



## Gamophobia, Waithood, and the Childfree Movement: A Maqasid-Based Legal System Analysis of Contemporary Family Autonomy

Ahmad Rezy Meidina<sup>1\*</sup>, Syufa'at<sup>2</sup>, Achmad Siddiq<sup>2</sup>, Hariyanto<sup>2</sup> & M. Fuad Zain<sup>2</sup>

<sup>1</sup>Department of Islamic Family Law, STAI Al-Hikmah 2, Brebes, Indonesia

<sup>2</sup>UIN Profesor Kiai Haji Saifuddin Zuhri, Purwokerto, Indonesia

\*Corresponding Author: [ahmadrezymeidina@staialhikmahdua.ac.id](mailto:ahmadrezymeidina@staialhikmahdua.ac.id)

### Abstract

The increasing prevalence of marriage avoidance among younger generations has profoundly transformed contemporary conceptions of family, autonomy, and legal identity. This article examines the interconnections among gamophobia (the fear of marriage), waithood, and the childfree movement within the framework of current legal systems and the maqasid sharia (objectives of Islamic law). Utilizing a normative socio-legal approach based on interdisciplinary literature, the study investigates how economic uncertainty, psychological anxiety, shifting gender dynamics, and legal inequalities influence contemporary attitudes toward marriage and family formation. The findings reveal that existing legal frameworks frequently fail to accommodate evolving social realities, thereby perpetuating perceptions of marriage as restrictive, burdensome, and incompatible with personal autonomy. From the perspective of maqasid sharia, these phenomena are intricately connected to the challenges of safeguarding faith, psychological well-being, intellect, progeny, and economic stability within the context of contemporary family life. This study argues for adaptive and inclusive legal reforms that reconcile individual autonomy, social justice, and the dynamic objectives of Islamic family law in contemporary society.

### Keywords

Gamophobia;  
Waithood;  
Childfree;  
Legal System;  
Maqasid Sharia

### Article History

Received  
9 January 2026

Accepted  
14 April 2026

### Introduction

Over the past two decades, social changes have led to the emergence of various new phenomena concerning relationship patterns, marriage practices, and family formation.<sup>1</sup> Younger generations in numerous countries increasingly demonstrate a marked propensity to postpone marriage, eschew it entirely, or reject conventional family structures. Factors such as economic uncertainty, evolving gender roles, and legal obligations within contemporary marriage further contribute to the perception of marriage as a commitment that may constrain personal freedom.<sup>2</sup> Within this context, the notion of gamophobia (fear of marriage), waithood (a portmanteau of “wait” and “adulthood”), and the childfree movement are crucial for understanding how fear, postponement, and autonomous decision-making interact to shape the contemporary family paradigm.<sup>3</sup>

<sup>1</sup> Gökay Keldal and Gürcan Şeker, “Marriage or Career? Young Adults’ Priorities in Their Life Plans,” *The American Journal of Family Therapy* 50, no. 5 (2022): 459–74.

<sup>2</sup> Alifa Izzatun Nisa and Mirna Nur Alia Abdullah, “Fenomena Gamophobia pada Gen Z Dampak dari Kasus Perceraian Orang Tua,” *Sabana: Jurnal Sosiologi, Antropologi, dan Budaya Nusantara* 3, no. 3 (2024): 243–48.

<sup>3</sup> Musrifah Musrifah and Achmad Yusuf Amin, “The Concept of Mental Health and Mental Care: A Study of Zakiah Daradjat’s Thoughts,” *International Journal of Social Science and Religion* 3, no. 2 (2022): 171–84.



Technological advancements and digitalization have significantly transformed the conceptualization of interpersonal relationships. Enhanced access to information, global discourses on individual rights, and online communities advocating for childfree or anti-marriage lifestyles have strengthened young individuals' desire to preserve personal autonomy.<sup>4</sup> Consequently, marriage is increasingly perceived not as a social imperative but as one option among various competing life choices. Within the context of the modern economy, financial pressures constitute a primary factor exacerbating gamophobia and prolonging waithood.<sup>5</sup> Escalating living expenses, soaring housing prices, job insecurity, and educational costs contribute to individuals feeling unprepared or unwilling to enter into marriage. Simultaneously, the decision to remain childfree is frequently regarded as a rational strategy to maintain long-term financial stability, given the substantial and rising costs associated with child-rearing in contemporary society.

Within contemporary Islamic legal discourse, the phenomena of gamophobia, waithood, and the childfree movement pose intricate challenges to traditional conceptions of marriage, family, and social responsibility. Classical Islamic jurisprudence has regarded marriage as a highly recommended institution that preserves lineage (*hifz al-nasl*), ensures social stability, and upholds moral order.<sup>6</sup> However, modern socio-economic transformations, evolving gender roles, and the influence of global individualistic values have increasingly shaped Muslim societies, fostering new perspectives on marriage and parenthood. Gamophobia within Muslim communities is frequently linked not only to psychological apprehension but also to concerns about financial obligations, marital discord, divorce disputes, and the unequal legal ramifications embedded in family law systems.<sup>7</sup> Similarly, waithood denotes the extended transition to adulthood experienced by many Muslim youths who postpone marriage due to educational commitments, economic instability, and uncertainty regarding future responsibilities. Concurrently, the childfree movement engenders significant theological and ethical debates within Islamic legal scholarship, particularly in relation to the objectives of marriage, reproductive autonomy, and the maqasid sharia framework concerning family continuity and social welfare.

These phenomena necessitate a critical reassessment of the legal system's responsiveness to such societal changes. To what extent does the law remain pertinent to the needs of contemporary generations? Does it ensure equitable protection for all parties involved in marriage? Alternatively, does the law perpetuate the prevailing narrative among young people that “marriage is daunting”? Addressing these questions is essential for enabling family law to adapt to evolving social realities. This article aims to elucidate the interplay among gamophobia, waithood, and the childfree movement within the context of modern legal frameworks.<sup>8</sup> Employing a normative socio-legal approach based on interdisciplinary literature, it demonstrates how fear, delayed life transitions, and autonomous decision-making contribute to emerging dynamics in marriage and family structures. It underscores the imperative for legal reforms that are more responsive, inclusive, and adaptable to the

<sup>4</sup> Rebecca Harrington, “Childfree by Choice,” *Studies in Gender and Sexuality* 20, no. 1 (2019): 22–35.

<sup>5</sup> See Marcia C Inhorn and Nancy J Smith-Hefner, *Waithood: Gender, Education, and Global Delays in Marriage and Childbearing*, vol. 47 (New York: Berghahn Books, 2020).

<sup>6</sup> Hamda Sulfinadia et al., “The Phenomenon Marriage Is Scary: Causal Factors and Efforts Faced by Muslim Communities in Indonesia,” *Al-Istinbath: Jurnal Hukum Islam* 10, no. 1 (2025): 355–77.

<sup>7</sup> Khamdan Safiudin, “Gender Problems in Indonesia: The Phenomenon of Gamophobia in a Permissive Society,” *An-Nisa Jurnal Kajian Perempuan dan Keislaman* 17, no. 1 (2024): 67–82.

<sup>8</sup> Ahmad Rezy Meidina et al., “What an Important Implementation of the Educational Rights of Adopted Children in Indonesia from an Islamic Jurisprudence Perspective?,” *El-Aqwal: Journal of Sharia and Comparative Law* 3, no. 1 (2024): 85–96.

shifting values of contemporary society. A comprehensive understanding of these three phenomena will facilitate more accurate anticipation of future developments in family configurations and legal regulations.

## Literature Review

Gamophobia, defined as the fear of marriage, should not be interpreted solely as an individual psychological disorder.<sup>9</sup> Rather, it arises from collective social experiences wherein marriage is increasingly regarded as a high-risk institution characterized by costly divorces, burdensome alimony, domestic conflicts, and associated social and economic pressures. The concept of waithood elucidates this pattern of resistance to marriage.<sup>10</sup> It refers to an extended transition into adulthood during which individuals deliberately postpone traditional milestones such as marriage, stable employment, and parenthood. Contemporary youth tend to prioritize education, career mobility, personal development, and emotional stability prior to entering marital commitments. Consequently, waithood should be understood not merely as a delay but as an adaptive strategy in response to unstable socio-economic conditions.<sup>11</sup> The childfree movement constitutes a significant aspect of contemporary discourse on family life.<sup>12</sup> Unlike the mere postponement of parenthood, this movement embodies a deliberate decision to forgo parenthood altogether. The motivations underlying this choice are diverse, encompassing economic factors, mental health considerations, ecological concerns, and the pursuit of an enhanced quality of life.<sup>13</sup> Within this framework, opting to remain childfree serves as an expression of personal autonomy and reflects prevailing individualistic values in modern society.<sup>14</sup>

These phenomena not only mirror broader social transformations but also carry substantial implications for legal systems. A considerable number of individuals elect to distance themselves from marriage due to perceptions that family law inadequately safeguards certain interests, particularly those of men, in matters such as alimony, custody, and financial obligations following divorce. Conversely, women encounter structural challenges including economic disparities and gender-based societal expectations. These dynamics underscore the influential role of legal frameworks in shaping perceptions of risk and personal autonomy.<sup>15</sup> In numerous countries, including contemporary jurisdictions, family law continues to be heavily influenced by traditional values associated with marriage.<sup>16</sup> Provisions concerning alimony, custody, property division, and domestic responsibilities were frequently established within patriarchal social contexts that are

<sup>9</sup> Joanna Nian Chang, "Why Do Chinese Women Experience Gamophobia? Psychoanalytic Theory Assisted Discourses Analysis," *Frontiers in Psychology* 15: 1357795 (2024): 1-11.

<sup>10</sup> Rani Wulandari, "Waithood: Tren Penundaan Pernikahan pada Perempuan di Sulawesi Selatan," *Emik* 6, no. 1 (2023): 52-67.

<sup>11</sup> Valentina Cuzzocrea, "Moratorium or Waithood? Forms of Time-Taking and the Changing Shape of Youth," *Time & Society* 28, no. 2 (2019): 567-86.

<sup>12</sup> Christian Agrillo and Cristian Nelini, "Childfree by Choice: A Review," *Journal of Cultural Geography* 25, no. 3 (2008): 347-63.

<sup>13</sup> Imam Syafi'i et al., "Childfree in Islamic Law Perspective of Nahdlatul Ulama," *Al-Ahkam* 33, no. 1 (2023): 1-22.

<sup>14</sup> Amy Blackstone and Mahala Dyer Stewart, "Choosing to Be Childfree: Research on the Decision Not to Parent," *Sociology Compass* 6, no. 9 (2012): 718-27.

<sup>15</sup> Hariyanto Hariyanto, Ahmad Rezy Meidina, and Mabarroh Azizah, "Decentralization and the Fulfillments of Children's Rights: Challenges and Opportunities for Local Government in Indonesia," *Lex Scientia Law Review* 8, no. 2 (2024): 677-706.

<sup>16</sup> Ricy Fatkhurrokhman, Muhammad Royhan Assaiq, and Tri Wastuti, "Covering Shame, Sacrificing Rights: A Maqāṣid Al-Shari'ah Perspective on Child Protection in Incestuous Marriage Practices," *International Journal of Social Science and Religion* 6, no. 3 (2025): 347-448.



increasingly incongruent with current generational norms. This dissonance fosters dissatisfaction and motivates some individuals to eschew marital contracts as a means of avoiding potential legal vulnerabilities.

Although numerous studies, within the discourse of Islamic legal studies, have investigated gamophobia, waithood, and the childfree movement independently, the existing literature exhibits several significant limitations. First, many socio-legal studies predominantly emphasize psychological or sociological explanations, often neglecting the role of legal systems in fostering fear of marriage and family instability.<sup>17</sup> Second, Islamic legal scholarship addressing delayed marriage and childfree preferences tends to be normative and doctrinal, with limited consideration of broader structural factors such as economic precarity, gender transformations, and legal inequalities.<sup>18</sup> Third, prior research seldom integrates Friedman's legal system theory with the maqasid sharia framework when analyzing contemporary family-related issues.<sup>19</sup> Consequently, the interplay among legal structures, legal culture, individual autonomy, and Islamic legal objectives remains inadequately examined in current scholarship.

This study's originality resides in its integrative legal system and maqasid-based framework for examining gamophobia, waithood, and the childfree movement as interrelated phenomena that collectively shape the contemporary family paradigm. In contrast to prior research, which typically addresses these issues in isolation within psychological, sociological, or theological domains, the present investigation concurrently explores their interaction with legal systems, social change, and Islamic legal discourse. Additionally, this study advances the field by synthesizing Friedman's legal system theory with the maqasid sharia perspective to assess how modern legal structures, legal substance, and legal culture influence younger generations' perceptions of marriage, autonomy, and family formation. This article makes a novel academic contribution by framing these phenomena not merely as individual lifestyle choices but as manifestations of broader societal transformations that necessitate adaptive, inclusive, and contextually sensitive responses from both contemporary legal frameworks and Islamic family law discourse.

## Research Methodology

This study utilizes Lawrence M. Friedman's theoretical framework to assert that a legal system functions through the interplay of three fundamental components: legal structure, legal substance, and legal culture.<sup>20</sup> These elements collectively influence societal behavior

<sup>17</sup> Refer to Naomi Creutzfeldt, Marc Mason, and Kirsten McConnachie, *Routledge Handbook of Socio-Legal Theory and Methods* (New York: Routledge, 2020); Eva Bermúdez Figueroa et al., "Gender and Structural Inequalities from a Socio-Legal Perspective," (2023): 95-142.

<sup>18</sup> Moh Subhan and Moh. Mahbub Jamalul Lail, "The Dialectics of Childfree: Integrating Islamic Law, Individual Rights, and Social Transformation in the Modern Era," *Musabab* 2, no. 1 (2026): 29-41; Khoiruddin Nasution et al., "The Childfree Discourse in Contemporary Islamic Family Law and Human Rights: Insights from Young Muslim Academics in Indonesia," *MLRev: Metro Islamic Law Review* 5, no. 1 (2026): 1-32; Jarita Duasa, Izyani Zulkifli, and Zera Zuryana Idris, "Voluntary Childlessness and Islamic Perspectives: A Systematic Literature Review," *Malaysian Journal Of Islamic Studies* 9, no. 2 (2025): 108-27.

<sup>19</sup> Sahin Husain, Nasir Purkon Ayoub, and Mukhammadolim Hassmann, "Legal Pluralism in Contemporary Societies: Dynamics of Interaction between Islamic Law and Secular Civil Law," *Syariat: Akhwal Syaksyah, Jinayah, Siyasah and Muamalah* 1, no. 1 (2024): 1-17; Dr Syed Maisoor Hussain, "The Intersection of Islamic Law and Modern Human Rights," *Journal of Religion and Society* 3, no. 1 (2025): 382-94; Salman Faris LC, "Revisiting the Legacy of Islamic Legal Scholarship: The Influence of Sharia on Contemporary Legal Systems," *Journal of Islamic Law and Legal Studies* 2, no. 1 (2025): 1-15.

<sup>20</sup> See Lawrence M. Friedman, *The Legal System: A Social Science Perspective* (New York: Russell Sage Foundation, 1987).

and guide individuals' decisions within legal institutions.<sup>21</sup> When applied to the phenomena of gamophobia, waithood, and the childfree movement, Friedman's model elucidates how fear of marriage, delayed transition to adulthood, and autonomous reproductive choices are intricately connected to legal arrangements that either reinforce or weaken trust in contemporary family law systems.<sup>22</sup> Friedman's legal system theory serves as the primary analytical framework for evaluating how legal structures, legal substance, and legal culture respond to social transformations that influence the attitudes and behaviors of modern generations toward the institution of marriage.

To enhance the analytical framework, this study incorporates the maqasid sharia framework as a complementary perspective for examining the interplay between social transformation and Islamic family legal discourse. The maqasid framework is employed due to its contextual and adaptive capacity to elucidate how Islamic law addresses contemporary developments related to marriage, family, and personal autonomy. Specifically, this research utilizes the five fundamental protections such as *ḥifẓ al-dīn* (protection of religion), *ḥifẓ al-nafs* (protection of life and psychological well-being), *ḥifẓ al-'aql* (protection of intellect), *ḥifẓ al-nasl* (protection of lineage and family continuity), and *ḥifẓ al-māl* (protection of wealth).<sup>23</sup> Through this framework, the study examines how gamophobia reflects concerns about psychological safety and unequal marital responsibilities, how waithood signifies a rational response to educational and economic uncertainties, and how the childfree movement challenges traditional conceptions of reproduction and family continuity within Islamic legal discourse.

This study employs a qualitative research design to examine the interrelations among gamophobia, waithood, and the childfree movement within the context of contemporary legal systems.<sup>24</sup> It is adopted because these phenomena cannot be adequately understood through a purely normative legal lens; rather, they require situating within broader social, economic, psychological, and cultural frameworks. The data derived from an extensive literature review encompassing family law theory, youth studies, family sociology, legal anthropology, public policy, and contemporary psychological research. The analysis was conducted through content analysis of pertinent academic literature and legal policies, including marriage regulations, and family law documents.

This study adopts a comparative approach to identify global patterns related to increasing marriage avoidance, delayed transitions to adulthood, and childfree preferences across diverse economic and legal contexts. The study aims to provide a comprehensive understanding of how these phenomena contribute to the emergence of a new family paradigm and necessitate adaptive responses from contemporary fiqh and legal systems. Moreover, the maqasid approach facilitates an exploration of tensions between normative religious expectations and contemporary realities by emphasizing public benefit (*maṣlaḥah*), harm avoidance (*dar' al-mafṣadah*), individual dignity, and social justice. Consequently, this methodological framework enables a critical evaluation of whether contemporary family law systems remain responsive to the evolving needs, autonomy, and socio-economic conditions of young modern generations.

<sup>21</sup> Roger Backhouse, "The Debate over Milton Friedman's Theoretical Framework: An Economist's View," in *Economics and Language* (New York: Routledge, 2020), 103–31.

<sup>22</sup> Yuliatin Yuli, Ardian Kurniawan Ardian, and M. Kamal Fathoni Kamal, "The Childfree Phenomenon: An Examination of the Interplay Between Traditional and Religious Values in the Malay Community of Jambi," *ADHKL: Journal of Islamic Family Law* 7, no. 1 (2025): 134.

<sup>23</sup> Abū Ishāq Al-Shātibī, *Al-Muwāfaqāt fī Uṣūl al-Sharī'ah* (Beirut: Dār al-Kutub al-'Ilmiyyah, n.d.).

<sup>24</sup> See Monique Hennink, Inge Hutter, and Ajay Bailey, *Qualitative Research Methods* (New York: Sage, 2020).



## Results

The table below summarizes the principal socio-legal dimensions underlying the contemporary phenomena of gamophobia, waithood, and the childfree movement among younger generations. These interconnected phenomena signify substantial transformations in modern conceptions of marriage, adulthood, family formation, and individual autonomy.

**Table 1.** Contemporary dynamics influencing marriage avoidance among younger generations.

Phenomena	Main Characteristics	Socio-Legal Factors	Implications
Gamophobia	Fear of marriage and long-term commitment	Divorce culture, legal inequality, trauma, economic insecurity, fear of emotional instability	Marriage perceived as restrictive, risky, and burdensome
Waithood	Delayed transition into adulthood and family formation	Unstable employment, high living costs, educational pressure, changing youth values	Marriage and parenthood increasingly postponed
Childfree movement	Intentional decision not to have children	Economic rationality, environmental concerns, psychological well-being, personal autonomy	Redefining the concept of family and challenging pronatalism norms
Socio-legal transformation of family culture	Shift from traditional family norms toward individualized life choices	Legal modernization, globalization, individualism, socio-economic uncertainty	Necessitates adaptive and inclusive family law reforms

*Source: Authors' elaboration, 2026.*

Table 1 illustrates how psychological factors, economic instability, evolving cultural values, and legal frameworks collectively shape attitudes toward long-term commitment and parenthood. This analysis demonstrates that these developments are not merely individual preferences but are profoundly influenced by broader socio-legal conditions and contemporary societal changes.

### *Gamophobia and Socio-Legal Dynamics in the Contemporary Era*

Gamophobia, etymologically derived from the Greek terms *gamos* (marriage) and *phobos* (fear), denotes an intense, irrational, or persistent fear of marriage.<sup>25</sup> From a psychological standpoint, gamophobia is frequently classified as a form of anxiety or a specific phobia characterized by an excessive emotional response to the prospect of long-term commitment. Nevertheless, gamophobia should not be understood solely as a clinical condition; it also constitutes a social phenomenon that has developed in conjunction with cultural, economic, and legal transformations influencing public perceptions of marriage.<sup>26</sup> Socially, gamophobia reflects an increasing distrust regarding the stability of long-term relationships. Younger generations are often raised in contexts where divorce, domestic conflict, and family dysfunction have become normalized, fostering the perception that marriage is no longer a secure foundation for happiness but rather a source of emotional

<sup>25</sup> Safiudin, "Gender Problems in Indonesia: The Phenomenon of Gamophobia in a Permissive Society."

<sup>26</sup> Jeffrey Jensen Arnett, "Emerging Adulthood: A Theory of Development from the Late Teens through the Twenties," *American Psychologist* 55, no. 5 (2000): 469–80.

risk and social burden. Such environments contribute to heightened caution and fearfulness among individuals contemplating entry into an institution perceived as inherently uncertain.

From a legal standpoint, gamophobia is closely associated with the perception that family law systems treat parties inequitably in matters of divorce, child custody, and asset division. In particular, many men in certain jurisdictions perceive that the law fails to provide adequate protection upon the dissolution of marriage. Obligations such as spousal support, alimony, and the potential loss of child custody frequently contribute to apprehension regarding marriage. This perception reinforces the notion that marriage constitutes a high-risk legal contract.<sup>27</sup> Additionally, past trauma serves as a significant factor contributing to gamophobia. Individuals who have experienced toxic relationships, infidelity, domestic violence, or parental divorce are more prone to developing profound fears of commitment. Such traumatic experiences engender negative associations with marriage, often resulting in avoidance behaviors as a psychological defense mechanism.

Legal risks associated with marriage significantly contribute to the intensification of gamophobia.<sup>28</sup> In numerous countries, family law provisions are often regarded as biased or disproportionately burdensome to one party. When regulations related to asset division, custody, or financial responsibilities are perceived as unjust, individuals increasingly question the merits of entering into a marital contract. This perspective is frequently propagated within digital platforms and online communities, thereby amplifying skepticism and apprehension toward the institution of marriage. Economic instability constitutes a major factor exacerbating gamophobia. Factors such as rising living costs, stagnant wages, escalating housing prices, and career uncertainty lead many individuals to feel financially unprepared for marriage. Within this economic context, marriage is perceived as a costly commitment that may impose significant strain on personal finances. Consequently, individuals often prioritize personal financial stability before undertaking the broader economic risks associated with marriage.

In contemporary society, the phenomenon of marriage avoidance has become increasingly prominent. Many individuals deliberately refrain from entering into committed relationships, not solely due to fear, but also as a result of evolving life values. Priorities such as career advancement, personal autonomy, mobility, and the pursuit of diverse life experiences are often regarded as more significant than marital commitment. Consequently, marriage avoidance is no longer perceived as deviant behavior but is instead understood as a rational choice within an individualistic cultural framework.<sup>29</sup> The fragmentation of modern relationships constitutes a defining feature of current generations. Romantic relationships frequently deviate from traditional trajectories culminating in marriage; instead, temporary arrangements, situationships, and non-committal partnerships have become increasingly prevalent. This trend is attributed to emotional uncertainty, apprehension about losing personal freedom, and a reluctance to engage in binding relational structures. Such fragmentation further reinforces the prevailing culture of marriage avoidance.

<sup>27</sup> Manlin Cai, "For the Sake of Parents? Marriages of Convenience between Lesbians and Gay Men in China," *LGBTQ+ Family: An Interdisciplinary Journal* 19, no. 3 (2023): 211–27.

<sup>28</sup> Nafilah Filah et al., "Systematic Literature Review: Pengaruh Spiritualitas Islam dalam Mengatasi Gejala Gamophobia pada Generasi Muda Muslim Indonesia," *Arus Jurnal Sosial dan Humaniora* 5, no. 1 (2025): 428–35.

<sup>29</sup> Chang, "Why Do Chinese Women Experience Gamophobia? Psychoanalytic Theory Assisted Discourses Analysis."



Gamophobia is increasingly influenced by contemporary cultural constructs that prioritize individual autonomy. An increasing number of individuals now perceive happiness as stemming from personal achievements rather than from traditional family institutions. Factors such as higher education, opportunities for travel, global networking, and lifestyle freedom contribute to an environment in which marriage is often viewed as constraining one's capacity for self-exploration. Consequently, the fear of diminished autonomy has emerged as a primary driver of gamophobia. Overall, gamophobia constitutes a multidimensional phenomenon shaped by psychological, social, economic, and legal factors.<sup>30</sup> It should be understood not merely as a personal fear but as a reflection of evolving social and legal frameworks. In light of the rise in marriage avoidance and the fragmentation of contemporary relationships, gamophobia has become an integral aspect of ongoing transformations in family culture. This phenomenon necessitates a renewed scholarly examination of how family law, social norms, and public policies adapt to the continuous changes within modern societal structures.

### ***Waithood from the Perspective of the Youth Generation***

The term “waithood,” introduced by Diane Singerman in the early 2000s, refers to the prolonged period of waiting experienced by young individuals during their transition into adulthood.<sup>31</sup> Waithood denotes a delayed transitional phase between adolescence and adulthood, characterized by postponed attainment of traditional milestones such as marriage, stable employment, and financial independence. This concept has been extensively employed within the disciplines of sociology, anthropology, and youth studies. Originally, waithood was identified as a social phenomenon predominantly observed in Middle Eastern and North African contexts, where economic stagnation and limited employment opportunities hindered young people from achieving an “ideal” adult life. Nevertheless, the concept has since gained global relevance, including in developed countries, as increasing economic complexity and social pressures have blurred the distinctions between adolescence and young adulthood.

Waithood refers to a condition in which young individuals are either unable or unwilling to meet traditional markers of adulthood. This phenomenon is characterized by the postponement of establishing independent households, purchasing homes, starting families, and making long-term investments. From a sociological perspective, waithood illustrates that the transition to adulthood is no longer a linear process but is significantly shaped by structural factors and personal choices, which are considerably more flexible than those experienced by previous generations.<sup>32</sup> The delay in achieving adulthood holds substantial economic implications. Factors such as the rising cost of living, labor market instability, prevalence of short-term employment contracts, and high educational expenses contribute to many young people feeling financially unprepared to undertake major adult responsibilities. Moreover, the increasing difficulty in securing stable employment—once considered a prerequisite for marriage—further contributes to the postponement of the transition into adulthood.

<sup>30</sup> Safiudin, “Gender Problems in Indonesia: The Phenomenon of Gamophobia in a Permissive Society.”

<sup>31</sup> Francis Arthur-Holmes and Thomas Yeboah, “Reconceptualizing the Youth and Waithood Notions: African Youth Agency and Rural Livelihoods in Artisanal and Small-Scale Mining,” *Journal of Rural Studies* 113 (2025): 103513.

<sup>32</sup> Brandon Finn and Sophie Oldfield, “Straining: Young Men Working through Waithood in Freetown, Sierra Leone,” *Africa Spectrum* 50, no. 3 (2015): 29–48.

From a sociological standpoint, waithood is influenced by evolving values and aspirations among younger generations. These individuals no longer conceptualize adulthood primarily through traditional cultural frameworks, such as early marriage or immediate family formation. Instead, they emphasize personal achievements, including independence, diverse life experiences, mobility, and career advancement. Contemporary values such as self-actualization and personal freedom have become more prominent determinants in life choices. Additionally, young people experience pressure to attain specific benchmarks of success prior to committing to long-term relationships. Factors such as a stable career, psychological well-being, financial security, and a supportive social environment are regarded as essential prerequisites for marriage or parenthood. This outlook contrasts markedly with that of previous generations, who often perceived marriage as the foundation for achieving stability.

Waithood can be understood as a form of resistance to social and economic structures perceived as unjust.<sup>33</sup> Young individuals opt to delay significant life events, such as marriage or starting a family, because the current system does not ensure an adequate standard of living if these transitions occur prematurely. This phenomenon reflects the expanding structural inequalities present in contemporary society. Nevertheless, waithood should not be regarded merely as a passive condition. Numerous scholars interpret waithood as a strategic and adaptive response.<sup>34</sup> By postponing major life decisions, young people aim to secure their position within a fragile economy and an unstable labor market. This delay allows them to enhance their capabilities, pursue higher education, develop skills, and cultivate stronger social networks.

Waithood, as an adaptive strategy, exemplifies young individuals' capacity to assess and navigate the social and economic risks in their environment. By deliberately avoiding commitments that could diminish their quality of life or impose financial burdens, they exercise agency in delaying marriage and family formation. This postponement enables them to exert greater control over their life choices while mitigating potential long-term vulnerabilities. Fundamentally, waithood is a multidimensional phenomenon encompassing economic, social, psychological, and cultural dimensions. It demonstrates how young people respond to the uncertainty's characteristic of the contemporary world.<sup>35</sup> Thus, waithood transcends mere postponement; it embodies the efforts of the current generation to establish a more stable, independent, and meaningful existence prior to undertaking long-term commitments.

### ***The Childfree Movement Among Young Adults***

The childfree movement denotes the intentional decision by individuals or couples to forgo having children throughout their lives. The term "childfree" is distinct from "childless,"<sup>36</sup> the latter describing the absence of children due to involuntary factors such as infertility, medical conditions, or specific life circumstances. In contrast, being childfree represents a

<sup>33</sup> Noa Levy and Itamar Dubinsky, "Forever Young: Institution-Based Waithood among Youth in Ghana and South Africa," *Time & Society* 33, no. 2 (2024): 125–48.

<sup>34</sup> Rahat Shah, Imran Sabir, and Adeela Zaka, "Interdependence and Waithood: Exploration of Family Dynamics and Young Adults' Life Course Trajectories in Pakistan," *Advances in Life Course Research* 63 (2025): 100660.

<sup>35</sup> Rachel Rosen, "From Waithood to Alternative Futures: Unaccompanied Children and Young People's Temporalities of Care in the UK's Migration Regime," *Journal of Ethnic and Migration Studies* 51, no. 6 (2025): 1543–60.

<sup>36</sup> Marsha D. Somers, "A Comparison of Voluntarily Childfree Adults and Parents," *Journal of Marriage and the Family* 55, no. 3 (1993): 643–650.



deliberate and value-based lifestyle choice rather than a consequence of external compulsion. This distinction underscores that the childfree identity is grounded in personal agency. Within contemporary society, the childfree movement has evolved into a distinct cultural identity. Individuals who adopt a childfree lifestyle not only reject traditional societal norms that regard parenthood as an obligatory life milestone but also assert the autonomy to shape their life trajectories free from social expectations.<sup>37</sup> This movement has emerged in tandem with a broader societal shift wherein an individual's worth is no longer predominantly measured by their success in establishing a family with children.

One of the primary motivations for choosing to remain childfree is economic considerations. The escalating costs associated with raising children in many countries lead some individuals to perceive childbearing as a potential threat to their financial stability. Increasing expenses related to education, healthcare, basic necessities, and housing constitute significant factors prompting younger generations to regard the childfree lifestyle as a rational means of preserving their quality of life. Additionally, ecological concerns play a crucial role in the childfree movement.<sup>38</sup> Issues such as climate change, environmental degradation, and carbon emissions influence some individuals to opt against having children. They contend that population growth exacerbates the strain on a planet already confronting an ecological crisis. From this standpoint, choosing to be childfree is viewed as an ethical decision aimed at environmental preservation.

From a psychological perspective, the decision to remain childfree is frequently influenced by considerations related to mental health, experiences of childhood trauma, or the desire to preserve emotional stability. Some individuals perceive that the demands of parenting may induce significant stress and disrupt their psychological equilibrium. With increasing recognition of the importance of mental health, the choice to be childfree has gained greater social acceptance. Additionally, lifestyle factors contribute to the prevalence of the childfree phenomenon. Contemporary society, characterized by global mobility, career flexibility, opportunities for personal exploration, and adaptable life arrangements, encourages many individuals to prioritize enjoyment of life without the constraints commonly associated with parenthood. In this context, choosing to be childfree represents an expression of a lifestyle that values freedom, flexibility, and personal autonomy.

The childfree movement exemplifies the increasing prominence of individualism in contemporary society.<sup>39</sup> Within individualistic cultures, life choices are guided less by familial expectations or societal norms and more by personal preferences. Opting to remain childfree signifies an assertion of one's right to shape their future independently, challenging the cultural assumption that adulthood inherently involves parenthood. As an expression of autonomy, the decision to forgo reproduction affirms an individual's full control over their body and life. This choice contests traditional perspectives that restrict both women and men to predetermined reproductive roles. Such autonomy embodies the conviction that fulfillment need not be contingent upon having children but can instead be derived from life decisions that resonate with one's personal values. In contemporary societies, the childfree movement functions as a form of resistance against social pressures and traditional family paradigms. By rejecting the prevailing narrative that procreation constitutes a moral imperative, individuals who identify as childfree contribute to broader

<sup>37</sup> Debra Mollen, "Voluntarily Childfree Women: Experiences and Counseling Considerations," *Journal of Mental Health Counseling* 28, no. 3 (2006): 269-82.

<sup>38</sup> Rosemary Gillespie, "Childfree And Feminine," *Gender & Society* 17, no. 1 (2003): 122-36.

<sup>39</sup> Brittany Stahnke, Morgan E. Cooley, and Amy Blackstone, "A Systematic Review of Life Satisfaction Experiences Among Childfree Adults," *The Family Journal* 31, no. 1 (2023): 60-68.

dialogues concerning the definitions of family, life purpose, and the diversity of human choices. This movement evidences that family units can exist without children and that individuals can lead productive and meaningful lives without parenthood. Overall, the childfree movement exemplifies how transformations in values, economic conditions, environmental consciousness, and social structures influence the preferences of modern generations.<sup>40</sup> Choosing to be childfree is not merely a refusal to have children but represents an expression of autonomy, economic rationality, and evolving individualistic values. A comprehensive understanding of this phenomenon reveals a societal shift toward greater pluralism in life choices, fostering more inclusive and flexible conceptions of family and well-being.

## Discussion

The legal framework, encompassing institutional mechanisms such as family courts, civil registry offices, legislative bodies, and administrative agencies, plays a significant role in the development of gamophobia. Many individuals view marriage as an institution regulated by legal structures that impose asymmetrical risks, particularly during divorce proceedings involving alimony, child custody, and the division of marital assets. When these institutional processes are perceived as burdensome, unpredictable, or unjust, the fear of entering into such a legally binding commitment becomes a rational response. Consequently, gamophobia arises not only as a psychological condition but also as a structural reaction to perceived legal vulnerabilities. Waithood, defined as the prolonged transition to adulthood, is significantly influenced by deficiencies within legal frameworks governing employment, social welfare, housing, and labor protections.

Structural weaknesses—such as unstable employment regulations, limited worker protections, and restricted access to affordable housing—hinder young adults' capacity to achieve economic security. Consequently, the delay in marriage and family formation emerges as an adaptive response to structural instability, representing a rational interaction with the legal system rather than merely a cultural preference.<sup>41</sup> In the context of the childfree movement, legal frameworks often exhibit an inherent pronatalism bias.<sup>42</sup> Tax benefits, family allowances, childcare subsidies, and parental leave policies are predominantly allocated to parents, whereas individuals who deliberately choose not to have children receive minimal accommodations. This disparity highlights how legal structures privilege reproductive norms and enforce conformity, thereby challenging the autonomy of childfree individuals who advocate for a more neutral and inclusive legal environment.

The legal framework, encompassing statutes, regulations, judicial doctrines, and formal norms, plays a pivotal role in shaping these social phenomena. Numerous family law provisions remain rooted in traditional assumptions regarding gender roles, marital responsibilities, and parental expectations. Substantive rules related to spousal support, custody allocation, and property division are frequently perceived as inequitable by one or both parties, thereby reinforcing apprehensions associated with marriage. Consequently, the

<sup>40</sup> Wahyu Utamidewi et al., "When Spouse Decide to Be Childfree: Are They Happy Without Child?," *Proceedings of International Conference on Communication Science* 2, no. 1 (2022): 915–24.

<sup>41</sup> Lilach Rosenberg-Friedman, "Nationalism, Gender and Feminine Identity: The Case of Post-World War II Zionist Female Emissaries," *European Journal of Jewish Studies* 8, no. 2 (2014): 194–216.

<sup>42</sup> Sulfinadia et al., "The Phenomenon Marriage Is Scary: Causal Factors and Efforts Faced by Muslim Communities in Indonesia."



legal substance directly contributes to the emergence of gamophobia by framing marriage as a legally precarious institution. In relation to waithood, legal provisions often fail to keep pace with socio-economic realities. Laws governing labor markets, higher education, and social welfare systems continue to presuppose a linear life course, wherein young adults' transition rapidly from education to employment and subsequently to marriage.

The insufficient legal responsiveness to economic precarity, rising living costs, student debt burdens, and unstable career trajectories exacerbates the phenomenon of waithood. This incongruity illustrates how substantive law can inadvertently extend the transition to adulthood. Within the context of the childfree movement, substantive law perpetuates normative expectations regarding reproduction.<sup>43</sup> Legal frameworks generally presume that childbearing is socially desirable and thus merits state support. The lack of comparable legal recognition for non-reproductive life choices indicates that substantive law remains aligned with pronatalism ideology.<sup>44</sup> Consequently, individuals who choose to remain childfree may experience marginalization due to legal norms that prioritize familial reproduction over personal autonomy.

The third component, legal culture—comprising the attitudes, values, and beliefs that shape how law is perceived and internalized—offers the most insightful framework for understanding these contemporary changes.<sup>45</sup> Legal culture affects individuals' trust in legal institutions and their perceptions of marriage as either a secure or precarious institution. The normalization of divorce, domestic conflict, and legal disputes over custody has fostered a cultural environment in which marriage is often regarded as an emotionally and legally risky commitment, thereby contributing to gamophobia. Similarly, waithood is linked to shifting cultural conceptions of adulthood. Legal culture increasingly prioritizes personal autonomy, economic self-sufficiency, and psychological readiness over traditional milestones. Consequently, young adults tend to delay marriage not due to outright rejection of the institution but because legal and social expectations no longer correspond with current economic and cultural realities. Thus, legal culture mediates the relationship between individual aspirations and legal norms.<sup>46</sup>

The childfree movement exemplifies a broader cultural shift toward individualism, bodily autonomy, and self-determined life trajectories.<sup>47</sup> Legal culture, which emphasizes personal rights, gender equality, and freedom of choice, provides intellectual support for this movement, even when legal frameworks and substantive laws have yet to fully adapt. By contesting pronatalism cultural norms embedded within legal systems, the childfree movement advocates for greater congruence between personal autonomy and legal recognition. Overall, Friedman's framework illustrates that phenomena such as gamophobia, waithood, and the childfree movement cannot be fully comprehended without

<sup>43</sup> Ahmadrezy Meidina and Mega Puspita, "Childfree Practices in Indonesia," *Hayula: Indonesian Journal of Multidisciplinary Islamic Studies* 7, no. 1 (2023): 17-32.

<sup>44</sup> Erfaniah Zuhriah et al., "Childfree, the Digital Era, and Islamic Law: Views of Nahdlatul Ulama, Muhammadiyah, and Gender Activists in Malang, Indonesia," *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* 7, no. 3 (2023): 1606-1626.

<sup>45</sup> Syafik Muhammad et al., "The Impact of the Family Values Crisis on Children's Right to Education: An Islamic Legal Principles Perspective in Addressing the Challenges of the Modern Era," *El-Aqwal: Journal of Sharia and Comparative Law* 4, no. 1 (2025): 17-34.

<sup>46</sup> Muchamad Coirun Nizar, Feria Tamara, and M. Noviani Ardi, "Between Work and Family: Multiple Role Strategies of Career Women in Sultan Agung Islamic University," *Al-Hukama'* 13, no. 1 (2023): 115-39.

<sup>47</sup> Eti Hadiati, Diah Ayu Setianingrum, and Agus Dwiyanto, "Understanding Childlessness: Islamic Law Perspective Involving a Social Media Influencer and Their Impacts," *KnE Social Sciences* 10, no. 14 (2025): 786-95.

considering the dynamic interplay among legal structures, substantive norms, and evolving cultural orientations within contemporary legal systems.<sup>48</sup>

The framework of maqasid sharia is essential for understanding the interaction between contemporary social transformations and the fundamental objectives of Islamic law.<sup>49</sup> Classical Islamic legal theory posits that the law seeks to safeguard essential human interests by protecting religion (*ḥifẓ al-dīn*), life (*ḥifẓ al-nafs*), intellect (*ḥifẓ al-‘aql*), lineage (*ḥifẓ al-nasl*), and property (*ḥifẓ al-māl*). These five protections constitute a comprehensive framework for assessing whether contemporary family-related phenomena represent merely individual lifestyle choices or signify broader socio-legal challenges that necessitate adaptive legal responses. Accordingly, gamophobia, waithood, and the childfree movement should be analyzed not only from normative or moralistic perspectives but also through a contextual lens that accounts for social pressures, economic instability, mental health concerns, gender relations, and evolving cultural values in modern society.<sup>50</sup>

From the perspective of *ḥifẓ al-dīn* (protection of religion), the increasing tendency to delay or avoid marriage poses a complex challenge for contemporary Muslim societies. Within Islamic legal tradition, marriage is regarded as a fundamental institution for maintaining moral order, social ethics, and religious responsibility. Phenomena such as gamophobia and prolonged waithood may indirectly undermine traditional religious conceptions of family obligations and social continuity, especially when marriage is increasingly viewed as burdensome or legally precarious.<sup>51</sup> However, contemporary scholars who adopt a maqasid-oriented approach contend that the protection of religion should not be confined solely to the formalization of marriage but must also encompass the preservation of justice, emotional well-being, and human dignity within marital relationships. In this context, compelling individuals to enter unstable marriages without psychological or economic preparedness may contravene the broader objectives of Islamic law, which emphasize balance, compassion, and social harmony. Consequently, the maqasid framework advocates for a contextualized understanding that upholds religious values while recognizing the evolving realities faced by younger generations.<sup>52</sup>

Regarding *ḥifẓ al-nafs* (the protection of life and human well-being), the phenomena of gamophobia and the choice to remain childfree can be interpreted as responses to psychological pressures and socio-economic anxieties that impact individual welfare.<sup>53</sup> Many individuals develop a fear of marriage due to experiences involving domestic violence, emotional instability, toxic relationships, or legal disputes related to divorce and financial obligations. Similarly, the decision to remain childfree is frequently linked to concerns about mental health, emotional exhaustion, and the challenges of providing

<sup>48</sup> Satria Dwie Rahardja and Zainal Arifin Hoesein, “Comparison of Legal Systems in the Perspective of Contemporary Issues and Their Application in Indonesia,” *International Journal of Social Service and Research* 4, no. 12 (2024): 1–9.

<sup>49</sup> Humam Balya, “Childfree by Choice: A Systematic Literature Review on Islamic Perspectives and Socio-Cultural Dynamics in Indonesia,” *Jurnal Ilmiah Ahwal Syakhshiyah* 7, no. 2 (2025): 398–416.

<sup>50</sup> Agrillo and Nelini, “Childfree by Choice: A Review”; Meidina and Puspita, “Childfree Practices in Indonesia.”

<sup>51</sup> Shunxiang Zhang et al., “Gender Opposition Recognition Method Fusing Emojis and Multi-Features in Chinese Speech,” *Soft Computing* 29, no. 4 (2025): 2379–90.

<sup>52</sup> Chang, “Why Do Chinese Women Experience Gamophobia? Psychoanalytic Theory Assisted Discourses Analysis.”

<sup>53</sup> Nabila Atika Ajra, Mela Desina, and Yuliana Intan Lestari, “Shifts in Modern Commitment: The Phenomenon of Fear of Marriage and Childfree from an Evolutionary Psychology Perspective,” *Socius: Jurnal Penelitian Ilmu-Ilmu Sosial* 3, no. 5 (2025): 521–29.



adequate care amid increasingly demanding economic conditions.<sup>54</sup> Within the framework of maqasid sharia, the protection of human life encompasses not only physical survival but also psychological stability and social security. Accordingly, contemporary Islamic legal discourse increasingly acknowledges that family institutions should serve as spaces of protection and mutual support rather than sources of suffering or coercion. This perspective underscores that preserving individual well-being is a fundamental component of Islamic legal objectives in addressing modern family dynamics.

The concept of *hifz al-'aql* (protection of intellect and rationality) is highly pertinent to understanding the emergence of waithood and the childfree movement.<sup>55</sup> Contemporary generations increasingly prioritize higher education, career advancement, self-improvement, and emotional maturity prior to entering marriage or parenthood. These considerations reflect rational decision-making processes informed by awareness of economic uncertainty, social responsibility, and long-term life planning. From a maqasid sharia perspective, the protection of intellect entails encouraging individuals to make thoughtful and informed decisions that prevent harm and promote social welfare. Consequently, postponing marriage for educational or professional reasons should not be automatically construed as a rejection of religious values; rather, it may represent a rational adaptation to contemporary circumstances. Similarly, the childfree movement can be understood as an exercise of personal autonomy grounded in reflective deliberation concerning the responsibilities of parenthood, environmental sustainability, and psychological preparedness.<sup>56</sup> Islamic legal scholarship that employs a contextual maqasid approach tends to assess these phenomena through the principles of *maṣlahah* (public benefit) and harm avoidance, rather than relying exclusively on rigid normative assumptions.

From the perspective of *hifz al-nasl* (the protection of lineage and family continuity), gamophobia, waithood, and particularly the childfree movement provoke significant theological and legal debates.<sup>57</sup> Classical Islamic jurisprudence traditionally regards procreation as a central objective of marriage, intimately linked to the preservation of family lineage and social continuity. Consequently, the increasing normalization of childfree lifestyles may be perceived as challenging conventional understandings of the social functions of marriage and reproduction within Muslim societies. However, contemporary scholars increasingly argue that the preservation of lineage should not be understood solely in quantitative terms of biological reproduction but also qualitatively, through the establishment of healthy, stable, and responsible family structures. In this regard, delaying marriage or opting not to have children may reflect legitimate concerns about the capacity to provide adequate emotional, educational, and financial support for future generations.<sup>58</sup> Accordingly, the maqasid approach advocates for a broader reflection

<sup>54</sup> Deulin Vladimirovich Dmitry and Penkov Alexander Mikhailovich, "Psychological Phenomenon of Childfree as a Problem of Modern Youth," *Anatolian Journal of Mental Health* 2, no. 2 (2025): 57–72.

<sup>55</sup> Ani Supriyani and Nina Fitriana, "Culture Shock Childfree Phenomenon in Indonesia from a Biopsychological and Humanistic Perspective," *Enrichment: Journal of Multidisciplinary Research and Development* 3, no. 7 (2025): 3165–71.

<sup>56</sup> Chang, "Why Do Chinese Women Experience Gamophobia? Psychoanalytic Theory Assisted Discourses Analysis."

<sup>57</sup> Nadia ilma Umami et al., "The Tradition of Walimah Al-'Urs Across Time: A Study of the Prophet's Hadith and Reflections on the 'Marriage Is Scary' Phenomenon," *Madinah: Jurnal Studi Islam* 12, no. 2 (2025): 283–96.

<sup>58</sup> Nuriatul Maftukhah, Mustafiqul Hilmi, and Nur Hasaniyah, "Childfree Trend on Social Media (Critical Analyses Studies in Islamic Perspective)," *Hakam: Jurnal Kajian Hukum Islam dan Hukum Ekonomi Islam* 7, no. 2 (2023): 201–213.

on how family sustainability can be maintained amid evolving social conditions, while acknowledging the realities of economic hardship and individual capability.

The dimension of *ḥifz al-māl* (protection of property and economic stability) plays a significant role in the emergence of gamophobia, waithood, and decisions to remain childfree in contemporary society.<sup>59</sup> Economic insecurity, unemployment, rising living costs, housing crises, and the escalating expenses associated with marriage and child-rearing have substantially altered perceptions of family life. Many young individuals regard marriage as a financial burden that may jeopardize long-term economic stability, particularly within legal frameworks where post-divorce financial obligations are perceived as unequal or uncertain. Within the framework of maqasid sharia, the protection of wealth encompasses the prevention of economic harm, exploitation, and excessive burdens that could undermine individual welfare. Consequently, postponing marriage or limiting family size may be understood as rational strategies to preserve financial sustainability amid modern economic pressures. This analysis underscores that contemporary family-related phenomena are inextricably linked to broader structural inequalities and economic transformations that shape personal decisions. Therefore, Islamic legal discourse necessitates adaptive and responsive interpretations that reconcile normative family ideals with contemporary socio-economic realities.<sup>60</sup>

## Conclusion

The findings of this study indicate that gamophobia, waithood, and the childfree movement constitute interconnected expressions of contemporary social transformation impacting the institutions of marriage and family. The fear of emotional, economic, and legal risks associated with marriage, extended transitions into adulthood driven by socio-economic uncertainty, and deliberate decisions to forgo parenthood collectively reflect shifting priorities among modern generations toward autonomy, psychological well-being, and quality of life. Employing Friedman's legal system theory, this study demonstrates that tensions among legal structure, legal substance, and legal culture substantially shape public perceptions of marriage and family formation. Furthermore, analysis through the maqasid sharia framework reveals that these phenomena are closely linked to the preservation of religion (*ḥifz al-dīn*), psychological well-being (*ḥifz al-nafs*), intellect (*ḥifz al-'aql*), lineage (*ḥifz al-nasl*), and economic stability (*ḥifz al-māl*). Accordingly, these phenomena should not be regarded merely as deviations from traditional norms but rather as adaptive responses to evolving socio-economic conditions, shifting cultural values, and contemporary legal challenges.

This study makes a significant academic contribution by integrating socio-legal analysis, Friedman's legal system theory, and the maqasid sharia framework to provide a more comprehensive examination of contemporary family-related phenomena. In contrast to prior research that tends to address gamophobia, waithood, or childfree preferences in isolation—often from psychological, sociological, or theological perspectives—this study elucidates the interconnections among legal systems, individual autonomy, and the objectives of Islamic law. Theoretically, the article advances contemporary discourse on Islamic family law by situating maqasid sharia within the context of modern social

<sup>59</sup> Sulfinadia et al., "The Phenomenon Marriage Is Scary: Causal Factors and Efforts Faced by Muslim Communities in Indonesia."

<sup>60</sup> Zuhriah et al., "Childfree, the Digital Era, and Islamic Law: Views of Nahdlatul Ulama, Muhammadiyah, and Gender Activists in Malang, Indonesia."



transformations and ongoing debates surrounding marriage, reproduction, and personal choice. From a practical standpoint, the findings underscore the necessity for adaptive family law reforms that promote balanced rights, psychological well-being, social justice, and legal certainty, while remaining responsive to the evolving realities faced by younger generations in contemporary society.

This study presents several limitations. It predominantly relies on qualitative literature analysis and does not incorporate direct empirical data derived from interviews, surveys, or field observations involving individuals experiencing gamophobia, waithood, or childfree lifestyles. The comparative legal analysis is confined to selected contemporary legal contexts and does not comprehensively address variations across broader regional or cultural settings. The maqasid sharia analysis primarily emphasizes conceptual interpretation rather than practical implementation within specific legal institutions or policy frameworks. Consequently, future research should adopt empirical and interdisciplinary methodologies, integrating psychological, sociological, and legal field studies to achieve a more comprehensive understanding of contemporary family transformations. Additionally, further studies could investigate the comparative application of maqasid sharia across different Muslim societies and assess how legal reforms might effectively reconcile religious values, individual autonomy, and social welfare within the evolving context of modern family life.

### Acknowledgments

The authors express their sincere gratitude to the reviewers for their valuable feedback and constructive insights, which have substantially enhanced the theoretical, methodological, and analytical rigor of this article, especially in the domains of socio-legal studies, Islamic legal discourse, and contemporary family law.

### Disclosure Statement

The authors declare that this research was conducted without any financial, commercial, institutional, or personal relationships that could be perceived as potential conflicts of interest.

### Ethical Approval

This study did not involve human participants nor the collection of sensitive personal data; therefore, ethical approval was considered unnecessary.

### References

- Agrillo, Christian, and Cristian Nelini. "Childfree by Choice: A Review." *Journal of Cultural Geography* 25, no. 3 (2008): 347–63. <https://doi.org/10.1080/08873630802476292>.
- Ajra, Nabila Atika, Mela Desina, and Yuliana Intan Lestari. "Shifts in Modern Commitment: The Phenomenon of Fear of Marriage and Childfree from an Evolutionary Psychology Perspective." *Socius: Jurnal Penelitian Ilmu-Ilmu Sosial* 3, no. 5 (2025): 521–29. <https://doi.org/https://doi.org/10.5281/zenodo.18052938>.
- Alifa Izzatun Nisa, and Mirna Nur Alia Abdullah. "Fenomena Gamophobia Pada Gen Z Dampak dari Kasus Perceraian Orang Tua." *Sabana: Jurnal Sosiologi, Antropologi, Dan Budaya Nusantara* 3, no. 3 (2024): 243–48. <https://doi.org/10.55123/sabana.v3i3.3361>.

- Arnett, Jeffrey Jensen. "Emerging Adulthood: A Theory of Development from the Late Teens through the Twenties." *American Psychologist* 55, no. 5 (2000): 469–80. <https://doi.org/10.1037/0003-066X.55.5.469>.
- Arthur-Holmes, Francis, and Thomas Yeboah. "Reconceptualizing the Youth and Waithood Notions: African Youth Agency and Rural Livelihoods in Artisanal and Small-Scale Mining." *Journal of Rural Studies* 113 (2025): 103513. <https://doi.org/10.1016/j.jrurstud.2024.103513>.
- Al-Shāṭibī, Abū Ishāq. *Al-Muwāfaqāt fī Uṣūl al-Sharī'ah*. Beirut: Dār al-Kutub al-'Ilmiyyah, n.d.
- Backhouse, Roger. "The Debate over Milton Friedman's Theoretical Framework: An Economist's View." In *Economics and Language*. New York: Routledge, 2020.
- Balya, Humam. "Childfree by Choice: A Systematic Literature Review on Islamic Perspectives and Socio-Cultural Dynamics in Indonesia." *Jurnal Ilmiah Ahwal Syakhshiyah* 7, no. 2 (2025): 398–416.
- Bermúdez Figueroa, Eva, Valerija Dabetić, Raquel Pastor Yuste, and Zara Saeidzadeh. "Gender and Structural Inequalities from a Socio-Legal Perspective." (2023): 95–142. [https://doi.org/10.1007/978-3-031-14360-1\\_4](https://doi.org/10.1007/978-3-031-14360-1_4).
- Blackstone, Amy, and Mahala Dyer Stewart. "Choosing to Be Childfree: Research on the Decision Not to Parent." *Sociology Compass* 6, no. 9 (2012): 718–27. <https://doi.org/10.1111/j.1751-9020.2012.00496.x>.
- Cai, Manlin. "For the Sake of Parents? Marriages of Convenience between Lesbians and Gay Men in China." *LGBTQ+ Family: An Interdisciplinary Journal* 19, no. 3 (2023): 211–27. <https://doi.org/10.1080/27703371.2023.2172509>.
- Chang, Joanna Nian. "Why Do Chinese Women Experience Gamophobia? Psychoanalytic Theory Assisted Discourses Analysis." *Frontiers in Psychology* 15: 1357795 (2024): 1–11. <https://doi.org/10.3389/fpsyg.2024.1357795>.
- Creutzfeldt, Naomi, Marc Mason, and Kirsten McConnachie. *Routledge Handbook of Socio-Legal Theory and Methods*. New York: Routledge, 2020.
- Cuzzocrea, Valentina. "Moratorium or Waithood? Forms of Time-Taking and the Changing Shape of Youth." *Time & Society* 28, no. 2 (2019): 567–86. <https://doi.org/10.1177/0961463X18763680>.
- Hussain, Dr Syed Maisoor. "The Intersection of Islamic Law and Modern Human Rights." *Journal of Religion and Society* 3, no. 1 (2025): 382–94. <https://islamicreligious.com/index.php/Journal/article/view/83>.
- Duasa, Jarita, Izyani Zulkifli, and Zera Zuryana Idris. "Voluntary Childlessness and Islamic Perspectives: A Systematic Literature Review." *Malaysian Journal of Islamic Studies* 9, no. 2 (2025): 108–27. <https://doi.org/10.37231/mjis.2025.9.2.301>.
- Faris LC, Salman. "Revisiting the Legacy of Islamic Legal Scholarship: The Influence of Sharia on Contemporary Legal Systems." *Journal of Islamic Law and Legal Studies* 2, no. 1 (2025): 1–15. <https://doi.org/10.70063/-v2i1.56>.
- Fatkhurrokhman, Ricy, Muhammad Royhan Assaiq, and Tri Wastuti. "Covering Shame, Sacrificing Rights: A Maqāṣid Al-Sharī'ah Perspective on Child Protection in Incestuous Marriage Practices." *International Journal of Social Science and Religion*, 6, no. 3 (2025): 347–448. <https://doi.org/10.53639/ijssr.v6i3.380>.
- Filah, Nafilah, Aspandi, Iffan Ahmad Gufron, and Suadi Sa'ad. "Systematic Literature Review: Pengaruh Spiritualitas Islam dalam Mengatasi Gejala Gamophobia pada Generasi Muda Muslim Indonesia." *Arus Jurnal Sosial dan Humaniora* 5, no. 1 (2025): 428–35. <https://doi.org/10.57250/ajsh.v5i1.1052>.



- Finn, Brandon, and Sophie Oldfield. "Straining: Young Men Working through Waithood in Freetown, Sierra Leone." *Africa Spectrum* 50, no. 3 (2015): 29–48. <https://doi.org/10.1177/000203971505000302>.
- Friedman, Lawrence M. *The Legal System: A Social Science Perspective*. New York: Russell Sage Foundation, 1987.
- Gillespie, Rosemary. "Childfree and Feminine." *Gender & Society* 17, no. 1 (2003): 122–36. <https://doi.org/10.1177/0891243202238982>.
- Hadiati, Eti, Diah Ayu Setianingrum, and Agus Dwiyanto. "Understanding Childlessness: Islamic Law Perspective Involving a Social Media Influencer and Their Impacts." *KnE Social Sciences* 10, no. 14 (2025): 786–95. <https://doi.org/10.18502/kss.v10i14.19139>.
- Hariyanto, Hariyanto, Ahmad Rezy Meidina, and Mabarroh Azizah. "Decentralization and the Fulfilments of Children's Rights: Challenges and Opportunities for Local Government in Indonesia." *Lex Scientia Law Review* 8, no. 2 (2024): 677–706. <https://doi.org/10.15294/lslr.v8i2.14373>.
- Harrington, Rebecca. "Childfree by Choice." *Studies in Gender and Sexuality* 20, no. 1 (2019): 22–35. <https://doi.org/10.1080/15240657.2019.1559515>.
- Hennink, Monique, Inge Hutter, and Ajay Bailey. *Qualitative Research Methods*. Sage, 2020.
- Husain, Sahin, Nasir Purkon Ayoub, and Mukhammadolim Hassmann. "Legal Pluralism in Contemporary Societies: Dynamics of Interaction between Islamic Law and Secular Civil Law." *Syariat: Akhwal Syaksyah, Jinayah, Siyasah and Muamalah* 1, no. 1 (2024): 1–17.
- Inhorn, Marcia C, and Nancy J Smith-Hefner. *Waithood: Gender, Education, and Global Delays in Marriage and Childbearing*. Vol. 47. New York: Berghahn Books, 2020.
- Keldal, Gökay, and Gürcan Şeker. "Marriage or Career? Young Adults' Priorities in Their Life Plans." *The American Journal of Family Therapy* 50, no. 5 (2022): 459–74. <https://doi.org/10.1080/01926187.2021.1915213>.
- Khoiruddin Nasution, Zezen Zainul Ali, Mufrod Teguh Mulyo, Syamruddin Nasution, and Syaefullah. "The Childfree Discourse in Contemporary Islamic Family Law and Human Rights: Insights from Young Muslim Academics in Indonesia." *MILRev: Metro Islamic Law Review* 5, no. 1 (2026): 1–32. <https://doi.org/10.32332/milrev.v5i1.11080>.
- Levy, Noa, and Itamar Dubinsky. "Forever Young: Institution-Based Waithood among Youth in Ghana and South Africa." *Time & Society* 33, no. 2 (2024): 125–48. <https://doi.org/10.1177/0961463X231193143>.
- Maftukhah, Nuriatul, Mustafiqul Hilmi, and Nur Hasaniyah. "Childfree Trend on Social Media (Critical Analyses Studies in Islamic Perspective)." *Hakam: Jurnal Kajian Hukum Islam dan Hukum Ekonomi Islam* 7, no. 2 (2023): 201–213. <https://doi.org/10.33650/jhi.v7i2.6854>.
- Meidina, Ahmad Rezy, Zezen Zainul Ali, Mega Puspita, Hilma Nur Ashlakha, and Anisatuz Zahro. "What an Important Implementation of the Educational Rights of Adopted Children in Indonesia from an Islamic Jurisprudence Perspective?" *El-Aqwal: Journal of Sharia and Comparative Law* 3, no. 1 (2024): 85–96. <https://doi.org/10.24090/el-aqwal.v3i1.11125>.
- Meidina, Ahmadrezy, and Mega Puspita. "Childfree Practices in Indonesia." *Hayula: Indonesian Journal of Multidisciplinary Islamic Studies* 7, no. 1 (2023): 17–32. <https://doi.org/10.21009/hayula.007.01.02>.
- Mollen, Debra. "Voluntarily Childfree Women: Experiences and Counseling Considerations." *Journal of Mental Health Counseling* 28, no. 3 (2006): 269–82. <https://doi.org/10.17744/mehc.28.3.39w5h93mreb0mk4f>.

- Muhammad, Syafik, Fi'liatul Laili, Hilma Nur Ashlakha, and Ahmad Rezy Meidina. "The Impact of the Family Values Crisis on Children's Right to Education: An Islamic Legal Principles Perspective in Addressing the Challenges of the Modern Era." *El-Aqwal: Journal of Sharia and Comparative Law* 4, no. 1 (2025): 17–34. <https://doi.org/10.24090/el-aqwal.v4i1.13600>.
- Musrifah, Musrifah, and Achmad Yusuf Amin. "The Concept of Mental Health and Mental Care: A Study of Zakiah Daradjat's Thoughts." *International Journal of Social Science and Religion*, 3, no. 2 (2022): 171–84. <https://doi.org/10.53639/ijssr.v3i3.60>.
- Nizar, Muchamad Coirun, FERIA Tamara, and M. Noviani Ardi. "Between Work and Family: Multiple Role Strategies of Career Women in Sultan Agung Islamic University." *Al-Hukama'* 13, no. 1 (2023): 115–39. <https://doi.org/10.15642/alhukama.2023.13.1.115-139>.
- Rahardja, Satria Dwie, and Zainal Arifin Hoesein. "Comparison of Legal Systems in the Perspective of Contemporary Issues and Their Application In Indonesia." *International Journal of Social Service and Research* 4, no. 12 (2024): 1–9. <https://doi.org/10.46799/ijssr.v4i12.1149>.
- Rosen, Rachel. "From Waithood to Alternative Futures: Unaccompanied Children and Young People's Temporalities of Care in the UK's Migration Regime." *Journal of Ethnic and Migration Studies* 51, no. 6 (2025): 1543–60. <https://doi.org/10.1080/1369183X.2024.2441586>.
- Rosenberg-Friedman, Lilach. "Nationalism, Gender and Feminine Identity: The Case of Post-World War II Zionist Female Emissaries." *European Journal of Jewish Studies* 8, no. 2 (2014): 194–216.
- Safiudin, Khamdan. "Gender Problems in Indonesia: The Phenomenon of Gamophobia in a Permissive Society." *An-Nisa Jurnal Kajian Perempuan dan Keislaman* 17, no. 1 (2024): 67–82. <https://doi.org/10.35719/annisa.v17i1.245>.
- Shah, Rahat, Imran Sabir, and Adeela Zaka. "Interdependence and Waithood: Exploration of Family Dynamics and Young Adults' Life Course Trajectories in Pakistan." *Advances in Life Course Research* 63 (2025): 100660. <https://doi.org/10.1016/j.alcr.2025.100660>.
- Somers, Marsha D. "A Comparison of Voluntarily Childfree Adults and Parents." *Journal of Marriage and the Family* 55, no. 3 (1993): 643–650. <https://doi.org/10.2307/353345>.
- Stahnke, Brittany, Morgan E. Cooley, and Amy Blackstone. "A Systematic Review of Life Satisfaction Experiences Among Childfree Adults." *The Family Journal* 31, no. 1 (2023): 60–68. <https://doi.org/10.1177/10664807221104795>.
- Subhan, Moh, and Moh. Mahbub Jamalul Lail. "The Dialectics of Childfree: Integrating Islamic Law, Individual Rights, and Social Transformation in the Modern Era." *Musabab* 2, no. 1 (2026): 29–41. <https://journal.shafiyah.org/index.php/musabab/article/view/60>.
- Sulfinadia, Hamda, Jurna Petri Roszi, Mega Puspita, A'zizil Fadli, and A'inil Fadli. "The Phenomenon Marriage Is Scary: Causal Factors and Efforts Faced by Muslim Communities in Indonesia." *Al-Istinbath: Jurnal Hukum Islam* 10, no. 1 (2025): 355–77. <https://doi.org/10.29240/jhi.v10i1.12414>.
- Supriyani, Ani, and Nina Fitriana. "Culture Shock Childfree Phenomenon in Indonesia from A Biopsychological and Humanistic Perspective." *Enrichment: Journal of Multidisciplinary Research and Development* 3, no. 7 (2025): 3165–71. <https://doi.org/10.55324/enrichment.v3i7.521>.
- Syafi'i, Imam, Tutik Hamidah, Noer Yasin, and Umar Muhammad. "Childfree in Islamic Law Perspective of Nahdlatul Ulama." *Al-Ahkam* 33, no. 1 (2023): 1–22. <https://doi.org/10.21580/ahkam.2023.33.1.14576>.



- Umami, Nadia ilma, Machmudah Lailiyah, Asqina Haudlatul Ashfa, and Mohammad Hamsa Fauriz. "The Tradition of Walimah Al-'Urs Across Time: A Study of the Prophet's Hadith and Reflections on the 'Marriage Is Scary' Phenomenon." *Madinah: Jurnal Studi Islam* 12, no. 2 (2025): 283–96. <https://doi.org/10.58518/madinah.V12i2.3783>.
- Utamidewi, Wahyu, Wisnu Widjanarko, Zainal Abidin, and Luluatu Nayiroh. "When Spouse Decide to Be Childfree: Are They Happy Without Child?" *Proceedings of International Conference on Communication Science* 2, no. 1 (2022): 915–24. <https://doi.org/10.29303/iccsproceeding.v2i1.118>.
- Vladimirovich Dmitry, Deulin, and Penkov Alexander Mikhailovich. "Psychological Phenomenon of Childfree as a Problem of Modern Youth." *Anatolian Journal of Mental Health* 2, no. 2 (2025): 57–72. <https://doi.org/10.5281/zenodo.17097887>.
- Wulandari, Rani. "Waithood: Tren Penundaan Pernikahan pada Perempuan di Sulawesi Selatan." *Emik* 6, no. 1 (2023): 52–67. <https://doi.org/10.46918/emik.v6i1.1712>.
- Yuli, Yuliatin, Ardian Kurniawan Ardian, and M. Kamal Fathoni Kamal. "The Childfree Phenomenon: An Examination of the Interplay Between Traditional and Religious Values in the Malay Community of Jambi." *ADHKI: Journal of Islamic Family Law* 7, no. 1 (2025): 134. <https://doi.org/10.37876/adhki.v7i1.134>.
- Zhang, Shunxiang, Zichen Ma, Hanchen Li, Yunduo Liu, Lei Chen, and Kuan-Ching Li. "Gender Opposition Recognition Method Fusing Emojis and Multi-Features in Chinese Speech." *Soft Computing* 29, no. 4 (2025): 2379–90. <https://doi.org/10.1007/s00500-025-10492-4>.
- Zuhriah, Erfaniah, Erik Sabti Rahmawati, Melinda Aprilyanti, Umi Chaidaroh, and Mufidah Ch. "Childfree, the Digital Era, and Islamic Law: Views of Nahdlatul Ulama, Muhammadiyah, and Gender Activists in Malang, Indonesia." *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* 7, no. 3 (2023): 1606–1626. <https://doi.org/10.22373/sjhc.v7i3.17753>.