The Quiet Revolution That Transformed Women’s Employment, Education, and Family,|| *American Economic Review* 96, no. 2 (2006): 1–21.

driving the decision married couples make not to commit to having children.²⁵

In the meantime, from a male perspective, husbands have yet to fully adjust themselves to be equally involved in childcare, cooking, and other household chores.²⁶ Such inequality in household chores is another subtle factor driving married couples to decide not having children. This phenomenon of inequality in childcare and arrangement of domestic work within the household between husband and wife is considered by Esping- Andersen (2009) as an incomplete gender revolution.²⁷ This condition has forced women to be in a difficult dilemma between having a professional career or becoming a mother caring for their child.²⁸

Regarding gender inequality in husband-wife relations,²⁹ found that wives in America spend more time to care for their children than husbands do. Meanwhile, Heggeness (2020) explains that wives who initially worked

²⁵ —Doing Better for Families - OECD.||

²⁶ Jennifer L. Hook, —Care in Context: Men’s Unpaid Work in 20 Countries, 1965–2003,|| *American Sociological Review* 71, no. 4 (2006): 639–60.

²⁷ Gosta Esping-Andersen, *Incomplete Revolution: Adapting Welfare States to Women’s New Roles* (Polity, 2009).

²⁸ J. KOK, —O. Thévenon• Increased Women’s Labour Force Participation in Europe: Progress in the Work-Life Balance or Polarization of Behaviours? 235,|| n.d.

²⁹ Abi Adams-Prassl et al., —Inequality in the Impact of the Coronavirus Shock: Evidence from Real Time Surveys,|| *Journal of Public Economics* 189 (2020): 104245.

were forced to choose not to work due to reasons pertaining to childcare.³⁰ At the very least, wives reduce their work hours more than husbands do.³¹

A similar phenomenon is also occurring in Europe. Husbands do seem to be involved in childcare, but their participation in household chores and childcare is very little. The remaining burden, as well as other additional burdens in childcare and household chores, are given to wives.³² In England, wives also shoulder a greater burden in childcare than husbands do, although the gender gap in childcare hours have seemed to close compared to before the COVID-19 pandemic.³³ In Italy, survey data shows that distribution of childcare hours depends on work arrangement, where men and women spend fewer time for childcare when they continue to work outside the home.³⁴

The dimension of gender equality in childcare and management of household chores among working married couples, on the one hand, and the

³⁰ Misty L. Heggeness, —Estimating the Immediate Impact of the COVID-19 Shock on Parental Attachment to the Labor Market and the Double Bind of Mothers,|| *Review of Economics of the Household* 18, no. 4 (2020): 1053–78.

³¹ Caitlyn Collins et al., —COVID-19 and the Gender Gap in Work Hours,|| *Gender, Work & Organization* 28 (2021): 101–12.

³² Lúdia Farré et al., —How the COVID-19 Lockdown Affected Gender Inequality in Paid and Unpaid Work in Spain,|| 2020.

³³ Almudena Sevilla and Sarah Smith, —Baby Steps: The Gender Division of Childcare during the COVID-19 Pandemic,|| *Oxford Review of Economic Policy* 36, no. Supplement_1 (2020): S169–86.

³⁴ Daniela Del Boca et al., —Women’s and Men’s Work, Housework and Childcare, before and during COVID-19,|| *Review of Economics of the Household* 18, no. 4 (2020): 1001–17.

presence of the state, on the other, become the most significant focal points that require due attention. The reason is that it seems to be the most important point of confluence that explains why couples get married without committing to having children. Sevilla and Smith (2020) explain that, on average, wives work ten hours more in a week than husbands do for their entire work load both outside and inside of the house.

Concurrently, the rapid industrialization of contraceptives that can prevent married couples from having children has also made it easier to access them. According to van de Kaa (1997), easy access to modern contraceptives—including emergency post-delivery contraceptives, which had initially been made available at the end of the 1990s—have expanded the possibility for couples to decide whether they want to and when they want to become parents, and it can be said that this makes it even more possible to choose to remain married without children.³⁵

Nonetheless, some other literary sources also explain that the decision to engage in marriage with the commitment not to have children is not something that has been planned consistently since a young age. The decision to not have children is often driven by a mixture of adverse circumstances and adjustment to unexpected incidents, such as infertility, poor health,

³⁵ Dirk J. Van de Kaa, "Options and Sequences: Europe's Demographic Patterns," *Journal of the Australian Population Association* 14, no. 1 (1997): 1–29.

unsuitable partner, and breakup or divorce in marriage.³⁶ These various circumstances have driven married couples of productive ages to adopt a delay strategy for having children.³⁷ Such adaptation strategy is initially only to delay having children instead of committing to not having children. However, this strategy would often lead fertile married couples to gradually adapt with a childfree lifestyle, and they would ultimately lose interest in having children.³⁸ Generally speaking, married couples of fertile ages that have no children tend to say that they delay their plan to have children rather than claiming that they have chosen and decided not to have children.³

C. AVOIDING TOXIC FAMILY, EXPERIENCING ROMANCE, BEING HAPPY AND WELL WITHOUT CHILDREN

The emergence of childfree married life in Europe can be considered one of the peak phenomena of demographic behavior. This phenomenon has become a broad debate among both the public and academic scholars with various studies. Several comments have emerged with the consideration that

³⁶ Edith Gray, Ann Evans, and Anna Reimondos, –Childbearing Desires of Childless Men and Women: When Are Goals Adjusted?,|| *Advances in Life Course Research* 18, no. 2 (2013): 141–49.

³⁷ Ann Berrington, –Perpetual Postponers? Women’s, Men’s and Couple’s Fertility Intentions and Subsequent Fertility Behaviour,|| *Population Trends* 117 (2004): 9–19.

³⁸ Ronald R. Rindfuss, S. Philip Morgan, and Gray Swicegood, –First Births InAmerica: Changes in the Timing of Parenthood,|| *Berkeley: University of California Press*, 1988.

³⁹ Máire Ní Bhrolcháin and Éva Beaujouan, –Uncertainty in Fertility Intentions in Britain, 1979-2007,|| *Vienna Yearbook of Population Research*, 2011, 99–129.

not having children is a phenomenon among European society that is individualist and egocentric.⁴⁰ Meanwhile, others consider this phenomenon to be the women's (wives) fault, which has an impact on the low rate of population growth.⁴¹ Other comments on this phenomenon consider that marriage without children is a lifestyle that is recommended as a condition that goes beyond married couples as parents for their children.⁴² In the meantime, feminist activists consider the decision to not have children an expression of independent life, differing from previous life, which positions women as objects being both wife and mother in the family.⁴³

On the other hand, this phenomenon also gains the attention of academic scholars and their various studies. Some studies place it as an ideologically charged debate. This means that as a social phenomenon, marriage without children is a population problem referring to the conditions of a population in a region in its entirety. The population refers to the high and low (statistical) rates of fertility, the high and low rate of mortality, and

⁴⁰ Harry Siegel, –Why the Choice to Be Childless Is Bad for America,|| *Newsweek* (2/19/13), 2013.

⁴¹ Kreyenfeld and Konietzka, *Childlessness in Europe*.

⁴² Henriette Mantel, *No Kidding: Women Writers on Bypassing Parenthood* (Seal Press, 2013), K. D. Walters, –Kidfree & Lovin'it! Whether by Choice, Chance or Circumstance: The Complete Guide to Living as a Non-Parent,|| *Summerland: Serena Bay*, 2012.

⁴³ Lena Correll, *Anrufungen Zur Mutterschaft: Eine Wissenssoziologische Untersuchung von Kinderlosigkeit* (Westfälisches Dampfboot, 2010). Rosemary Gillespie, –Childfree and Feminine: Understanding the Gender Identity of Voluntarily Childless Women,|| *Gender & Society* 17, no. 1 (2003): 122–36.

population mobility.⁴⁴ Hence, through the demographic perspective, marriage without children is more of a quantitative study pertaining to figures, structures, compositions, measures, and various other calculation techniques.

Nonetheless, specifically from the perspectives of married couples without children, the present study has confirmed that the decision to marry without having children is driven by their desire to achieve long-life happiness with their partner. According to Informant 1, as a married couple, the decision to marry with the commitment to not have children was driven by the essence of life, which is to find happiness.

Happiness in the household or marriage is not measured by having children. We got married because we love each other. We are happy by loving one another. We want to be happy and keep being romantic until we are old without being troubled by the presence of children.

⁴⁴ Stein Emil Vollset et al., –Fertility, Mortality, Migration, and Population Scenarios for 195 Countries and Territories from 2017 to 2100: A Forecasting Analysis for the Global Burden of Disease Study,|| *The Lancet* 396, no. 10258 (2020): 1285–1306. Rob J. Hyndman and Heather Booth, –Stochastic Population Forecasts Using Functional Data Models for Mortality, Fertility and Migration,|| *International Journal of Forecasting* 24, no. 3 (2008): 323–42.

Several researches do indeed explain that family is one of the sources of happiness.⁴⁵ A study by Wu (2014) suggests that family is the most influential factor in creating a person's happiness. This argument is reinforced by Napa et al. (2020) in a study explaining that happiness is the true purpose of human beings that they can find in family.⁴⁶ However, the concept of family meant here is by having all the family components as a whole, i.e., consisting of father, mother, and child.⁴⁷ So, if a household merely comprises of a husband and a wife without any child, it would be more appropriate if they are called a couple instead of a family.

Although happiness is the true purpose of human beings that we can find in the family, other studies indicate that happiness in the family is found in families without financial issues.⁴⁸ This explains that the decision to get married without having children for the pursuit of happiness should also be coupled by no financial issues. Accordingly, the decision to get married

⁴⁵ M. Si Dr. Moordinarsih, –Family as a Source of Happiness and Achievement: Indigenous Psychology,|| 2011, <http://eprints.ums.ac.id/33028/>. Zhenzhu Wu, –Family Is the Most Influential Factor on Happiness in High School Students,|| *Health* 2014 (2014). Budi Andayani, Djameludin Ancok, and Ratna Wulan, –From Love to Family Happiness: A Theoretical Model for Javanese Family,|| *European Journal of Social Science Education and Research* 5, no. 1 (2018): 24–35.

⁴⁶ Wilai Napa et al., –Family Happiness among People in a Southeast Asian City: Grounded Theory Study,|| *Nursing & Health Sciences* 22, no. 2 (2020): 292–99.

⁴⁷ Gabriela Misca and Jo Smith, –Mothers, Fathers, Families and Child Development,|| *Contemporary Issues in Family Studies: Global Perspectives on Partnerships, Parenting and Support in a Changing World*, 2013, 151–65.

⁴⁸ Rebecca J. North et al., –Family Support, Family Income, and Happiness: A 10-Year Perspective.,|| *Journal of Family Psychology* 22, no. 3 (2008): 475. Blanchflower, D.G. & Clark, A.E. (2019). *Children, Unhappiness and Family Finances: Evidence from One Million Europeans*.

without having children also correlates with considerations of financial stability and social stratification.⁴⁹ The consideration of a stable financial capacity for deciding not to have children is meant to assure the wellbeing of married couples in their old age.⁵⁰

According to informant 2, as a married couple who are committed to be married without having children, the consideration of happiness and wellbeing when they are old emerged due to the support given and acceptance shown by their closest social environment.

Our parents and close friends support our decision to get married without having children. Because by making this decision, we feel and our close friends see us live happily. We are also never worried about our old age. There are many elderly people around us who continue to live happy and well despite being left by their (deceased-researchers) partner.

This perspective indicates that the concern of having to live alone when they are old is not considered a threat to married couples who are committed not to have children. This is because their financial stability

⁴⁹ Bhrolcháin and Beaujouan, —Uncertainty in Fertility Intentions in Britain, 1979-2007.|| Tanya Koropecj-Cox and Vaughn RA Call, —Characteristics of Older Childless Persons and Parents: Cross-National Comparisons,|| *Journal of Family Issues* 28, no. 10 (2007): 1362-1414. Jonas Wood, —Essays on Socio-Economic Differentiation in European Fertility|| (The impact of economic context and social policy. Antwerp: University Press, 2016).

⁵⁰ Pearl A. Dykstra and Michael Wagner, —Pathways to Childlessness and Late-Life Outcomes,|| *Journal of Family Issues* 28, no. 11 (2007): 1487-1517. Tim Huijts, Gerbert Kraaykamp, and Subbaya V. Subramanian, —Childlessness and Psychological Well-Being in Context: A Multilevel Study on 24 European Countries,|| *European Sociological Review* 29, no. 1 (2013): 32-47. Zhenmei Zhang and Mark D. Hayward, —Childlessness and the Psychological Well-Being of Older Persons,|| *The Journals of Gerontology Series B: Psychological Sciences and Social Sciences* 56, no. 5 (2001): S311-20.

throughout their life along with their partner as well as social support and availability of parents left by their partner serve as factual references and social support for them to decide to get married without having children. This finding shows that the voluntary decision to get married without having children is a new developing trend in family demographic behavior. The voluntary decision made by married couples to not have children differs from involuntary decision. This difference reinforces the trend of this emerging phenomenon.

A married couple's voluntary decision not to have children is a conscious decision made without any physical impediments. This means that the decision was made when the husband and wife are of fertile age and are neither infertile nor have any other physical impairments. Meanwhile, an involuntary decision is a decision made not to have children due to physical and biological impediments. This implies that the couple would like to have children but are unable to because they are impeded by physical and biological challenges like infertility.

These two categories (voluntary and involuntary childlessness) differ from delaying pregnancy for not having children. The category of delaying pregnancy refers to a married couple's decision not to have children on a temporary basis. This decision is made due to external considerations such as

work demand or economic pressure. According to the informants, they both decided not to have children due to different reasons. Informant 1 explained that they decided not to have children not because they are infertile, but for the sake of their career and work, or existing economic pressure. But, one of the reasons is to avoid creating a toxic family.

We decided not to have children before we got married. So, it is not because we are infertile or because of career and economic reasons. This was initially her (the wife's) desire to avoid creating a toxic family. We do not want to cause harm to our children because their presence disrupts our romantic life.

According to Michalski (2017) and Dunham, et al. (2011), a toxic family can be defined as a condition where family members hurt each other and cause physical, mental, and psychological damages among one another, particularly between parents and child. Toxic families can develop due to a number of reasons of which among them include a huge problem in the family like a child with physical or mental disabilities, or significant influence from family environment. The impact may lead to emotional and mental disorders on all family members, be it the husband, wife, or child.⁵¹

⁵¹ Joseph Michalski, –The Cumulative Disadvantages of Socially Toxic Family Environments: A Comparison of Early Life Experiences of Incarcerated Men and University Students,|| *Journal of Cultural Analysis and Social Change* 2, no. 2 (2017): 4. Shea M. Dunham, *Poisonous Parenting: Toxic Relationships between Parents and Their Adult Children* (Routledge, 2012). Francois Höpflinger, –Neue Kinderlosigkeit—Demographische Trends Und Gesellschaftliche Spekulationen,|| in *Acta Demographica 1991* (Springer, 1991), 81–100. Maura Kelly, –Women's Voluntary Childlessness: A Radical Rejection of Motherhood?,|| *Women's*

Meanwhile, informant 2 explained that initially they decided to temporarily delay not having children as the wife was not ready. But the decision changed with the passing of time because they found happiness when living a life without children instead.

The burden of pregnancy is on the wife, not the husband. So, the decision to have or not have children is decided by the wife. While, I, as a husband, initially, I was simply worried that if I were to have a child, I was afraid that I would fail to become a good parent. But after we tried not having children for several years, our relationship has been very happy so we decided to permanently not have children.

This is a new finding as several literature usually distinguish the decision not to have children into two categories, i.e., ‘voluntary’ and ‘involuntary’. This distinction is often used to distinguish between a physical/biological reason for not having children and otherwise. This means that the decision not to have children is driven by a physical factor and solely relies on the couple’s reproductive capacity. However, this study found that there is a mental factor observed in husband and wife feeling anxious and afraid of having children as their presence may lead to a toxic family. This

Studies Quarterly 37, no. 3/4 (2009): 157–72. Suzanne Noordhuizen, Paul de Graaf, and Inge Sieben, –The Public Acceptance of Voluntary Childlessness in the Netherlands: From 20 to 90 per Cent in 30 Years,|| *Social Indicators Research* 99, no. 1 (2010): 163–81. Marsha D. Somers, –A Comparison of Voluntarily Childfree Adults and Parents,|| *Journal of Marriage and the Family*, 1993, 643–50. Jean E. Veevers, –Voluntary Childlessness: A Review of Issues and Evidence,|| *Marriage & Family Review* 2, no. 2 (1979): 1–26. Lynne S. Wilcox and William D. Mosher, –Characteristics Associated with Impaired Fecundity in the United States,|| *Family Planning Perspectives*, 1994, 218–21.

finding also refutes the claim of prior studies expounding that not having children can be understood as a series of unintended delayed fertility or that it is a clear and conscious life style choice.⁵²

D. CHILDFREE MARRIAGE AS A PRODUCT OF SOCIAL CONSTRUCT

The decision made by married couples not to have children by reason of avoiding a toxic family as well as achieving happiness and wellbeing until they are old, as elaborated in the above passages, can be considered a social construct. This is because, according to Ammar (1996) various perspectives and arguments for not having children are very much influenced by values and interpretations of the contemporary patriarchal society. This asserts the absence of mothers, because the status of mothers and wives differs in the social construct. Wife is a social status for husbands while mother is a social status for children. Hence, in terms of social status, they are situated in a diametrical opposition. This social construct emerged because Islam is often considered as a patriarchal religion that demeans women.⁵³

As a social construct, this understanding can be identified as a discursive arena that involves several perspectives, including women's

⁵² Rindfuss, Morgan, and Swicegood, –First Births In America. || S. Philip Morgan, –Late Nineteenth-and Early Twentieth-Century Childlessness, || *American Journal of Sociology* 97, no. 3 (1991): 779–807.

⁵³ Nawal H. Ammar, –The Status of Childless Women in Islam: Issues of Social and Legal Construction, || *Humanity & Society* 20, no. 3 (1996): 77–89.

perspective as a neutral actor. As a neutral actor in this construct, women may be identified as a wife for her husband or a mother for her child. This is a critical perspective since women have the reproductive function of bearing children. The women's perspective is of greater significance on account of two aspects:

First, despite women having the reproductive function of bearing children, in the Islamic tradition the child's name is in fact attached to the father instead of the mother.

Second, textual wise, Islam does not provide any guidance in the case where a woman decides not to have children in her marriage.

Therefore, various studies on childfree marriage are based on various interpretations and social constructs or the progressive needs of contemporary society. This is why various studies on childfree marriage in the Islamic perspective can be understood as a constructive dialogical process between the patriarchal interpretation and the various codes contained within Islamic law because the Qur'an and Hadith provide no clear and absolute guidance regarding childfree marriage. Several texts in the verses of Al-Qur'an and Hadith even indicate that Islam is a pronatalist religion. As stated in Surah 18 verse 46: *"Wealth and children are the adornment of this worldly life"* or Surah 16 verse 72 *—And Allah has made for you spouses of your*

own kind, and given you through your spouses children and grandchildren” and a hadith –An unattractive fertile wife is better than an attractive but infertile one”.

The texts above suggest that Islam is, without a doubt, a pronatalist religion. Even verses stated in Surah 4 verses 11 and 23 explain that giving birth does not lessen a woman’s role, because women in the Qur’an is also described as an economic being. Nonetheless, Islam’s history also displays several cases where married couples have no children. The wife of the Prophet Muhammad PBUH (peace be upon Him), Aisyah never had children throughout her life as the wife of the Prophet. Similarly, the wife of Ummayyad Khalifah Walid I in the early 8th century⁵⁴ or Sitt al-Mulk the daughter of Khalifah Fatimiyah V also had no children.⁵⁵

This shows that as a matter of fact, childless marriages had been around since the time of the Prophet Muhammad PBUH. Accordingly, childless marriage emerged as a social construct due to its various underlying factors. This research, specifically, found that childfree marriage came about because married couples intend to avoid having a toxic family and to achieve lifelong happiness and wellbeing with their spouse, as explained in the

⁵⁴ Naila Minai, –Women in Islam: Tradition and Transition in the Middle East,|| 1981.

⁵⁵ F. Mernissi, –The Forgotten Queens of Islam (MJ Lakeland Trans.)|| (Minneapolis, MN: The University of Minnesota Press, 1993).

previous section above. We would like to place this finding as one of the arguments used to explain that childfree marriage is a social construct.

This means that as a given social fact, childless marriages have been around since the time of the Prophet Muhammad PBUH. However, this fact is not a source that can be considered a legal shariah basis, i.e., a guide or precept for practicing childless marriage in Islam, despite the Prophet Muhammad PBUH having had direct experience with childless marriage. The reason for this is that in Islam, a woman would not have a child if she is indeed unable to bear a child due to physical reasons such as infertility. This explains that in the perspective of Islamic law, a child is the biological product of a legally married couple.

In the case that a legally married couple does not have a child due to biological reason, Islam arranges a legal mechanism by way of polygamy. As such, polygamy is a solution with the essence of Islamic pronatalism. This explains that polygamy is a practice of procreation instead of pro-recreation.⁵⁶ This is also emphasized by the unavailability of shariah argumentation that can be used for not having a child deliberately through various agreements or commitments between husband and wife to be married without children.

⁵⁶ Azhari Akmal Tarigan, Nurhayati Nurhayati, and Watni Marpaung, –Taming Islam’s Polygyny Law Revealing Male Sexual Desire In Indonesia’s Polygyny Practices,|| *Journal Of Indonesian Islam* 15, no. 1 (2021).

This lack of argumentation reinforces the fact that as a reality, childfree marriage is a social construct instead of a textual construct. A social construct is, substantively, a reality that is generated through individual construction in a collective manner within a particular social order of the community, which becomes a construct of social reality. Hence, a social reality construct can be defined as a social process through actions and interactions wherein individuals (or groups of individuals) continuously create a reality that they subjectively own and experience together.⁵⁷

This study has proven that the social process through various actions and interactions, childfree marriage actors decide to get married without children as a conscious choice, and not because of biological factors hindering them from having children. Informant 1 as a childfree marriage actor explained:

"We decided to get married with the commitment of not having children not because myself or my wife are infertile. If it we had decided not to have children by reason of infertility, we could adopt a child".

Meanwhile, informant 2 as another childfree marriage actor stated:

"Sexual wise, we are a normal couple, we have no difference in sexual orientation. As husband wife, we have a normal sexual relationship

⁵⁷ Luckman Thomas, —The Social Construction of Reality,|| *A Treatise in the Sociology of Knowledge*, 1966.

based on love. We can have children from our relationship. Is just that we did commit not to have children since before we were married. So, we engage in (sexual-researcher) relationship neither for having children (procreation-researcher) nor for enjoyment (pro recreation-researcher)".

The explanations given by the two informants as childfree marriage actors show how childfree marriage has shifted from a social fact (which existed since the time of the Prophet Muhammad PBUH) toward a construct of social reality. The statement given by informant 2, specifically, is a unique finding as it reveals a specific reason in which marriage is not fostered for pro recreation purposes, let alone procreation. While, essentially, intimate relationship between husband and wife is founded on sexual desire. Accordingly, significant sexual desire is carried out to achieve sexual satisfaction.⁵⁸ Meanwhile, procreation is based on the desire to have children and descendants. Therefore, sexual relationship between husbands and wives has a function of regenerating human beings throughout the ages.⁵⁹

⁵⁸ Lori A. Brotto and Kelly B. Smith, –Sexual Desire and Pleasure.,|| in *APA Handbook of Sexuality and Psychology, Vol. 1: Person-Based Approaches*. (American Psychological Association, 2014), 205–44.

⁵⁹ Deborah L. Tolman et al., *APA Handbook of Sexuality and Psychology, Vol. 1: Person- Based Approaches*. (American Psychological Association, 2014). Roy J. Levin, –Recreation and Procreation: A Critical View of Sex in the Human Female,|| *Clinical Anatomy* 28, no. 3 (2015): 339–54. Giuseppe Benagiano and Maurizio Mori, –The Origins of Human Sexuality: Procreation or Recreation?,|| *Reproductive Biomedicine Online* 18 (2009): 50–59.

CHAPTER V

PERSPECTIVES ON ISLAMIC LAW: A CRITICAL AND COMPREHENSIVE STUDY OF CHILDLESS MARRIAGE

A. The Term Childless Marriage in Islam

Marriage for all human beings is important, including the birth and inner relationship of a man and a woman with the aim of creating a happy and lasting household or family, and each family generally has an existence related to biological or reproductive functions by giving birth to children to realize social relations and the concept of an ideal family, having offspring is interpreted as a complement to spirituality and maintaining its species.¹ However, even so, each couple has a different way of building a household, including the presence of a child in the family, there are husbands and wives who want to have many children, two children, only one child, and some who do not want to have children at all.²

Recently, childfree or do not want to have children has become a public conversation on social media, the trend of childfree or not wanting to have children in marriage relationships has turned out to be in demand by celebrities in the country and the world, this decision not to want to have children has triggered polemics and criticism, because in the view of the majority of people that one of the important functions of marriage is to continue offspring.

¹ Hapsari, Indri Iriani, dan Siti Rianisa Septiani, “Kebermaknaan Hidup Pada Wanita Yang Belum Memiliki Anak Tanpa Disengaja; Involuntary Childless.” JPPP; Jurnal Penelitian dan Pengukuran Psikologi Volume 4 Nomor 2 Tahun 2015, hlm. 90–100. doi: 10.21009/jppp.042.07.

² Tiara Hanandita, *Konstruksi Masyarakat Tentang Hidup Tanpa Anak Setelah Menikah*, Jurnal Analisa Sosiologi, Januari 2022, 11 (1), hlm. 126 -136.

In contrast to the opinion of some people, that getting married is not an act with the aim of wanting to have children, but there is another purpose, namely wanting to live or live together with their partner, according to them, claiming that life after marriage is not only focused on the problem of children but there are career problems that must be continued, and household needs that must be met every day. Childfree is a decision or life choice not to have children, be it biological children or biological children, or adopted children who are raised as children because the child is orphaned due to victims of natural disasters, the use of the term childfree to refer to people who choose not to have children began to appear in the late 20th century. However, according to the expert concluded that a woman's education level is the most important factor in determining whether she decides to have children or not, because the higher a woman's education level, the less desire to have children..³

Actually, there are many reasons someone wants to be childfree or does not want to have children in marriage, including health, family background, financial, emotional, namely mental unprepared motherhood, environment to genetic worries, and there are even couples who feel happy without the presence of children, the decision not to have children is a strange decision, because this strangeness arises because Indonesian society upholds the norm of being parents.

³ Lunuwih, Laras Santi Sulisty. “*Keluarga Tanpa Anak; Studi Mengenai Dominasi Patriarki Pada Perempuan Jawa Tanpa Anak Di Jurnal Analisa Sosiologi 136 Pedesaan.*”, Jurnal Universitas Airlangga Tahun Legal Status of Negation of Children in the Family 2018, hlm. 8.

B. Legal Status of Negation of Children in the Family

In Islam, there is no express information in the Qur'an or hadith that requires married couples to have children, but regarding the trend of childfree or not wanting to have children, scholars allude to the purpose of marriage which not only meets human biological needs, but also other virtues. Because this marriage contract is related to various benefits, both religious benefits and world benefits, including protecting and caring for women, protecting themselves from adultery, including increasing the population of servants of Allah SWT and the people of Prophet Muhammad SAW, and ensuring the pride of the Prophet Muhammad SAW over his people.

Similarly, in marriage, the goal is to preserve the continuity of the human kind, and to give birth to godly offspring, this reason is also essentially the reason for the necessity of marriage, therefore it is impossible to imagine the existence of a godly child without marriage, so that marriage is the cause that is the intermediary, godly children are the intention of sharia and intelligent people, if there is no marriage, then there will be no godly children.

In fact, the Prophet Muhammad SAW advocated for Muslims to marry fertile women, besides that there is a word that the Prophet Muhammad SAW explained that pious children are an uninterrupted investment even though their parents died.

The effort to have offspring (marry) becomes a worship from four sides, these four sides are the main reasons for the recommendation to marry when a person is safe from the disturbance of the martyrdom so that no one is happy to

meet Allah SWT in a single or unmarried state. First, seek the blessings of Allah Almighty by producing offspring. Second, seeking the love of Prophet Muhammad SAW by increasing the proud human population. Third, hope for blessings from the prayers of a godly son after he dies. Fourth, expect intercession for the cause of the death of the little boy who preceded him. The reason is that the trend of childfree or not wanting to have children in Islam is not in accordance with religious recommendations and violates the philosophical meaning of marriage.

C. Reasons That Prohibit Childless Marriage

The reason for not wanting to have children or childfree in Islam is haram, because of the importance of children in Islamic teachings, especially those who are reluctant to have because of fear of poverty, then in Islamic teachings this attitude is strictly prohibited, as affirmed by Allah Almighty in the Qur'an in surah al-An'am verse 151 and surah al-Isra verse 31 which reads as follows:

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

It means:

"And you shall not kill your children because of (your) poverty. We will give you and to them." {Qs. Al-An'am/6 : 151}

قُلْ تَعَالَوْا أَتْلُ مَا حَرَّمَ رَبِّيَ عَلَيْنَا أَلَّا تُشْرِكُوا بِهِ شَيْئًا وَبِالْوَالِدَيْنِ إِحْسَانًا وَلَا تَقْتُلُوا أَوْلَادَكُمْ مِنْ إِمْلَاقٍ نَحْنُ نَرْزُقُكُمْ وَإِيَّاهُمْ وَلَا تَقْرَبُوا الْفَوَاحِشَ مَا ظَهَرَ مِنْهَا وَمَا بَطَّنَ وَلَا تَقْتُلُوا النَّفْسَ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ ذَلِكَمْ وَصُكُّكُمْ بِهِ لَعَلَّكُمْ تَعْقِلُونَ.

It means :

"And you shall not kill your children for fear of poverty. We are the ones who will give them and also to you. Indeed, killing them is a very great sin." {Qs. Al- Isra/17 : 31 }

In the first verse above, surah al-An'am verse 151, Allah Almighty says "and you shall not kill your children," because poverty "you" translation of min imlaaqi, this shows that poverty or paganism does exist and is being experienced by someone, then let not your misfortune cause you to kill your children, in this glorious verse comes first the mention of parents then children.

In contrast to the words of Allah Almighty "We are the ones who give rizki to you and to them (your children)", which is found in the second verse above, namely surah al-Isra verse 31 Allah Almighty says "Do not kill your children for fear of poverty", this shows that poverty or famine has not yet come to them or their parents, but they are afraid of living poorly or fakir due to future children, therefore they kill their children for fear of poverty that will befall them, so in this glorious verse Allah Almighty begins to call children then parents, the word of Allah Almighty "We will give rizki to them (i.e. your children) and also to you", herein lies the difference between the two verses above surah Al-An'am verse 151 and surah Al-Isra verse 31.

The two words of Allah Almighty above provide a very high lesson and law for Muslims, firstly, that one of the deeds of Jahilliyyah is to kill their children because of the poverty that exists in them or because of the fear of poverty in the future due to the presence of children, from this it is known that one of the

qualities of the Jahilliyyah people is fear of having children or not wanting to have children because of their faking or fear of falling poor or fakir, hence those who choose not to have children for fear of poverty are the same as Jahiliyahs who are very afraid of having children because of their poverty or fear of poverty in the future.⁴

Young newly married couples, who often choose not to have children immediately on the grounds that the economy is not enough, the salary is still small, they are not able to take care of children, and the house is still contracted, so some married couples limit births, do not want more for the same reasons that are all gathered together, namely fear above fear of their poverty or fear of falling into poverty due to children, hence the nature of the Jahilliyyah people which is that they do not want to have children because of their poverty or fear of falling into poverty. In fact, it is clear that this Jahiliyah tradition has been cancelled by the Prophet Muhammad SAW when the Messenger of Allah SAW wukuf in Arafah which reads as follows :

It means:

أَلَا كُلُّ شَيْءٍ مِنْ أَمْرِ الْجَاهِلِيَّةِ تَحْتَ قَدَمَيْ مَوْضُوعٍ

"Know ! Everything from Jahilliyyah's affairs was under both soles of my feet cancelled" {HR. Muslim}

One of the Jahilliyyah's affairs was to kill their children because of this poverty or fear of poverty, so Muslims who did not want to have children with

⁴ Khairul Hamim, Konsep Pendidikan Anak Dalam Al-Qur'an Surat Luqman, Jurnal Penelitian Keislaman, Volume 9 Nomor 1 Edisi Januari Tahun 2013, hlm. 113-127.

i'tiqad (faith) were afraid of being poor or afraid of not being able to eat or other reasons were the same as their beliefs as the Jahilliyyah people even though they did not kill their children. Killing children for the two reasons above, namely because of poverty or fear of poverty or other causes is a very big sinful act as said by Allah Almighty above with the words of the Prophet Muhammad SAW as follows:⁵

عَنْ عَبْدِ اللَّهِ رَضِيَ اللَّهُ عَنْهُ قَالَ : سَأَلْتُ أَوْ سُئِلَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ
وَسَلَّمَ أَيُّ الدَّنْبِ عِنْدَ اللَّهِ أَكْبَرُ؟ قَالَ : أَنْ تَجْعَلَ لِلَّهِ نِدًّا وَهُوَ خَلَقَكَ، قُلْتُ ثُمَّ
أَيُّ؟ قَالَ : ثُمَّ أَنْ تَقْتُلَ وَلَدَكَ خَشِيَةً أَنْ يَطْعَمَ مَعَكَ، قُلْتُ : ثُمَّ أَيُّ؟ قَالَ : أَنْ
تُزَانِيَ بِحَلِيلَةِ جَارِكَ

It means:

"From Abdullah bin Mas'ud he said: I asked or asked the Messenger of Allah SAW, "What is the greatest sin on the side of Allah Almighty?" He replied, "You make for Allah Almighty a counterpoint (ally) even though He created you". I asked again, "Then what else?". He replied, "You killed your son because you were afraid to eat with you". I asked again, "Then what else?" He replied, "You committed adultery with your neighbor's wife". {HR. Bukhari}

If you look closely, that the rejection of ownership of children in marriage in Indonesia is a taboo or forbidden thing, because the Indonesian state is a

⁵ Toni Pransiska, Perlindungan Anak Dalam Perspektif Islam; Antara Idealitas dan Realitas, Jurnal Ilmu Tarbiyah At-Tajdid, Volume 4 Nomor 2 Edisi Juli Tahun 2015, hlm. 49-50.

pronatalis country as evidenced by the pressure from society for married couples to have children immediately, because if they do not have children, then their marriage is considered imperfect.⁶

Society interprets the presence of a child as the hope and next generation for husband and wife, from a social and economic perspective, the presence of a child can improve the family economy, because the child is considered to bring sustenance and get positive recognition socially from the community, these reasons strengthen the demand to have offspring for the pronatalis society.

The decision not to have children is considered contrary to the construction of Indonesian society regarding the concept of an ideal family, couples who choose not to have children are considered to have a tenuous husband and wife relationship, even though the international world has considered this as a trend but for most Indonesians this is still a controversial thing, where the decision not to have children is still very difficult to accept by the Indonesian people because the ideal family form is already inherent in the construction of society, Thus choosing not to have children is considered a measure to avoid pronatalis social pressures that support women to conceive and universal goals through the promotion of parenthood, consequently the decision not to have children is seen by society as a form of rebellion against nature, so couples who choose not to have children are considered to undermine the order of society.

According to the pronatalis society, that the phenomenon of child-free is detrimental to the future development of a country, because according to the

⁶ Patnani, Miwa, Bagus Takwin, dan Winarini Wilman Mansoer. 2021. "*Bahagia Tanpa Anak? Arti Penting Anak Bagi Involuntary Childless*," Jurnal Ilmiah Psikologi Terapan Volume 9 Nomor 1 Tahun 2021, hlm. 117 doi: 10.22219/jipt.v9i1.14260.

beliefs of the pronatalis society believes that the birth of a child can have an impact on the quality of work in the future, it is only natural that developed countries including Europe now need more babies to prevent population disasters.

The couple's decision not to have children is considered capable of alleviating misery by reducing the burden on an overpopulated planet, demographic growth locally can be judged to have exceeded available capacity, so overpopulation leads to migration, the government assesses the low growth of society as a manifestation of the prosperity and power of the ruler, but the decision not to have children results in a lack of family and individual status.⁷

D. Reasons That Allow Childless Marriage

The reason for not wanting to have children is because of fear of not being able to fulfill their obligations as parents, because indeed being a parent is not a trivial matter, there is a big responsibility, parents are in charge of loving children, raising, paying attention, and educating children, then on the one hand that the husband and wife's agreement not to have children is allowed in religion, especially if there is a very clear reason, for example, the existence of a disease so that worrying about not being able to Guarding, loving, and educating children well.⁸

The decision to choose not to have children for fear of their children being abandoned, unkempt because husbands and wives are busy with their respective careers and jobs, resulting in children lacking the attention of parents, it is feared

⁷ Landis, *Catatan Keadaan Keluarga Indonesia*, (Jakarta: BKKBN 1992), hlm. 89.

⁸ Sudarsono, *Hukum Kekeluargaan Nasional*, (Jakarta: Rireka Cipta, 1991), hlm. 52.

that growing up without parental affection, of course this will affect the child's mental and psychological well-being, including in the formation of a child's character, because a child's morals are very determined from the environment of his daily life, But the most basic and the most important is the education of the parents.

According to those who support the rejection of having children due to financial and mental factors are considered to have saved an individual who will be born from the poverty line, besides that having children is not a short period of time so that financial factors and mental readiness must be prepared maturely, so according to some people that life without children after marriage can prevent over population, Even if a large country continues to score birth rates, it is possible that the population will increase rapidly, so that it can have a great impact on the country, making it happen every year that there is always a massive international migration because a country is unable to provide the basic rights of its citizens.

Structural economic and ideological changes resulted in demographic shifts, current economic constraints, including demand for higher levels of education and concerns about future employment, prompting demographic shifts toward delaying having children. If a married couple is concerned about not being able to take on the responsibility of looking after, loving, and educating children properly, so they decide not to have children for certain purposes, including health interests, namely if giving birth to children is dangerous for their wife's health, then there is nothing wrong or sinful for them, other than the reason for benefit

and health, there is indeed no nash in the Qur'an that prohibits preventing or reducing the birth of offspring.

In fact, regarding the prevention or reduction of child birth and the unwillingness to have children, according to some scholars, it can be analogous to the case of 'azal or copulation termination before reaching orgasm so that the husband's sperm comes out outside the wife's vaginal opening, as this case of 'azal once occurred in the time of Prophet Muhammad SAW and the companions, where the scholars agreed that in fact the law is permissible if there is an agreement of husband and wife, Therefore, according to some scholars, childfree is the right of husbands and wives, so they can decide whether to have children or not, because this is an individual matter.

In Islam 'azal (removing seminal outside the womb) this is essentially childless with the prevention of pregnancy, whereas 'azal is allowed in Islam, thus it can be understood that Islam does not prohibit preventing pregnancy or restricting births.

'Azal occurred in the time when the Prophet Muhammad SAW was still alive, so the hadiths that speak on this issue are quite numerous and famous issued by hadith experts, although from these hadiths the scholars differ in opinion in establishing the law but the stronger view of the law 'azal is makruh so that even though it is not forbidden but more important to be abandoned for several reasons;

The first reason, 'azal occurs at the time of the descent of revelation while Allah Almighty does not lower the verse that forbids it.

The second reason is that there is no sharih (unequivocal) prohibition from the Prophet Muhammad SAW except the words of the Prophet Muhammad SAW that 'azal is:

ذَلِكَ الْوَأْدُ الْخَفِيُّ

It means: "Bury the child alive in secret" {HR. Muslim}

The meaning of the words of the Prophet Muhammad SAW above is not zahirnya, but only a prayer beads, namely the interpretation that 'azal resembles a person who burys a child alive in zahir which Prophet Muhammad SAW said khafi (hide) because of several things; (1). the intention and intention is not to have children. (2), deciding on birth before the arrival of pregnancy, therefore Prophet Muhammad SAW named burying the child alive in secret. In the words of the Prophet Muhammad SAW, it is also clearly illustrated that those who do 'azal do not bury children alive zahir, so that's why the law does not apply zahir.

The third reason, 'azal eliminates some of the purposes of marriage, including the multiplication of the people of the Prophet Muhammad SAW who became the pride of the Prophet Muhammad SAW in the presence of the Prophets and the previous people that the people of the Prophet Muhammad SAW were the most and greatest of all the people of the Prophets and Apostles.

The fourth reason is that 'azal removes some of the delicacy of jima' (copulation) towards husbands and wives. Apart from the four reasons above, that 'azal that occurred and was known in the time of the Prophet Muhammad SAW

and was done by some friends is different from what some Muslims do today with some very basic differences, namely:

The first difference, that the companions did 'azal by not believing without i'tiqad that with 'azal it can definitely prevent pregnancy, their belief bawha 'azal absolutely cannot change the destiny of Allah SWT, if Allah SWT has predicted that there will be children then it happens, so their beliefs as taught by Prophet Muhammad SAW in his words include the words of the Prophet Muhammad SAW when asked about 'azal.

It means : "Only he is qadar (destiny)". {HR. Muslim}

That is, the occurrence of children and not due to fate is not due to 'azal, in contrast to what is believed by some people now besides they have used various kinds of pregnancy prevention tools instead of 'azal known in the time of the Prophet Muhammad SAW, they also believe that with these tools pregnancy can be prevented. This, according to people, is a belief that is vanity and violates the reality that can be witnessed by humans, how many people are 'azal either in the old way or by using tools but still get pregnant and then give birth. On the contrary, how many people do not do 'azal either in the old way or using modern tools but in reality their wives are still not pregnant, some even have no children for a lifetime.

Another difference, that the companions performed 'azal or prevented pregnancy without i'tiqad (belief) at all like the beliefs of the Jahilliyyah people or

the intentions of the Infidels, whereas today's people certainly do not all do 'azal or prevent pregnancy because they do not want to have children or more 'wisely do not want to have children, or limit birth, whether in the old way 'azal or by using tools, all that they do this with beliefs such as the beliefs of the Jahillids or the intentions of the Infidels, that is.

Because it is poor or poor;

1. For fear of poverty or fakir;
2. Fear of poverty because they have many children;
3. Because it is difficult to take care of it, it becomes a burden,
4. and it costs a lot of money.

In addition to the 4 reasons above, there are many more reasons for people who do not want to have children, all of which are collected into their dictionary, namely distress above hardship, this is the belief of some people today in the matter of preventing pregnancy or limiting it. Muslims are now considered to have participated in impoverishing their hearts like the Infidels of the Jahiliyah period.

One of the locations of i'tiqad's spirituality here, because it resembles the i'tiqad of the Jahilliyyahs or the Infidels and their past and present intentions, even though the Messenger of Allah SAW has canceled all the affairs of Jahilliyyah as the Prophet said "Everything from the affairs of Jahilliyyah is under the soles of my feet is cancelled", as well as the words of the Prophet Muhammad SAW which reads as follows :

It means :

"... And whoever resembles a people (i.e. the Kuffars), then he (that person) belongs to their class (i.e. the one who follows the sunnah of the Infidels)". {HR. Ahmad and Abu Dawud}

This hadith is a strict prohibition in the form of a rumor about tasyabbuh (resembling) the Infidels, in this case as Muslims it has resembled the beliefs of the Jahilliyyah people on the subject of children, in which the Jahilliyyahs killed their children as reported by the Qur'an for three reasons, namely:⁹

1. Because of the cause of their poverty;
2. For the cause of fear of poverty;
3. For the reason of the shame of having a daughter.

For the first and second it is no longer surprising that some Muslims have had the i'tiqad of the Jahilliyyah people, they do not want to have children or have not wanted or restricted birth because of the cause of poverty or fear of poverty even though they did not kill it directly, even some people have done it even sometimes desperate to sell their children to wealthy people or what is known as adoption.

As for the third, it is no longer surprising that some Muslims have killed their children not because they are ashamed of having a daughter but because they are ashamed of having children because they are pregnant or giving birth out of wedlock, they kill their children in various vile ways, some are strangled, some are thrown in the got, in the trash cans, at times and others. In fact, more hironists

⁹ J. Madi, *Keindahan Komunikasi Suami Istri; Membangun Saling Pengertian dengan Memahami Karakter Masing-Masing*, (Jakarta: Republika Penerbitan, 2012), hlm. 42.

some of them kill their children for certain purposes such as obtaining wealth or knowledge, they go to certain mountains or caves and other places that are considered kiramah, for example a mountain in the Kawi area that some people have said is famous enough to obtain wealth by making promises to worship the devil, which is said to be the devil will also provide various conditions, if you want to be rich, among them are killing children to be offered to the devil as a sacrifice.

E. Intersection between *'Illat* and *Maqashid Al-shari'ah* in Childfree Marriage

in the etymological perspective, *'illat* can be defined as a reason used to rationalize the advent of a particular law. Legal reasoning refers to efforts aimed at seeking, finding, and using legal bases to address new issues emerging among the society. According to Al-Sarakhasi¹⁰ the majority of Fiqh ulema argue that seeking, finding, and using *'illat* or legal reasoning in legal texts is legitimate and allowed. This is because *'illat* of a law is sometimes clearly stated in the texts explicitly (*al-'illat al-manṣūṣah*).¹¹ Nevertheless, Ibnu Hazm al-Andalusi (994-1064 M) rejected the use of *'illat* to find the ruling for a religious order, which should be done by using principles of devoutness and faith.

¹⁰ Khairuddin Hasballah et al., "Identifying *'Illat* through *Munasabah* in Islamic Law: A Perspective of Imam Al-Ghazali," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 5, no. 2 (2021): 598–618.

¹¹ Hafizuddin Sham Shul Bahri and Razali Musa, "[The Concept of *Asabiyah* According to Ibn Khaldun] Konsep *Asabiyah* Menurut Ibnu Khaldun," *Jurnal Islam Dan Masyarakat Kontemporer* 23, no. 1 (2022): 145–56.

By placing childfree marriage as a novel social phenomenon pertaining to marriage as previously explained, we argue that „*illat* can be used to find the law for childfree marriage. This argument is also supported by the fact that there is no explicit text available (*al-„illat al- manšūṣah*) that prohibits childfree marriage. However, there are some related texts that mention children, descendants, and marriage with all of their relevant derivations. The Qur“an uses the word children and its derivations at least 47 times, such as *walad*, *athfal* (QS. An-Nuṛ 24: 59), *shabiy* (QS. Maryam: 19:19, 12 and 29), *Aqra* (QS. Al-Baqarah: 2 verses 180, 215, 237, QS. Ali Imraṇ: 3 verse 167, QS. An-Nisaṛ4 verse 7, 11, 33, 135.), *asbath* (QS al-Baqarah 2:136, 140; QS. Ali- Imraṇ 3:84; and QS. An-Nisa 4:163), and *ghulam*.¹² This explains that the filial relations, descendants, and marriage are essential themes in Islamic law.

These various texts suggest that the position of children is extremely crucial in Islam. As such, the legal concept on children can be used as a basis to understand the phenomenon of childfree marriage. This issue shall explain the conceptual boundaries for defining children that can be legally used. For instance, in the context of childfree marriage, can fetuses legally be defined as a child? Or at how many months (days) can a fetus be defined as a child? According to QS al-Sajadah 32:9 “*the He*

¹² Abdul Mustaqim, “Berbagai Penyebutan Anak Dalam Al-Qur“an: Implikasi Maknanya Dalam Konteks Qura“anic Parenting,” *Jurnal Lektur Keagamaan* 13, no. 1 (2015): 265–92.

fashioned them and had a spirit of His Own creation breathed into them. And He gave you hearing, sight, and intellect. Yet you hardly give any thanks” and a hadith narrated by Muslim “*Each one of you collected in the womb of his mother for forty days, and then turns into a clot for an equal period (of forty days) and turns into a piece of flesh for a similar period (of forty days) and then Allah sends an angel and orders him to write four things, i.e., his provision, his age, and whether he will be of the wretched or the blessed (in the Hereafter)*”. We argue that a fetus carried in a woman’s womb can be defined as a child at the age of 4 months or 120 days when the *ruh* is breathed into it.

Accordingly, the concept of children and „*illat* has a specific relationship in the context of childfree marriage. Under conditions that can be categorized as *dlaru`riyya`*t, for example, a pregnant wife whose pregnancy threatens her life, can be used as „*illat*. Or if trouble occurs resulting in a lack of nutrition that is categorized as *dlaru`riyya`*t, then the married couple can terminate their child, which would categorize them under childless instead of childfree. The concept of *dlaru`riyya`*t serves as one of the limiting factors by which „*illat* can be accepted or rejected. This is because, according to al-Sya`thi`bi`, the substance of *maqa`shid al-syari`*,*ah* is human benefit. In this case, al- Sya`thi`bi` divided *mashlahah* into three levels, namely *dlaru`riyya`*t (primary interest/safety), *ha`jiyya`*t (secondary interest/safety), and *tahsi`niyya`*t (tertiary interest/safety). Furthermore, al- Sya`thi`bi` also separated *dlaru`riyya`*t into five main interests or safety

aspects, they are: safety in religious belief, physical safety, freedom of thought and expression, safety of family and descendants, and safety of material wealth.¹³

Once the conceptual understanding of children is understood, the understanding of „*illat* can subsequently be used as an argument to find a legal ruling. This means that children need to be legally defined at first. The reason being that if a married couple is indeed unable to have children due to biological/physical reasons, the „*illat* would surely differ for married couples who have no biological/physical issues for having children. This will also have an impact on the legal status of children, e.g., adopted children for married couples who are physically unable to have children. Accordingly, we argue that different positions of „*illat* in childfree marriage result in different legal products.

This is unlike the perspective of „*illat* that seems to prioritize the process as a legal procedure. In this perspective, the law is considered the end product of various relational considerations of several relevant concepts. However, the perspective of *maqashid al-shari'ah* emphasizes on the substance of the objective of law. This implies that although textual wise there is, without a doubt, no verse whatsoever that discusses the prohibition of childfree marriage, the substance of law exists and is

¹³ Al-Syatibi, "Al-Muwafaqat Fi Ushul al-Syari'ah." Fakhr al-Dîn al-Râzi, "Al-Mahshûl Fi Ilmi Ushûl al-Fiqh," *Dâr Al-Kutub, Juz II, Bayrut*, 1999.

contained in the texts. Substantially speaking, QS. An-Nisa` 4:1, QS. Ar-Ra`d 13:38, and QS. An-Nah.l 16:72 encourages people to have children and descendants.

We argue that the two differing perspectives between *„illat* and *maqashid al-shari'ah* in finding the law for childfree marriage can be initiated by understanding the concept of how a child exists and the production process. This means that a child, as previously explained, can be defined as a fetus that had *ruh* breathed into it. In Islam, it is believed that Allah creates the human body in three stages, i.e., starting with the *nuthfah* (semen), then it becomes *'alaqah* (clot of blood), from *'alaqah* it turns into *mudghah* (a lump of flesh), from *mudghah* into bones, then the bones are clothed with flesh, and it is subsequently brought into being as a new creation (Q.S. Al-Mu`minun/23 : 12, 13, 14). Once the human body has been perfected in the womb (prenatal), Allah breathed *ruh* into them (Q.S. Al-Hijr/15: 29).

Meanwhile, the production process is done through a sexual relationship between husband and wife, which is legitimate according to Islam`s marital law. Under abnormal biological conditions or *dlaru`riyya`t* considerations where husbands and wives are unable to have children, then they are categorized as being childless not childfree. In this case, the term childfree is assigned to normal circumstances in which a married couple is biologically able to have children or no *dlaru`riyya`t* considerations

apply not to have children, but they intend to deliberately not have children by removing the womb (uterus) of the wife, which holds the key reproductive function of having children and descendants.

At this point, the discussion begins to talk about the most essential aspect of the law on childfree marriage as it relates to the core of the three critical relationships between the existence of a child, the womb as an absolute organ for child reproduction, and the process of sexual intercourse for producing children. In terms of the production process, children can be produced when sperm meets the egg in the womb through a process of sexual intercourse done by husbands and wives. This implies that having children can be avoided by way of preventing the meeting of the sperm and the egg in the womb. In light of this perspective, the law on childfree marriage can be comparable to „*azl*, which is defined as a technique to ejaculate sperm outside of the vagina. Medically speaking, *al-„azl* is known as coitus interruptus, i.e., ejaculating outside the vagina so the sperm does not meet the egg.¹⁴ This process can also be done by using contraceptives worn by either the husband or the wife to prevent successful insemination (pregnancy). Both *al-„azl* technique and contraceptives do not dispose or remove the womb (uterus) as the organ used for the conception of fetus.

¹⁴ Eva Fadhilah, "Childfree Dalam Pandangan Islam," *Al-Mawarid: JSYH* 3, no. 2 (2021): 71–80.

The use of *qiyas* (analogy) to find the law on childfree marriage relates to the core of the three critical relationships between the existence of a child, the womb as an absolute organ for child reproduction, and the process of sexual intercourse for producing children. This means that „*azl* is substantially similar with the choice of childfree marriage since the essence is the same in that they both reject the existence of the child before any potential physical manifestation occurs. Meanwhile, sexual intercourse between husband and wife serves as the strongest cause in the process of child reproduction. According to Imam al-Ghazali, the law on „*azl* is that it is allowed, it is not disliked (*makruh*) let alone haram. Because „*azl* is an act that is categorized as *tarkul afdhal* or abandoning an excellent act/deed but it is not considered as haram.¹⁵ Nonetheless, the law on childfree marriage by using *al-„azl* technique can be considered haram if it is deliberately intended by removing the wife’s womb, which functions as a key child reproduction system. According to Sayed Abi Bakr, using tools that can remove pregnancy at its source is haram.¹⁶

¹⁵ “Hukum Asal Childfree dalam Kajian Fiqih Islam,” nu.or.id, accessed December 13, 2022, <https://islam.nu.or.id/nikah-keluarga/hukum-asal-childfree-dalam-kajian-fiqih-islam-CuWgp>.

¹⁶ Al Fauzi, “Keluarga Berencana Perspektif Islam Dalam Bingkai Keindonesiaan,” *Keilmuan Dan Teknologi* 3, no. 1 (2017): 92–108.

F. Conclusion

The most essential, deepest, fundamental, and concealed internal aspect found among married couples who are committed to engage in a childfree marriage is their aim at achieving lifelong happiness and wellbeing with their partner and avoiding a toxic family brought about by having children. This internal factor is subsequently supported by various external factors such as education, economy, career, and others. Hence, in turn, the relations ensuing between these external and internal factors have become a product of contemporary social reality construction.

According to the perspective of Islam, the law on childfree marriage as a novel social phenomenon can be understood by using the relationship between *„illat* and *maqa`shid al-syari`„ah*. This is on account of the fact that no explicit text (*al-„illat al-manşūşah*) prohibits childfree marriage. However, method of Islamic law is produced for *maqa`shid al-syari`„ah* (for the benefit of mankind). The intersection between *„illat* and *maqa`shid al-syari`„ah* in childfree marriage serves as a basis to find flexibility in Islamic law. The concept on the existence of the child functions as a boundary in the intersection between *„illat* and *maqa`shid al-syari`„ah* in childfree marriage. In addition, the uterus as an absolute organ for child reproduction and the process of sexual intercourse between husband and wife are also key interrelating concepts used to find the law on childfree marriage.

Family planning can actually be a solution for busy modern families to pursue a career. Planning to have children according to the agreement of husband and wife can be a solutive alternative. Having or not having children is certainly the right of every couple, especially the wife's right to determine. It's just that the choice not to

have children could lead to a population crisis, at an alarming rate becoming a catastrophe for human survival.

BIBLIOGRAPHY

- Adams-Prassl, Abi, Teodora Boneva, Marta Golin, and Christopher Rauh. –Inequality in the Impact of the Coronavirus Shock: Evidence from Real Time Surveys.‖ *Journal of Public Economics* 189 (2020): 104245.
- Agrillo, Christian, and Cristian Nelini. –Childfree by Choice: A Review.‖ *Journal of Cultural Geography* 25, no. 3 (2008): 347–63.
- Al-Sharbini, Muhammad al-Khatib, and Ibn Muhammad al-Khatib. –Mughni Al-Muhtaj Ila Ma _rifah Ma _ani Alfaz al-Minhaj.‖ *Beirut: Dar al-Fikr*, 2003.
- Al-Syatibi, Abu Ishaq. –Al-Muwafaqat Fi Ushul al-Syari‘ah.‖ *Vol. II (Beirut: Dar al Kutub al Ilmiyah, Tt)*, 2003.
- Ammar, Nawal H. –The Status of Childless Women in Islam: Issues of Social and Legal Construction.‖ *Humanity & Society* 20, no. 3 (1996): 77–89.
- Andayani, Budi, Djamaludin Ancok, and Ratna Wulan. –From Love to Family Happiness: A Theoretical Model for Javanese Family.‖ *European Journal of Social Science Education and Research* 5, no. 1 (2018): 24–35.
- Bahri, Hafizuddin Sham Shul, and Razali Musa. –[The Concept of Asabiyah According to Ibn Khaldun] Konsep Asabiyah Menurut Ibnu Khaldun.‖ *Jurnal Islam Dan Masyarakat Kontemporer* 23, no. 1 (2022): 145–56.
- Beck, Ulrich, Scott Lash, and Brian Wynne. *Risk Society: Towards a New Modernity*. Vol. 17. sage, 1992.
- Benagiano, Giuseppe, and Maurizio Mori. –The Origins of Human Sexuality: Procreation or Recreation?‖ *Reproductive Biomedicine Online* 18 (2009): 50–59.
- Berrington, Ann. –Perpetual Postponers? Women’s, Men’s and Couple’s Fertility Intentions and Subsequent Fertility Behaviour.‖ *Population Trends* 117 (2004): 9–19.
- Bhrolcháin, Máire Ní, and Éva Beaujouan. –Uncertainty in Fertility Intentions in Britain, 1979-2007.‖ *Vienna Yearbook of Population Research*, 2011, 99–129.

- Breen, Richard, and Lynn Prince Cooke. –The Persistence of the Gendered Division of Domestic Labour.‖ *European Sociological Review* 21, no. 1 (2005): 43–57.
- Brotto, Lori A., and Kelly B. Smith. –Sexual Desire and Pleasure.‖ In *APA Handbook of Sexuality and Psychology, Vol. 1: Person-Based Approaches.*, 205–44. American Psychological Association, 2014.
- Chick, Kay A., Rose Ann Heilman-Houser, and Maxwell W. Hunter. –The Impact of Child Care on Gender Role Development and Gender Stereotypes.‖ *Early Childhood Education Journal* 29, no. 3 (2002): 149–54.
- Collins, Caitlyn, Liana Christin Landivar, Leah Ruppner, and William J. Scarborough. –COVID-19 and the Gender Gap in Work Hours.‖ *Gender, Work & Organization* 28 (2021): 101–12.
- Correll, Lena. *Anrufungen Zur Mutterschaft: Eine Wissenssoziologische Untersuchung von Kinderlosigkeit*. Westfälisches Dampfboot, 2010.
- Craig, Lyn. –Does Father Care Mean Fathers Share? A Comparison of How Mothers and Fathers in Intact Families Spend Time with Children.‖ *Gender & Society* 20, no. 2 (2006): 259–81.
- Del Boca, Daniela, Noemi Oggero, Paola Profeta, and Mariacristina Rossi. –Women’s and Men’s Work, Housework and Childcare, before and during COVID-19.‖ *Review of Economics of the Household* 18, no. 4 (2020): 1001–17.
- Doing Better for Families - OECD.‖ Accessed December 13, 2022. <https://www.oecd.org/social/soc/doingbetterforfamilies.htm>.
- Dr. Moordiningsih, M. Si. –Family as a Source of Happiness and Achievement: Indigenous Psychology.‖ 2011. <http://eprints.ums.ac.id/33028/>.
- Drobnič, Sonja, Hans-Peter Blossfeld, and Götz Rohwer. –Dynamics of Women’s Employment Patterns over the Family Life Course: A Comparison of the United States and Germany.‖ *Journal of Marriage and the Family*, 1999, 133–46.
- Dunham, Shea M. *Poisonous Parenting: Toxic Relationships between Parents and Their Adult Children*. Routledge, 2012.

- Dykstra, Pearl A., and Michael Wagner. –Pathways to Childlessness and Late- Life Outcomes.‖ *Journal of Family Issues* 28, no. 11 (2007): 1487–1517.
- Esping-Andersen, Gosta. *Incomplete Revolution: Adapting Welfare States to Women’s New Roles*. Polity, 2009.
- Fadhilah, Eva. –Childfree Dalam Pandangan Islam.‖ *Al-Mawarid: JSYH* 3, no. 2 (2021): 71–80.
- Farré, Lúdia, Yarine Fawaz, Libertad González, and Jennifer Graves. –How the COVID-19 Lockdown Affected Gender Inequality in Paid and Unpaid Work in Spain,‖ 2020.
- Fauzi, Al. –Keluarga Berencana Perspektif Islam Dalam Bingkai Keindonesiaan.‖ *Keilmuan Dan Teknologi* 3, no. 1 (2017): 92–108.
- Frejka, Tomas, and Jean-Paul Sardon. *Childbearing Trends and Prospects in Low-Fertility Countries: A Cohort Analysis*. Vol. 13. Springer Science & Business Media, 2006.
- Gillespie, Rosemary. –Childfree and Feminine: Understanding the Gender Identity of Voluntarily Childless Women.‖ *Gender & Society* 17, no. 1 (2003): 122–36.
- Goldin, Claudia. –The Quiet Revolution That Transformed Women’s Employment, Education, and Family.‖ *American Economic Review* 96, no. 2 (2006): 1–21.
- Gray, Edith, Ann Evans, and Anna Reimondos. –Childbearing Desires of Childless Men and Women: When Are Goals Adjusted?‖ *Advances in Life Course Research* 18, no. 2 (2013): 141–49.
- Hara, Toshihiko. –Increasing Childlessness in Germany and Japan: Toward a Childless Society?‖ *International Journal of Japanese Sociology* 17, no. 1 (2008): 42–62.
- Hasballah, Khairuddin, Andi Darna, Wardana Said, Hajarul Akbar, Ihdi Karim Makinara, and Faisal Fauzan. –Identifying _Illat through Munasabah in Islamic Law: A Perspective of Imam Al-Ghazali.‖ *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 5, no. 2 (2021): 598–618.

- Heggeness, Misty L. –Estimating the Immediate Impact of the COVID-19 Shock on Parental Attachment to the Labor Market and the Double Bind of Mothers.‖ *Review of Economics of the Household* 18, no. 4 (2020): 1053–78.
- Hook, Jennifer L. –Care in Context: Men’s Unpaid Work in 20 Countries, 1965–2003.‖ *American Sociological Review* 71, no. 4 (2006): 639–60.
- Höpflinger, Francois. –Neue Kinderlosigkeit—Demographische Trends Und Gesellschaftliche Spekulationen.‖ In *Acta Demographica 1991*, 81–100. Springer, 1991.
- Huijts, Tim, Gerbert Kraaykamp, and Subbaya V. Subramanian. –Childlessness and Psychological Well-Being in Context: A Multilevel Study on 24 European Countries.‖ *European Sociological Review* 29, no. 1 (2013): 32–47.
- nu.or.id. –Hukum Asal Childfree dalam Kajian Fiqih Islam.‖ Accessed December 13, 2022. <https://islam.nu.or.id/nikah-keluarga/hukum-asal-childfree-dalam-kajian-fiqih-islam-CuWgp>.
- Hyndman, Rob J., and Heather Booth. –Stochastic Population Forecasts Using Functional Data Models for Mortality, Fertility and Migration.‖ *International Journal of Forecasting* 24, no. 3 (2008): 323–42.
- Ibn_Ābidin, Muḥammad Amīn bin_Umar. –Radd Al-Muḥtār _alā Al-Darr Al-Mukhtār Sharḥ Tanwīr Al-Abṣār.‖ Beirut: Dār al-Kutub al-Ilmiyyah, 1994.
- Kahlert, Heike. –Die Kinderfrage Und Der Halbierte Wandel in Den Geschlechterverhältnissen.‖ In *Ein Leben Ohne Kinder*, 337–63. Springer, 2007.
- Kelly, Maura. –Women’s Voluntary Childlessness: A Radical Rejection of Motherhood?‖ *Women’s Studies Quarterly* 37, no. 3/4 (2009): 157–72.
- KOK, J. –O. Thévenon• Increased Women’s Labour Force Participation in Europe: Progress in the Work-Life Balance or Polarization of Behaviours? 235,‖ n.d.

- Koropecj-Cox, Tanya, and Vaughn RA Call. –Characteristics of Older Childless Persons and Parents: Cross-National Comparisons.‖ *Journal of Family Issues* 28, no. 10 (2007): 1362–1414.
- Kreyenfeld, Michaela, and Dirk Konietzka. *Childlessness in Europe: Contexts, Causes, and Consequences*. Springer Nature, 2017.
- Lesthaeghe, Ron. –The Unfolding Story of the Second Demographic Transition.‖ *Population and Development Review* 36, no. 2 (2010): 211–51.
- Levin, Roy J. –Recreation and Procreation: A Critical View of Sex in the Human Female.‖ *Clinical Anatomy* 28, no. 3 (2015): 339–54.
- Mamolo, M., M. Potančoková, S. Scherbov, T. Sobotka, and K. Zeman. –European Demographic Data Sheet 2014,‖ 2014.
- Mantel, Henriette. *No Kidding: Women Writers on Bypassing Parenthood*. Seal Press, 2013.
- McDonald, P. F. –Sustaining Fertility through Public Policy: The Range of Options.‖ *Demografie* 46, no. 1 (2004): 1–21.
- Mernissi, F. –The Forgotten Queens of Islam (MJ Lakeland Trans.).‖ Minneapolis, MN: The University of Minnesota Press, 1993.
- Merz, Eva-Maria, and Aart C. Liefbroer. –The Attitude toward Voluntary Childlessness in Europe: Cultural and Institutional Explanations.‖ *Journal of Marriage and Family* 74, no. 3 (2012): 587–600.
- Michalski, Joseph. –The Cumulative Disadvantages of Socially Toxic Family Environments: A Comparison of Early Life Experiences of Incarcerated Men and University Students.‖ *Journal of Cultural Analysis and Social Change* 2, no. 2 (2017): 4.
- Miettinen, Anneli, and Ivett Szalma. –Childlessness Intentions and Ideals in Europe.‖ *Finnish Yearbook of Population Research* 49 (2014): 31–55.
- Minai, Naila. –Women in Islam: Tradition and Transition in the Middle East,‖ 1981.
- Misca, Gabriela, and Jo Smith. –Mothers, Fathers, Families and Child Development.‖ *Contemporary Issues in Family Studies: Global*

Perspectives on Partnerships, Parenting and Support in a Changing World, 2013, 151–65.

Morgan, S. Philip. –Late Nineteenth-and Early Twentieth-Century Childlessness.‖ *American Journal of Sociology* 97, no. 3 (1991): 779–807.

Mustaqim, Abdul. –Berbagai Penyebutan Anak Dalam Al-Qur‘an: Implikasi Maknanya Dalam Konteks Qura‘anic Parenting.‖ *Jurnal Lektur Keagamaan* 13, no. 1 (2015): 265–92.

Napa, Wilai, Jumpee Granger, Siranee Kejkornkaew, and Pornsiri Phuagsachart. –Family Happiness among People in a Southeast Asian City: Grounded Theory Study.‖ *Nursing & Health Sciences* 22, no. 2 (2020): 292–99.

Noordhuizen, Suzanne, Paul de Graaf, and Inge Sieben. –The Public Acceptance of Voluntary Childlessness in the Netherlands: From 20 to 90 per Cent in 30 Years.‖ *Social Indicators Research* 99, no. 1 (2010): 163–81.

North, Rebecca J., Charles J. Holahan, Rudolf H. Moos, and Ruth C. Cronkite. –Family Support, Family Income, and Happiness: A 10-Year Perspective.‖ *Journal of Family Psychology* 22, no. 3 (2008): 475.

Notestein, Frank W. –The Population of the World in the Year 2000.‖ *Journal of the American Statistical Association* 45, no. 251 (1950): 335–45.

Nujaym, Ibn. –Al-Bahr al-Rā‘iq.‖ *Cairo: Dār al-Kutub al-‘Arabiyyah al-Kubrā, Nd* 5 (n.d.): 151–52.

Râzi, Fakhr al-Dîn al-. –Al-Mahshûl Fi Ilmi Ushûl al-Fiqh.‖ *Dâr Al-Kutub, Juz II, Bayrut*, 1999.

Riese, Juliane. –What Is ‘Access’ in the Context of Qualitative Research?‖ *Qualitative Research* 19, no. 6 (2019): 669–84.

Rindfuss, Ronald R., S. Philip Morgan, and Gray Swicegood. –First Births In America: Changes in the Timing of Parenthood.‖ *Berkeley: University of California Press*, 1988.

Rowland, Donald T. –Historical Trends in Childlessness.‖ *Journal of Family Issues* 28, no. 10 (2007): 1311–37.

- Schoonbroodt, Alice. –Parental Child Care during and Outside of Typical Work Hours.‖ *Review of Economics of the Household* 16, no. 2 (2018): 453–76.
- Schutt, Russell K. *Investigating the Social World: The Process and Practice of Research*. Sage publications, 2018.
- Sevilla, Almudena, and Sarah Smith. –Baby Steps: The Gender Division of Childcare during the COVID-19 Pandemic.‖ *Oxford Review of Economic Policy* 36, no. Supplement_1 (2020): S169–86.
- Siegel, Harry. –Why the Choice to Be Childless Is Bad for America.‖ *Newsweek* (2/19/13), 2013.
- Sobotka, Tomáš. –Childlessness in Europe: Reconstructing Long-Term Trends among Women Born in 1900–1972.‖ In *Childlessness in Europe: Contexts, Causes, and Consequences*, 17–53. Springer, Cham, 2017.
- Somers, Marsha D. –A Comparison of Voluntarily Childfree Adults and Parents.‖ *Journal of Marriage and the Family*, 1993, 643–50.
- Stobert, S., and A. Kemeny. –Childless by Choice.‖ *Canadian Social Trends*, 2003, 11–008.
- Stokes, Jane. *How to Do Media and Cultural Studies*. Sage, 2021
- .
- Tarigan, Azhari Akmal, Nurhayati Nurhayati, and Watni Marpaung. –Taming Islam’s Polygyny Law Revealing Male Sexual Desire In Indonesia’s Polygyny Practices.‖ *Journal Of Indonesian Islam* 15, no. 1 (2021).
- Thomas, Luckman. –The Social Construction of Reality.‖ *A Treatise in the Sociology of Knowledge*, 1966.
- Tolman, Deborah L., Lisa M. Diamond, José A. Bauermeister, William H. George, James G. Pfaus, and L. Ward. *APA Handbook of Sexuality and Psychology, Vol. 1: Person-Based Approaches*. American Psychological Association, 2014.
- Van de Kaa, Dirk J. –Options and Sequences: Europe’s Demographic Patterns.‖ *Journal of the Australian Population Association* 14, no. 1 (1997): 1–29.
- Veevers, Jean E. –Voluntary Childlessness: A Review of Issues and Evidence.‖ *Marriage & Family Review* 2, no. 2 (1979): 1–26.

Vollset, Stein Emil, Emily Goren, Chun-Wei Yuan, Jackie Cao, Amanda E. Smith, Thomas Hsiao, Catherine Bisignano, Gulrez S. Azhar, Emma Castro, and Julian Chalek. –Fertility, Mortality, Migration, and Population Scenarios for 195 Countries and Territories from 2017 to 2100: A Forecasting Analysis for the Global Burden of Disease Study.‖ *The Lancet* 396, no. 10258 (2020): 1285–1306.

Wilcox, Lynne S., and William D. Mosher. –Characteristics Associated with Impaired Fecundity in the United States.‖ *Family Planning Perspectives*, 1994, 218–21.

Wood, Jonas. –Essays on Socio-Economic Differentiation in European Fertility.‖ The impact of economic context and social policy. Antwerp: University Press, 2016.

Wu, Zhenzhu. –Family Is the Most Influential Factor on Happiness in High School Students.‖ *Health* 2014 (2014).

Zamarro, Gema, and María J. Prados. –Gender Differences in Couples’ Division of Childcare, Work and Mental Health during COVID-19.‖ *Review of Economics of the Household* 19, no. 1 (2021): 11–40.

Zhang, Zhenmei, and Mark D. Hayward. –Childlessness and the Psychological Well-Being of Older Persons.‖ *The Journals of Gerontology Series B: Psychological Sciences and Social Sciences* 56, no. 5 (2001): S311–20.

ن.د. عمرو، عبد الفتاح. “السياسة الشرعية في الأحوال الشخصية



KEPUTUSAN REKTOR
INSTITUT AGAMA ISLAM NEGERI PADANGSIDIMPUAN
NOMOR 26 TAHUN 2022
TENTANG
PENETAPAN PENERIMA BANTUAN PENELITIAN
BERBASIS STANDAR BIAYA KELUARAN
INSTITUT AGAMA ISLAM NEGERI PADANGSIDIMPUAN
TAHUN ANGGARAN 2022

DENGAN RAHMAT TUHAN YANG MAHA ESA

REKTOR INSTITUT AGAMA ISLAM NEGERI PADANGSIDIMPUAN,

- Menimbang :
- a. bahwa untuk meningkatkan kualitas dan partisipasi aktif sivitas akademika Institut Agama Islam Negeri Padangsidimpuan dalam penelitian, publikasi ilmiah, dan pengabdian, maka di pandang perlu menetapkan Keputusan Rektor IAIN Padangsidimpuan tahun 2022;
 - b. bahwa nama-nama sebagaimana tercantum dalam Lampiran Keputusan ini dinilai memenuhi syarat, tahapan dan ketentuan untuk menjadi Penerima Bantuan Penelitian Berbasis Standar Biaya Keluaran IAIN Padangsidimpuan Tahun Anggaran 2022;
 - c. bahwa berdasarkan pertimbangan sebagaimana dimaksud dalam huruf a dan huruf b, perlu menetapkan Keputusan Rektor IAIN Padangsidimpuan tentang Penetapan Penerima Bantuan Penelitian Berbasis Standar Biaya Keluaran IAIN Padangsidimpuan Tahun Anggaran 2022.

- Mengingat :
1. Undang-Undang Nomor 17 Tahun 2003 tentang Keuangan Negara (Lembaran Negara Republik Indonesia Tahun 2003 Nomor 47, Tambahan Lembaran Negara Republik Indonesia Nomor 4286);
 2. Undang-Undang Nomor 14 Tahun 2005 tentang Guru dan Dosen (Lembaran Negara Republik Indonesia Tahun 2005 Nomor 157, Tambahan Lembaran Negara Republik Indonesia Nomor 4586);
 3. Undang-Undang Nomor 12 Tahun 2012 tentang Pendidikan Tinggi (Lembaran Negara Republik Indonesia Tahun 2012 Nomor 158, Tambahan Lembaran Negara Republik Indonesia Nomor 5336);
 4. Undang-Undang Nomor 6 Tahun 2021 tentang Anggaran Pendapatan dan Belanja Negara Tahun Anggaran 2022 (Lembaran Negara Republik Indonesia Tahun 2020 Nomor 239, Tambahan Lembaran Negara Republik Indonesia Nomor 6570);
 5. Peraturan Pemerintah Nomor 37 Tahun 2009 tentang Dosen (Lembaran Negara Republik Indonesia Tahun 2009 Nomor 76, Tambahan Lembaran Negara Republik Indonesia Nomor 5007);
 6. Peraturan Pemerintah Nomor 45 Tahun 2013 tentang Tata Cara Pelaksanaan Anggaran Pendapatan dan Belanja Negara

- (Lembaran Negara Republik Indonesia Tahun 2013 Nomor 103, Tambahan Lembaran Negara Republik Indonesia Nomor 5423);
7. Peraturan Presiden Nomor 83 Tahun 2015 tentang Kementerian Agama (Lembaran Negara Republik Indonesia Tahun 2015 Nomor 168);
 8. Peraturan Menteri Keuangan Nomor 190/PMK.05/2012 tentang Tata Cara Pelaksanaan Anggaran Pendapatan dan Belanja Negara (Berita Negara Republik Indonesia Tahun 2012 Nomor 1191);
 9. Peraturan Menteri Agama Nomor 93 Tahun 2013 tentang Organisasi dan Tata Kerja Institut Agama Islam Negeri Padangsidempuan (Berita Negara Republik Indonesia Tahun 2013 Nomor 1459), sebagaimana telah diubah dengan Peraturan Menteri Agama Republik Indonesia Nomor 67 Tahun 2017 tentang Perubahan Atas Peraturan Menteri Agama Nomor 93 Tahun 2013 tentang Organisasi dan Tata Kerja Institut Agama Islam Negeri Padangsidempuan (Berita Negara Republik Indonesia Tahun 2017 Nomor 1663);
 10. Peraturan Menteri Agama Nomor 55 Tahun 2014 tentang Penelitian dan Pengabdian kepada Masyarakat (Berita Negara Republik Indonesia Tahun 2014 Nomor 1318);
 11. Peraturan Menteri Keuangan Nomor 168/PMK.05/2015 tentang Mekanisme Pelaksanaan Anggaran Bantuan Pemerintah pada Kementerian Negara/Lembaga (Berita Negara Republik Indonesia Tahun 2015 Nomor 1340) sebagaimana telah diubah dengan Peraturan Menteri Keuangan Nomor 173/PMK.05/2016 tentang Perubahan atas Peraturan Menteri Keuangan Nomor 168/PMK.05/2015 tentang Mekanisme Pelaksanaan Anggaran Bantuan Pemerintah pada Kementerian Negara/Lembaga (Berita Negara Republik Indonesia Tahun 2016 Nomor 1745);
 12. Peraturan Menteri Agama Nomor 67 Tahun 2015 tentang Bantuan Pemerintah pada Kementerian Agama (Berita Negara Republik Indonesia Tahun 2015 Nomor 1655) sebagaimana telah beberapa kali diubah terakhir dengan Peraturan Menteri Agama Nomor 62 Tahun 2016 tentang Perubahan Kedua atas Peraturan Menteri Agama Nomor 67 Tahun 2015 tentang Bantuan Pemerintah pada Kementerian Agama (Berita Negara Republik Indonesia Tahun 2016 Nomor 2097);
 13. Peraturan Menteri Agama Nomor 50 Tahun 2016 tentang Statuta Institut Agama Islam Negeri Padangsidempuan (Berita Negara Republik Indonesia Tahun 2016 Nomor 1727)
 14. Peraturan Menteri Agama Nomor 6 Tahun 2020 tentang Pejabat Perbendaharaan Negara pada Kementerian Agama (Berita Negara Republik Indonesia Tahun 2020 Nomor 172);
 15. Peraturan Menteri Keuangan Nomor 203/PMK.05/2020 tentang Tata Cara Pembayaran dan Pertanggungjawaban Anggaran Penelitian atas Beban Anggaran Pendapatan dan Belanja Negara (Berita Acara Negara Republik Indonesia Tahun 2020 Nomor 1495);
 16. Peraturan Menteri Keuangan Nomor 123/PMK.02/2021 tentang Standar Biaya Keluaran Tahun Anggaran 2022 (Berita Negara Republik Indonesia Tahun 2022 Nomor 1042);

17. Keputusan Direktur Jenderal Pendidikan Islam Nomor 4743 Tahun 2022 tentang Petunjuk Teknis Program Bantuan Penelitian Berbasis Standar Biaya Keluaran pada Perguruan Tinggi Keagamaan Islam Tahun Anggaran 2022.

MEMUTUSKAN:

Menetapkan : KEPUTUSAN REKTOR INSTITUT AGAMA ISLAM NEGERI PADANGSIDIMPUAN TENTANG PENETAPAN PENERIMA BANTUAN PENELITIAN BERBASIS STANDAR BIAYA KELUARAN INSTITUT AGAMA ISLAM NEGERI PADANGSIDIMPUAN TAHUN ANGGARAN 2022

KESATU : Menetapkan Penerima Bantuan Penelitian Berbasis Standar Biaya Keluaran Institut Agama Islam Negeri Padangsidimpuan Tahun Anggaran 2022 sebagaimana dalam lampiran yang merupakan bagian yang tidak terpisahkan dari keputusan ini.

KEDUA : Penetapan berlaku untuk kluster bantuan sebagai berikut:

- a. Bantuan Penelitian Pembinaan Kapasitas
- b. Bantuan Penelitian Dasar Program Studi
- c. Bantuan Penelitian Dasar Interdisipliner
- d. Bantuan Penelitian Terapan Global/Internasional
- e. Bantuan Penelitian Terapan Pengembangan Nasional
- f. Bantuan Penelitian Kolaborasi Antar Perguruan Tinggi
- g. Bantuan Penelitian Pengembangan Pendidikan Tinggi
- h. Bantuan Pengabdian Masyarakat Berbasis Moderasi Beragama
- i. Penerima Bantuan Pengabdian Kepada Masyarakat Berbasis Program Studi
- j. Penerima Bantuan Pengabdian Kepada Masyarakat Berbasis Madrasah/Pesantren

KETIGA : Biaya yang timbul akibat Keputusan ini dibebankan kepada DIPA IAIN Padangsidimpuan tahun anggaran 2022.

KEEMPAT : Keputusan ini mulai berlaku sejak tanggal ditetapkan dengan ketentuan jika terdapat kekeliruan dalam Keputusan ini akan diadakan perbaikan sebagaimana mestinya.

Ditetapkan di Padangsidimpuan
pada tanggal 4 Januari 2022
REKTOR INSTITUT AGAMA ISLAM NEGERI
PADANGSIDIMPUAN



IBRAHIM SIREGAR

Tembusan :

1. Menteri Agama RI di Jakarta
2. Inspektorat Jenderal Kementerian Agama RI di Jakarta
3. KPPN Kota Padangsidimpuan di Padangsidimpuan
4. Bendahara DIPA IAIN Padangsidimpuan

LAMPIRAN I
 KEPUTUSAN REKTOR IAIN PADANGSIDIMPUAN
 NOMOR TAHUN 2022
 TENTANG
 PENETAPAN PENERIMA BANTUAN PENELITIAN BERBASIS
 STANDAR BIAYA KELUARAN INSTITUT AGAMA ISLAM NEGERI
 PADANGSIDIMPUAN TAHUN ANGGARAN 2022

PENERIMA BANTUAN PENELITIAN PEMBINAAN/ KAPASITAS

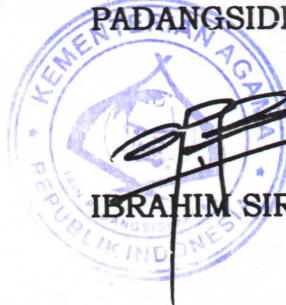
NO	PENGUSUL	ID REGISTRASI	JUDUL	ARKAN
1	Ahmad Sainul (Ketua)	21140000051153	Pelaksanaan Pembagian Harta Waris Berdasarkan Pertimbangan Ekonomi di Kecamatan Angkola Sangkunur Kabupaten Tapanuli Selatan	Syariah, Hukum dan Peraturan Perundang-undangan
2	Sylvia Kurnia Ritonga (Ketua)	21140000056951	Praktek Gadai Tanah (boro) Sebagai Jaminan Utang Piutang dalam Perspektif Hukum Fiqh Muamalah di Desa Sibio-bio Kecamatan Angkola Timur Kabupaten Tapanuli Selatan	Syariah, Hukum dan Peraturan Perundang-undangan
3	Mustafid (Ketua)	21140000053070	Konseptualisasi Hukum Islam Terhadap Penyimpangan Pemikiran dalam Pembayaran Zakat yang dilakukan Oleh Nelayan pada Kecamatan Koto Kampar Hulu Kabupaten Kampar	Syariah, Hukum dan Peraturan Perundang-undangan
4	Asriana Harahap (Ketua)	21140000056454	Efektivitas Aplikasi Kahoot Sebagai Media Pembelajaran dalam Menghadapi Era Society 5.0 di Sdit Darul Hasan	Pengembangan Pendidikan
5	M. Fauzan (Ketua)	21140000055030	Analisis Determinan Non Muslim Memilih PT. Bank Syariah Indonesia, Tbk di Pematangsiantar	Pengembangan Ekonomi dan Bisnis Berbasis Syariah
6	Ananda Anugrah Nasution (Ketua)	21140000056765	Determinan Kecurangan Akuntansi (Fraud) dan Tendensi Untuk Melakukan Kecurangan Akuntansi (Fraud): Persepsi	Kesejahteraan Sosial dalam Masyarakat

NO	PENGUSUL	ID REGISTRASI	JUDUL	ARKAN
			Aparatur Sipil Negara (ASN) pada Satuan Kerja di Bawah Kementerian Agama	
7	Hendra Gunawan (Ketua)	21140000049034	Larangan Melaut pada Hari Jum'at di Desa Singkuang ditinjau Dari Perspektif Maqasid Syariah	Syariah, Hukum dan Peraturan Perundang-undangan
8	Ja'far Nasution (Ketua)	21140000049496	Dampak Kehadiran Wisata Religi Terhadap Penghasilan Pedagang Makanan di Lingkungan Masjid Agung Syahrudin Nur Sapirook.	Pengembangan Ekonomi dan Bisnis Berbasis Syariah
9	Efrida Mandasari Dalimunthe (Ketua)	21140000056972	Kecanduan Siswa Terhadap <i>Game Online</i> (studi tentang Kebiasaan Bermain <i>Game Online</i> Oleh Siswa SMA Negeri 6 Kota Padangsidempuan)	Studi Kawasan dan Globalisasi
10	Yuli Eviyanti (Ketua)	21140000056940	Manajemen Pengembangan Kewirausahaan HIPMI (himpunan Pengusaha Muda) di Kota Padangsidempuan	Kesejahteraan Sosial dalam Masyarakat
11	Mhd. Latip Kahpi (Ketua)	21140000053545	Strategi Komunikasi Bank Tapanuli Selatan dalam Pencegahan, Pemberantasan, Penyalahgunaan dan Peredaran Gelap Narkoba (P4GN)	Kesejahteraan Sosial dalam Masyarakat
12	Nurintan Muliani Harahap (Ketua)	21140000056734	Implikasi Media Sosial Terhadap Perilaku Narsis Masyarakat Padangsidempuan	Kesejahteraan Sosial dalam Masyarakat
13	Sokhira Linda Vinde Rambe (Ketua)	21140000056695	<i>Exploring interaction Patterns in Efl Teaching and Learning Context At Language Development Center of IAIN Padangsidempuan</i>	Pendidikan Transformatif
14	Sakinah Siregar (Ketua)	21140000056749	Efektivitas Permainan Tradisional dalam Membentuk Perilaku Prosocial Anak Usia Dini	Pengembangan Pendidikan

NO	PENGUSUL	ID REGISTRASI	JUDUL	ARKAN
15	Rahma Hayati SireGAR (Ketua)	21140000049421	Perkembangan Kepribadian Islam Mahasiswa IAIN Padangsidempuan Melalui Pemberian Motivasi Berupa Cerita Sejarah Matematika Islam	Pengembangan Pendidikan
16	Uswatun Hasanah (Ketua)	21140000056327	Pernikahan dini di Era Pandemi Covid-19 Perspektif Hukum Islam (studi Kasus Meningkatnya dispensasi Nikah di Peradilan Agama Panyabungan)	Syariah, Hukum dan Peraturan Perundang- undangan
17	Sri Minda (Ketua)	22114000004875 9	<i>Social Media Effects On Students' Academic Achievement in IAIN Padangsidempuan</i>	Pengembangan Pendidikan
18	Syafrilianto (Ketua)	21140000056783	Pengaruh Penggunaan Model Inkuiri Terbimbing Berbantu Media Kit Ipa Sederhana Terhadap Aktivitas dan Keterampilan Proses Sains Mahasiswa Calon Guru MI/sd IAIN Padangsidempuan	Pengembangan Pendidikan
19	Toguan Rambe (Ketua)	21140000056755	Peran institusi Keagamaan dalam Mewujudkan Moderasi Beragama di Kota Medan	Keragaman dalam Etnis, Budaya, Sosial, dan Tradisi Keagamaan
20	Samsuddin Muhammad (Ketua)	21140000056834	Analisis Efektivitas Struktur Modal dan Pembiayaan Syariah dalam Meningkatkan Profitabilitas Usaha Mikro Kecil dan Menengah di Kota padangsidempuan	Pengembangan Ekonomi dan Bisnis Berbasis Syariah

NO	PENGUSUL	ID REGISTRASI	JUDUL	ARKAN
21	Ferri Alfadri (Ketua)	21140000050420	Pengembangan Model <i>Strategi Quadruple Helix</i> dalam Meningkatkan Kreativitas dan inovasi industri Kreatif di Kota padangsidimpuan	Pengembangan Ekonomi dan Bisnis Berbasis Syariah

Ditetapkan di Padangsidimpuan
pada tanggal Januari 2022
REKTOR INSTITUT AGAMA ISLAM NEGERI
PADANGSIDIMPUAN



IBRAHIM SIREGAR

LAMPIRAN II
 KEPUTUSAN REKTOR IAIN PADANGSIDIMPUAN
 NOMOR TAHUN 2022
 TENTANG
 PENETAPAN PENERIMA BANTUAN PENELITIAN BERBASIS
 STANDAR BIAYA KELUARAN INSTITUT AGAMA ISLAM NEGERI
 PADANGSIDIMPUAN TAHUN ANGGARAN 2022

PENERIMA BANTUAN PENELITIAN DASAR PROGRAM STUDI

NO	PENGUSUL	ID REGISTRASI	JUDUL	ARKAN
1	1. Zulhimma (Ketua) 2. Zulhammi (Anggota)	221150000056752	Efikasi diri Calon Guru Pendidikan Agama Islam (Kaitannya dengan Pelaksanaan Micro Teaching, Ppl dan Motivasi Mahasiswa di Ptkin Sumatera Utara)	Pengembangan Pendidikan
2	1. Erna Ikawati (Ketua) 2. Darania Anisa (Anggota)	221150000056686	Analisis Meningkatnya Permohonan dispensasi Nikah Selama Masa Pandemi Covid 19 (studi pada Kota padangsidimpuan dan Mandailing Natal)	Isu Jender dan Keadilan
3	1. Sarmiana Batubara (Ketua) 2. Damri Batubara (Anggota)	221150000056700	Strategi Peningkatan Jumlah Mahasiswa Program Studi Manajemen Zakat dan Wakaf (studi Komparatif Iain padangsidimpuan dan UIN Raden Fatah Palembang)	Pengembangan Ekonomi dan Bisnis Berbasis Syariah
4	1. Muhammad Isa (Ketua) 2. Arti Damisa (Anggota)	221150000056711	Analisis Potensi Alumni Perbankan Syariah Menjadi <i>Sociopreneurship</i> di Wilayah Tapanuli Bagian Selatan	Pengembangan Ekonomi dan Bisnis Berbasis Syariah
5	1. Muhammad Yusuf Pulungan (Ketua)	221150000055928	Metode Pengembangan <i>All in One System</i> Berbasis Aktivitas	Pengembangan Pendidikan

NO	PENGUSUL	ID REGISTRASI	JUDUL	ARKAN
	2. Irsal Amin (Anggota)		dalam Pembelajaran Bahasa Arab pada Pondok Rauhatul Hasanah Lumut Tapanuli Tengah	
6	1. Muhammad Syukri Pulungan (Ketua) 2. Risdawati Siregar (Anggota)	221150000056966	Model Konseling Online dalam Meningkatkan Kompetensi Profesional Calon Konselor Program Studi Bimbingan Konseling Islam di Perguruan Tinggi Keagamaan Islam Negeri	Kesejahteraan Sosial dalam Masyarakat
7	1. Zuraidah (Ketua) 2. Elysa Fitri Pakpahan (Anggota)	221150000057333	Analisis Program Kegiatan Pendidikan Pemustaka (user Education) Bagi Mahasiswa Baru dalam Memanfaatkan Layanan Perpustakaan di UPT Pusat Perpustakaan Institut Agama Islam Negeri Padangsidimpuan	Pengembangan Pendidikan

Ditetapkan di Padangsidimpuan
pada tanggal Januari 2022.
REKTOR INSTITUT AGAMA ISLAM NEGERI
PADANGSIDIMPUAN



[Handwritten Signature]
IBRAHIM SIREGAR f

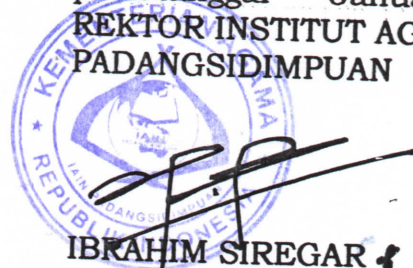
LAMPIRAN III
 KEPUTUSAN REKTOR IAIN PADANGSIDIMPUAN
 NOMOR TAHUN 2022
 TENTANG
 PENETAPAN PENERIMA BANTUAN PENELITIAN BERBASIS
 STANDAR BIAYA KELUARAN INSTITUT AGAMA ISLAM NEGERI
 PADANGSIDIMPUAN TAHUN ANGGARAN 2022

PENERIMA BANTUAN PENELITIAN DASAR INTERDISIPLINER

NO	PENGUSUL	ID REGISTRASI	JUDUL	ARKAN
1	1. Ahmatnizar (Ketua) 2. Risalan Basri Harahap (Anggota) 3. Puji Kurniawan (Anggota)	221160000052739	<i>Religi</i> Orang Laut; Tradisi Kenduri Laut pada Masyarakat Nelayan Sibolga	Keragaman dalam Etnis, Budaya, Sosial, dan Tradisi Keagamaan
2	1. Dame Siregar (Ketua) 2. Fauzi Rizal (Anggota)	221160000056988	Signifikansi Pelaku Bsi dan Mui disumatera tentang Sirkulasi Akad Murabah	Syariah, Hukum dan Peraturan Perundang- undangan
3	1. Dermina Dalimunthe (Ketua) 2. Sawaluddin Siregar (Anggota)	221160000056849	Penerapan Hukum Cambuk Bagi Non Muslim di Mahkamah Syariah Aceh	Syariah, Hukum dan Peraturan Perundang- undangan

Ditetapkan di Padangsidimpuan
 pada tanggal Januari 2022.

REKTOR INSTITUT AGAMA ISLAM NEGERI
 PADANGSIDIMPUAN



IBRAHIM SIREGAR

LAMPIRAN IV
 KEPUTUSAN REKTOR IAIN PADANGSIDIMPUAN
 NOMOR TAHUN 2022
 TENTANG
 PENETAPAN PENERIMA BANTUAN PENELITIAN BERBASIS
 STANDAR BIAYA KELUARAN INSTITUT AGAMA ISLAM NEGERI
 PADANGSIDIMPUAN TAHUN ANGGARAN 2022

PENERIMA BANTUAN PENELITIAN TERAPAN GLOBAL/INTERNASIONAL

NO	PENGUSUL	ID REGISTRASI	JUDUL	ARKAN
1	1. Fatahuddin Aziz Siregar (Ketua) 2. Dr. Ikhwanuddin Harahap, M.Ag (Anggota)	221170000055112	Munculnya <i>Trend</i> Pernikahan Tanpa Anak (<i>childless Marriage</i>) di Eropa dan Relevansinya dengan Program Keluarga Berencana di Indonesia dalam Perspektif Hukum Islam	Negara, Agama, dan Masyarakat
2	1. Muhammad Darwis Dasopang (Ketua) 2. Erawadi (Anggota) 3. Zainal Efendi Hasibuan (Anggota)	221170000056836	Diaspora Santri Tapanuli Ke Haramain dan Kontribusinya Bagi Pengembangan Tradisi Keilmuan di Nusantara	Pengembangan Pendidikan

Ditetapkan di Padangsidimpuan
 pada tanggal Januari 2022.

REKTOR INSTITUT AGAMA ISLAM NEGERI
 PADANGSIDIMPUAN



[Handwritten Signature]
 IBRAHIM SIREGAR

LAMPIRAN V
 KEPUTUSAN REKTOR IAIN PADANGSIDIMPUAN
 NOMOR TAHUN 2022
 TENTANG
 PENETAPAN PENERIMA BANTUAN PENELITIAN BERBASIS
 STANDAR BIAYA KELUARAN INSTITUT AGAMA ISLAM NEGERI
 PADANGSIDIMPUAN TAHUN ANGGARAN 2022

**PENERIMA BANTUAN PENELITIAN TERAPAN
 PENGEMBANGAN NASIONAL**

NO	PENGUSUL	ID REGISTRASI	JUDUL	ARKAN
1	1. Lelya Hilda (Ketua) 2. Rosimah Lubis (Anggota)	221190000056911	Efektivitas dan Efisiensi Limbah Oli Bekas Sebagai Energi Alternatif pada Pengeringan Gabah	Lingkungan dan Pengembangan Teknologi
2	1. Muhammad Arsad Nasution (Ketua) 2. Hasiah (Anggota)	221190000056827	Merekonstruksi Struktur Keilmuan Integratif Sebagai Upaya Pengembangan Fakultas Syariah dan Ilmu Hukum pada Perguruan Tinggi Keagamaan Islam Negeri (PTKIN) di Indonesia	Pengembangan Pendidikan
3	1. Sumper Mulia Harahap (Ketua) 2. Juni Wati Sri Rizki, S. (Anggota) 3. Esli Zuraidah Siregar (Anggota)	221190000056984	Strategi Komunikasi Organisasi Pengurus Nu dalam Pembentukan Lazisnu di Sumatera Utara	Negara, Agama, dan Masyarakat
4	1. Arbanur Rasyid (Ketua) 2. Maulana Arafat Lubis (Anggota) 3. Rayendriani Fahmei Lubis (Anggota) 4. Muhammad Wandisyah R Hutagalung (Anggota)	221190000056682	Upaya Etnis Nusantara dalam Menangkal Paham Radikalisme di Indonesia	Keragaman dalam Etnis, Budaya, Sosial, dan Tradisi Keagamaan

NO	PENGUSUL	ID REGISTRASI	JUDUL	ARKAN
5	1. Zul Anwar Ajim Harahap (Ketua) 2. Zulfan Efendi (Anggota) 3. Muhlison (Anggota)	221190000054497	Efektifitas Penerapan Qanun Aceh Nomor 6 Tahun 2014 tentang Hukum Jinayat dalam Menekan Jumlah Narapidana dan Kontribusinya Terhadap Pembaruan Hukum Pidana di Indonesia	Syariah, Hukum dan Peraturan Perundang-undangan
6	1. Ahmad Nizar Rangkuti (Ketua) 2. Ali Amran (Anggota)	221190000056859	Pengembangan dan Implementasi Modul Strategi Pembelajaran Matematika Berbasis Konstruktivisme Untuk Mahasiswa PTKIN di Indonesia	Pengembangan Pendidikan
7	1. Asfiati (Ketua) 2. Maslina Daulay (Anggota) 3. Akhiril Pane (Anggota)	221190000056811	Kolaborasi Fenomena Pendidikan Multikultural di Dua Daerah Istimewa di Indonesia	Pendidikan Transformatif
8	1. Sehat Sultoni Dalimunthe (Ketua) 2. Abuzar Alghifari (Anggota) 3. Irwan Saleh Dalimunthe (Anggota)	221190000056878	Perbandingan Pendidikan Sekolah Elit Islam dan Sekolah Islam Terpadu di Indonesia	Pendidikan Transformatif

Ditetapkan di Padangsidempuan
pada tanggal Januari 2022.

REKTOR INSTITUT AGAMA ISLAM NEGERI
PADANGSIDIMPUAN



[Handwritten Signature]
IBRAHIM SIREGAR

LAMPIRAN VI
KEPUTUSAN REKTOR IAIN PADANGSIDIMPUAN
NOMOR TAHUN 2022
TENTANG
PENETAPAN PENERIMA BANTUAN PENELITIAN BERBASIS
STANDAR BIAYA KELUARAN INSTITUT AGAMA ISLAM NEGERI
PADANGSIDIMPUAN TAHUN ANGGARAN 2022

PENERIMA BANTUAN PENELITIAN KOLABORASI ANTAR PERGURUAN TINGGI

NO	PENGUSUL	ID REGISTRASI	JUDUL	ARKAN
1	1. Darwis Harahap (Ketua) 2. Sugianto (Anggota) 3. Siska Yuli Anita (Anggota) 4. Yusrizal (Anggota)	221200000056733	Integrasi Perencanaan Keuangan Relijiusitas Profesional Muslim Melalui Lembaga Keuangan Syariah di Indonesia	Pengembangan Ekonomi dan Bisnis Berbasis Syariah
2	1. Anhar (Ketua) 2. Fakhruddin (Anggota) 3. Ade Suhendra (Anggota)	221200000056923	Corak Paradigma Keilmuan Dosen Sains Universitas Islam Negeri di Indonesia	Pendidikan Transformatif

Ditetapkan di Padangsidimpuan
pada tanggal Januari 2022.

REKTOR INSTITUT AGAMA ISLAM NEGERI
PADANGSIDIMPUAN



IBRAHIM SIREGAR

LAMPIRAN VII
KEPUTUSAN REKTOR IAIN PADANGSIDIMPUAN
NOMOR TAHUN 2022
TENTANG
PENETAPAN PENERIMA BANTUAN PENELITIAN BERBASIS
STANDAR BIAYA KELUARAN INSTITUT AGAMA ISLAM NEGERI
PADANGSIDIMPUAN TAHUN ANGGARAN 2022

**PENERIMA BANTUAN PENELITIAN
PENGEMBANGAN PENDIDIKAN TINGGI**

NO	PENGUSUL	ID REGISTRASI	JUDUL	ARKAN
1	1. Eka Sustris Harida (Ketua) 2. Sri Rahmadhani Siregar (Anggota) 3. Fitri Rayani Siregar (Anggota)	221220000058073	<i>Developing Learning Materials For Research in English Language Teaching (relt) By Using Project Based Learning Model At English Education Department IAIN Padangsidimpuan</i>	Pendidikan Transformatif

Ditetapkan di Padangsidimpuan
pada tanggal Januari 2022.

REKTOR INSTITUT AGAMA ISLAM NEGERI
PADANGSIDIMPUAN



[Handwritten Signature]
IBRAHIM SIREGAR

LAMPIRAN VIII
KEPUTUSAN REKTOR IAIN PADANGSIDIMPUAN
NOMOR TAHUN 2022
TENTANG
PENETAPAN PENERIMA BANTUAN PENELITIAN BERBASIS
STANDAR BIAYA KELUARAN INSTITUT AGAMA ISLAM NEGERI
PADANGSIDIMPUAN TAHUN ANGGARAN 2022

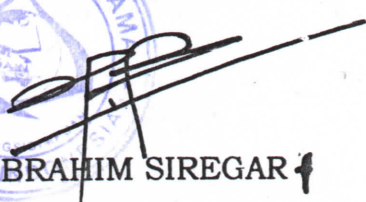
**PENERIMA BANTUAN PENGABDIAN MASYARAKAT
BERBASIS MODERASI BERAGAMA**

NO	PENGUSUL	ID REGISTRASI	JUDUL	ARKAN
1	1. Aswadi Lubis (Ketua) 2. Barkah Hadamean Harahap (Anggota)	223130000057379	Pemberdayaan Potensi Adat dan Budaya dalam Meningkatkan Kehidupan Moderasi Beragama di Danu Balai Kecamatan Rantau Selatan Kabupaten Labuhan Batu	Keragaman dalam Etnis, Budaya, Sosial, dan Tradisi Keagamaan

Ditetapkan di Padangsidimpuan
pada tanggal – Januari 2022.

REKTOR INSTITUT AGAMA ISLAM NEGERI
PADANGSIDIMPUAN



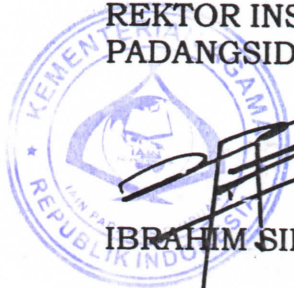

IBRAHIM SIREGAR

LAMPIRAN IX
KEPUTUSAN REKTOR IAIN PADANGSIDIMPUAN
NOMOR TAHUN 2022
TENTANG
PENETAPAN PENERIMA BANTUAN PENELITIAN BERBASIS
STANDAR BIAYA KELUARAN INSTITUT AGAMA ISLAM NEGERI
PADANGSIDIMPUAN TAHUN ANGGARAN 2022

**PENERIMA BANTUAN PENGABDIAN KEPADA MASYARAKAT BERBASIS
PROGRAM STUDI**

NO	PENGUSUL	ID REGISTRASI	JUDUL	ARKAN
1	1. Delima Sari Lubis (Ketua) 2. M. Yarham (Anggota)	223150000056910	Pemberdayaan Ekonomi Masyarakat Desa Bargot Topong Berbasis Assets <i>Based Community</i> Development Menuju Desa Mandiri	Kesejahteraan Sosial dalam Masyarakat

Ditetapkan di Padangsidempuan
pada tanggal Januari 2022.
REKTOR INSTITUT AGAMA ISLAM NEGERI
PADANGSIDIMPUAN




IBRAHIM SIREGAR

LAMPIRAN X
KEPUTUSAN REKTOR IAIN PADANGSIDIMPUAN
NOMOR 26 TAHUN 2022
TENTANG
PENETAPAN PENERIMA BANTUAN PENELITIAN BERBASIS
STANDAR BIAYA KELUARAN INSTITUT AGAMA ISLAM NEGERI
PADANGSIDIMPUAN TAHUN ANGGARAN 2022

**PENERIMA BANTUAN PENGABDIAN KEPADA MASYARAKAT BERBASIS
MADRASAH/PESANTREN**

NO	PENGUSUL	ID REGISTRASI	JUDUL	ARKAN
1	1. Magdalena (Ketua) 2. Asnah (Anggota)	223180000056971	Aktualisasi Nilai-nilai Moderasi Beragama Melalui diseminasi Buku pada Guru Pendidikan Agama Islam Madrasah dan Pesantren di Beberapa Daerah	Pengembangan Pendidikan

Ditetapkan di Padangsidempuan
pada tanggal 4 Januari 2022.

REKTOR INSTITUT AGAMA ISLAM NEGERI
PADANGSIDIMPUAN



IBRAHIM SIREGAR