



Contemporary Ulama's Perspectives on Contraception in Modern Families: A Comparative Analysis of Yusuf al-Qaradawi and Ibn Utsaimin

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Abstract

The use of contraception in Muslim families remains a debated issue among contemporary Islamic scholars, particularly in response to changing social conditions, reproductive health concerns, and the evolving dynamics of modern family life. Previous studies have generally examined contraception from normative Islamic legal perspectives, while comparative analyses of the views of Yusuf al-Qaradawi and Ibn Utsaimin remain relatively limited. Therefore, this study aims to comparatively analyze the legal reasoning, methods of legal interpretation (*istinbāt*), and contemporary relevance of the views of both scholars regarding the use of contraception in modern Muslim families. This study employs a qualitative library research method using a descriptive-comparative approach. Data were collected from classical and contemporary Islamic legal literature, fatwas, scholarly publications, and academic studies related to family planning and reproductive ethics in Islam. The data were analyzed using comparative content analysis to identify the similarities, differences, and underlying methodological foundations of the two scholars' perspectives. The findings reveal that both Yusuf al-Qaradawi and Ibn Utsaimin permit the use of temporary contraception under specific conditions, particularly to protect maternal health, ensure child welfare, and maintain family stability. However, they differ significantly in their legal methodologies. Yusuf al-Qaradawi adopts a more contextual approach based on *maqāṣid al-sharī'ah* and public welfare (*maṣlaḥah*), whereas Ibn Utsaimin applies a more textual and precautionary approach by adhering closely to scriptural evidence. This study contributes to the development of contemporary Islamic family law by demonstrating how different methods of legal interpretation shape Islamic legal responses to modern reproductive issues. The findings also provide valuable insights for scholars, policymakers, and family planning practitioners in formulating reproductive health policies that are consistent with Islamic legal principles while remaining responsive to the needs of modern Muslim families.

Keywords: Contemporary Scholars, Modern Family, Reproductive Ethics, Yusuf al-Qaradawi, Ibn Utsaimin.



Abstrak

Penggunaan kontrasepsi dalam keluarga Muslim masih menjadi isu yang diperdebatkan di kalangan ulama kontemporer, terutama sebagai respons terhadap perubahan kondisi sosial, persoalan kesehatan reproduksi, dan dinamika kehidupan keluarga modern yang terus berkembang. Penelitian-penelitian sebelumnya umumnya mengkaji kontrasepsi dari perspektif hukum Islam normatif, sedangkan analisis komparatif mengenai pandangan Yusuf al-Qaradawi dan Ibn Utsaimin masih relatif terbatas. Oleh karena itu, penelitian ini bertujuan untuk menganalisis secara komparatif argumentasi hukum, metode *istinbāt* hukum, dan relevansi kontemporer pandangan kedua ulama mengenai penggunaan kontrasepsi dalam keluarga Muslim modern. Penelitian ini menggunakan metode penelitian kepustakaan (*library research*) dengan pendekatan deskriptif-komparatif. Data diperoleh dari literatur hukum Islam klasik dan kontemporer, fatwa, publikasi ilmiah, serta berbagai penelitian yang berkaitan dengan keluarga berencana dan etika reproduksi dalam Islam. Data dianalisis menggunakan teknik analisis isi komparatif untuk mengidentifikasi persamaan, perbedaan, serta landasan metodologis yang mendasari pandangan kedua ulama. Hasil penelitian menunjukkan bahwa Yusuf al-Qaradawi dan Ibn Utsaimin sama-sama membolehkan penggunaan kontrasepsi yang bersifat sementara dengan syarat-syarat tertentu, terutama untuk melindungi kesehatan ibu, menjamin kesejahteraan anak, dan menjaga stabilitas keluarga. Namun, keduanya memiliki perbedaan yang signifikan dalam metodologi penetapan hukum. Yusuf al-Qaradawi menggunakan pendekatan yang lebih kontekstual dengan berlandaskan pada *maqāṣid al-sharī'ah* dan kemaslahatan (*maṣlaḥah*), sedangkan Ibn Utsaimin menerapkan pendekatan yang lebih tekstual dan berhati-hati dengan berpegang secara ketat pada dalil-dalil syariat. Penelitian ini berkontribusi terhadap pengembangan hukum keluarga Islam kontemporer dengan menunjukkan bahwa perbedaan metode *istinbāt* hukum menghasilkan respons hukum Islam yang berbeda terhadap isu-isu reproduksi modern. Selain itu, temuan penelitian ini memberikan kontribusi bagi akademisi, pembuat kebijakan, dan praktisi keluarga berencana dalam merumuskan kebijakan kesehatan reproduksi yang selaras dengan prinsip-prinsip hukum Islam serta responsif terhadap kebutuhan keluarga Muslim modern.

Kata Kunci: Ulama Kontemporer, Keluarga Modern, Etika Reproduksi, Yusuf al-Qaradawi, Ibn Utsaimin.

Introduction

The transformation of modern society has significantly affected the structure and dynamics of Muslim families, particularly in relation to reproductive decision-making, birth spacing, and family planning.¹ In classical Islamic thought, marriage is not merely intended to fulfill emotional and biological needs, but also to preserve lineage (*ḥifẓ al-nasl*) as one of the essential objectives of Islamic law (*maqāṣid al-sharī'ah*).² However, in contemporary society, the family is no longer viewed solely as a reproductive institution; it is also understood as a social space for education, welfare, emotional stability, and the development

¹ Komaruddin Hidayat, *Contemporary Family Fiqh* (Jakarta: Prenadamedia Group, 2018). 30

² Asman, "The Sakinah Family in the Study of Islamic Law," *Al-Qadha: Jurnal Hukum Islam Dan Perundang-Undangan* 7, no. 2 (2020): 104, <https://doi.org/10.32505/qadha.v7i2.1952>.

of human quality.³ These changing social realities have intensified debates concerning the permissibility and ethical boundaries of contraceptive use in Muslim families.⁴

The discourse on contraception in Islam is not entirely new.⁵ Classical Islamic jurisprudence discussed birth control primarily through the practice of *'azl* (*coitus interruptus*), which many jurists regarded as permissible under certain conditions. Nevertheless, developments in modern reproductive technology have introduced more complex contraceptive methods that require renewed legal interpretation.⁶ As a result, contemporary Islamic scholars have adopted different approaches in addressing contraception, reflecting broader debates between textual legal reasoning and *maqāṣid* oriented interpretations within modern Islamic jurisprudence.⁷

Within contemporary fiqh discourse, contraception is often associated with the objectives of preserving life (*ḥifẓ al-naḥs*) and preserving lineage (*ḥifẓ al-nasl*). Some scholars permit temporary contraceptive methods provided that they do not cause permanent infertility, physical harm, or violate mutual consent between spouses.⁸ Others adopt a more restrictive position, particularly concerning methods considered contrary to the primary objective of marriage or potentially leading to permanent sterilization.⁹ These differences demonstrate that Islamic legal opinions on contraception are shaped not only by textual interpretation but also by methodological orientation, social context, and considerations of public welfare (*maṣlaḥah*).¹⁰

Among the most influential contemporary scholars in this debate are Yusuf al-Qaradawi and Muhammad ibn Ṣāliḥ al-Utsaimin. Al-Qaradawi is widely recognized for his contextual and *maqāṣid* oriented approach, emphasizing public welfare, social realities, and the flexibility of Islamic law in responding to contemporary challenges. In contrast, Ibn Utsaimin adopts a more textual and precautionary approach that prioritizes adherence to normative legal principles and stricter limitations regarding reproductive intervention.¹¹ Their differing perspectives represent two important trends within contemporary Islamic legal thought concerning reproductive ethics and family planning.¹²

³ Fazlur Rahman, *Islam and Modernity: Transformation of an Intellectual Tradition* (Chicago: University of Chicago Press, 2009).110

⁴ Sari, "Ethics of Contraceptive Use from an Islamic Perspective," *Journal of Religious and Social Studies* 16, no. 2 (2020): 121.

⁵ Nasution, *Birth Control in the Classical Islamic Legal Tradition* (Jakarta: Kencana, 2017).

⁶ Putri, "Modern Contraceptive Technology and Its Legal Implications in Islam," *Journal of Public Health* 16, no. 2 (2021): 214.

⁷ Wahyuni, "Ijtihad of Ulama in Responding to Reproductive Health Issues," *Journal of Islamic Studies* 15, no. 2 (2019): 209.

⁸ Judge, "Maqāṣid Al-Syarī'ah and Protection of Offspring in Islamic Family Law," *Al-Mawarid* 10, no. 1 (2018): 95.

⁹ Karim, "The Law on the Use of Contraceptives in Contemporary Islamic Fiqh," *Al-Istinbath* 5, no. 2 (2020): 179.

¹⁰ Jumah Purnomo, Pipi Sopyani, and Sudirman, "Reinterpretation Contraception in Fiqh Contemporary Perspective," *Saliha: Jurnal Pendidikan Dan Agama Islam* 8, no. 2 (2025): 120–35, <https://doi.org/10.54396/saliha.v8i2.1660>.

¹¹ Rohman, "Plurality of Scholars' Opinions in Modern Family Fiqh," *Ahkam: Journal of Sharia Science* 20, no. 1 (2020): 82.

¹² Syafitri, "A Comparative Study of Contemporary Ulama's Thoughts on Family Planning," *Al-Ahkam Journal* 32, no. 1 (2022): 66.

Two figures who have had a major influence in the discourse on contemporary family fiqh are Yusuf al-Qaradawi and Muhammad ibn Salih al-Utsaimin.¹³ Both are known to be active in issuing fatwas on family issues, including contraception, but use different methodological approaches.¹⁴ Al-Qaradawi tends to use a *maqāṣid* approach and social welfare, while Ibn Utsaimin emphasizes more textual caution and sharia limitations in the use of contraceptive methods.¹⁵

These differences in approach reflect the diversity of contemporary fiqh epistemology in responding to reproductive health issues.¹⁶ In the context of the modern family, contraception is not only related to whether it is permissible or not by law, but also concerns family responsibilities, population policies, and reproductive rights from an Islamic perspective.¹⁷ Therefore, an analysis of the thoughts of these two figures is relevant to see how Islamic law adapts to modern social realities without abandoning its normative principles.¹⁸

This study focuses on three analytical questions: (1) how do Yusuf al-Qaradawi and Ibn Utsaimin formulate their legal reasoning regarding contraception; (2) what methodological differences characterize their approaches to contraception within the framework of contemporary Islamic jurisprudence; and (3) how do their perspectives contribute to contemporary discussions on Islamic family law, reproductive ethics, and Muslim family welfare?

This research employs a qualitative library research method using a descriptive-comparative approach. Primary sources consist of the fatwas, books, and legal opinions of Yusuf al-Qaradawi and Ibn Utsaimin, while secondary sources include scholarly books, journal articles, and academic studies related to Islamic family law, reproductive health, and *maqāṣid al-sharī'ah*. The data are analyzed through comparative content analysis by examining legal arguments, interpretative methods, *maqāṣid* considerations, and textual approaches used by both scholars.

To answer the problem formulation, this research uses a qualitative approach with a library research method.¹⁹ Primary sources include the works and fatwas of the two scholars, while secondary sources come from Indonesian scientific books and journals that discuss family fiqh, reproductive health, and contemporary Islamic law. The analysis was conducted in a descriptive-comparative manner to identify similarities, differences, and the relevance of

¹³ Z. Mahmud, "Tinjauan Maqasid Terhadap Hukum Wasiat," *El-Ussrah: Jurnal Hukum Keluarga* 4, no. 1 (2021): 65–80.

¹⁴ Hendrianto, "Rekonstruksi Hukum Keluarga Islam Berbasis Maqāṣid," *Jurnal Al-Wasith* 6, no. 1 (2025): 77–95.

¹⁵ Yusuf, "The Maqā Approach in Yusuf Al-Qaradawi's Fatwa on the Family," *Ushul Fiqh Journal* 13, no. 2 (2021): 151.

¹⁶ Anwar, "Contemporary Family Fiqh in the Perspective of Maqāṣid Al-Sharī'ah," *Al-Ahwal* 13, no. 2 (2020): 149.

¹⁷ Pratiwi, "Women's Reproductive Rights in the Perspective of Contemporary Islamic Law," *Musawa: Jurnal Studi Gender Dan Islam* 21, no. 1 (2022): 41.

¹⁸ Ridwan, "The Dynamics of Scholars' Ijtihad in Contemporary Family Issues," *Al-Risalah* 19, no. 2 (2019): 187.

¹⁹ Utami, "Literature Research Methodology in Islamic Studies," *Islamic Scientific Journal* 17, no. 1 (2018): 45.

the thoughts of the two scholars in the context of the modern family.²⁰ Through this approach, research is expected to contribute to the development of contemporary family fiqh studies, particularly regarding contraception law.²¹ In addition, this research is expected to be an academic reference for researchers, health practitioners, and policymakers in understanding the use of contraception from an Islamic perspective that is moderate, contextual, and oriented towards family welfare.

This study differs from previous research by focusing on a comparative analysis of the legal reasoning employed by Yusuf al-Qaradawi and Muhammad ibn Salih al-Utsaimin regarding the permissibility of contraception in the context of the modern Muslim family. While existing studies have generally examined each scholar's views separately or discussed contraception from a broader normative perspective, this research comparatively investigates their methods of legal interpretation (*istinbāt*) and the underlying jurisprudential principles that shape their respective positions. It further explores the contemporary relevance of their legal reasoning in responding to current issues of reproductive health, family planning, and changing family dynamics. To the best of the researcher's knowledge, no previous study has systematically compared the perspectives of these two scholars within a single analytical framework. This gap constitutes the primary novelty of the present study. Academically, this research contributes to the development of contemporary Islamic family law by offering a comparative framework for understanding the diversity of Islamic legal reasoning on contraception. Practically, it enriches contemporary discussions on reproductive ethics, family planning policies, and the contextualization of Islamic jurisprudence in addressing the challenges faced by modern Muslim families.

The Concept of Contraception in Islam

In Islamic legal discourse, contraception is generally understood as an effort to regulate birth spacing or postpone pregnancy through temporary methods that do not permanently eliminate reproductive capacity. Within Islamic family jurisprudence, this concept is commonly discussed through the framework of *tanzīm al-nasl* (birth regulation), which differs fundamentally from *taḥdīd al-nasl* (limitation of offspring). While *tanzīm al-nasl* emphasizes responsible family planning and reproductive management, *taḥdīd al-nasl* refers to the intentional restriction or rejection of procreation.

Classical Islamic jurists addressed the issue of contraception primarily through discussions of *'azl* (coitus interruptus), a practice that was generally considered permissible under certain conditions, particularly with mutual consent between spouses. Contemporary scholars subsequently extended this discussion to modern contraceptive methods through analogical reasoning (*qiyās*) and *maqāṣid*-oriented interpretation. In this context, contraception is not merely treated as a medical or demographic issue, but as part of broader discussions concerning *maqāṣid al-sharī'ah*, especially the protection of life (*ḥifẓ al-nafs*) and the preservation of lineage (*ḥifẓ al-nasl*). Accordingly, contemporary debates on contraception reflect differing methodological orientations within Islamic jurisprudence,

²⁰ Firmansyah, "A Comparative Descriptive Approach in Islamic Legal Research," *Al-Manahij* 14, no. 2 (2020): 238.

²¹ Ilnawati, "Wanita Karir Dan Kontrasepsi Spiral Dalam Perspektif Hukum Islam," *Al-Ahkam: Jurnal Hukum Islam* 30, no. 1 (2021): 75-90, <https://doi.org/10.47435/al-ahkam.v3i1.525>.

particularly between contextual approaches emphasizing public welfare (*maṣlahah*) and textual approaches prioritizing normative legal restrictions.

During the Prophet's time, the practice most commonly associated with birth regulation was *'azl* (coitus interruptus), which later became an important juridical basis for contemporary discussions on contraception in Islamic law. Yusuf al-Qaradawi argues that *tanzīm al-nasl* (birth regulation) is permissible when intended to protect family welfare, maternal health, and children's well-being, rather than to reject offspring entirely. From the perspective of *maqāṣid al-sharī'ah*, contraception is closely related to *ḥifẓ al-nasl* (preservation of lineage) and *ḥifẓ al-nafs* (protection of life). Therefore, contemporary debates on contraception are not limited to legal permissibility, but also involve considerations of public welfare (*maṣlahah*), reproductive ethics, and family responsibility in modern Muslim societies.²²

Within the framework of *maqāṣid al-syarī'ah*, contraception is closely related to the aim of preserving offspring (*ḥifẓ al-nasl*) and maintain the soul (*ḥifẓ al-nafs*), especially in the context of maternal and child health.²³ Therefore, some contemporary scholars view the use of contraception as permissible if it aims to maintain health, family well-being, and the quality of childcare. This approach places public welfare as the primary consideration in establishing contraception laws.

Contemporary scholars generally distinguish between temporary and permanent contraception. Temporary methods such as pills, injections, condoms, or intrauterine devices are generally considered permissible, provided they are harmless and do not permanently eliminate reproductive function. Conversely, permanent methods such as sterilization are often controversial and tend to be restricted except in medical emergencies.

Beyond its medical aspects, contraception is also understood within the framework of family ethics and social responsibility. Contraceptive use is seen as helping couples plan their family life more carefully, including aspects of economic well-being, children's education, and household stability. In this context, contraception is not only a legal issue but also part of family management from an Islamic perspective.

However, Islamic scholars differ regarding the limits of contraceptive permissibility. Some scholars argue that contraception should not be motivated by fear of poverty or rejection of children, as such intentions contradict the ethical objectives of marriage in Islam. These differences illustrate that contemporary Islamic legal reasoning on contraception is shaped not only by textual interpretation, but also by broader considerations of *maqāṣid al-sharī'ah*, public welfare (*maṣlahah*), and changing social realities. Consequently, debates on contraception have contributed to the development of contemporary Islamic family jurisprudence by encouraging more contextual and adaptive legal approaches to reproductive issues in modern Muslim societies.

In the context of the modern family, contraception is also linked to population policies and family planning programs in Muslim countries. Many Islamic scholars view family planning programs as acceptable as long as they do not conflict with Sharia principles

²² Khairani, "Delaying Pregnancy through Implant Type Contraception in View of the Mashalah Murlah Theory," *El Hadhanah Journal* 1, No 1 (2022): 3., *El Hadhanah Journal* 1, no. 1 (2022): 3, <https://doi.org/El Hadhanah Journal>.

²³ Judge, "Maqāṣid Al-Syarī'ah and Protection of Offspring in Islamic Family Law."

and respect the reproductive rights of married couples. This approach demonstrates an effort to integrate public policy and Islamic legal principles in reproductive health issues.²⁴ Thus, the concept of contraception in Islam lies within the spectrum of *ijtihād*, which considers scriptural evidence, *maqāṣid al-sharī'ah*, medical conditions, and contemporary social realities. In this context, Yusuf al-Qaradawi tends to employ a *maqāṣid*-based and contextual approach that emphasizes public welfare (*maṣlaḥah*) and family well-being, whereas Muhammad ibn Ṣāliḥ al-Utsaimin adopts a more textual-normative approach that prioritizes caution and strict adherence to scriptural principles. These methodological differences demonstrate the diversity of contemporary Islamic legal reasoning in responding to reproductive issues within modern Muslim families.

Islamic Views on Types of Contraceptives

Use contraceptive methods in Islam are understood differently according to their type and purpose. Scholars generally distinguish between temporary and permanent contraception. Temporary methods such as pills, injections, IUDs, condoms, and diaphragms are generally permitted under certain conditions. According to Yusuf al-Qaradawi in *Al-Ḥalāl wa al-Ḥarām fī al-Islām* and *Fatāwā Mu'āṣirah*, contraception is permissible provided that it does not cause permanent infertility or physical harm and is based on legitimate considerations such as maternal health, child welfare, or family stability. He argues that temporary contraception may be categorized as a form of *rukhsah* (legal concession) within Islamic law, particularly when intended to achieve public welfare (*maṣlaḥah*) and protect family well-being.

Temporary contraception is generally considered not to conflict with Islamic law because it is reversible. Its use is based on compelling reasons such as protecting the mother's health, spacing the child's development, and economic and social considerations. Several fatwas (religious edicts) in Indonesia, including the Indonesian Ulema Council (MUI), permit temporary contraception as long as it does not endanger health and is not intended to prevent children. These rulings also require the consent of both husband and wife.

Table 1. General Views of Scholars on Types of Contraceptives²⁵

Types of Contraceptive Devices	Short Description	General Views of Contemporary Islamic Scholars on Contraception	Argument/Basis for Consideration
Birth control pills	Hormonal, delays ovulation	Generally allowed (temporary)	Analogous to 'azl, not permanent, health/distance reasons
Birth control injection	Hormonal, periodic effects	Generally allowed (temporary)	Similar to birth control pills, it is not permanent.

²⁴ Zahra, "A Moderate Islamic Perspective on the Issue of Contraception and the Modern Family Law 7, No. 1 (2023): 33," *Journal of Contemporary Islamic* 7, no. 1 (2023): 33.

²⁵ Zamzam Mustofa, "Hukum Penggunaan Alat Kontrasepsi Dalam Prespektif Agama Islam," *Ma'alim: Jurnal Pendidikan Islam* 1, no. 2 (2020): 85-103, <https://doi.org/10.21154/maalim.v1i02.2625>.

IUD	Intrauterine device prevents fertilization	Allowed if safe	Temporary and reversible
Condom	Prevents sperm from entering the uterus	Permitted (analog 'azl)	Mechanical prevention without permanent effects
Vasectomy (Men)	Severing the sperm duct	The majority prohibits it except in emergencies	Permanent sterilization, considered taghyir khalqillah
Tubectomy (Women)	Termination of the fallopian tubes	The majority prohibits it except in emergencies	Permanent sterilization, preventing offspring
Implant	Long-term hormonal	Allowed if safe and reversible	Similar to pills/injections, temporary

Permanent contraception, such as vasectomy and tubectomy, has been the subject of considerable debate in Islamic jurisprudence. The majority of classical and contemporary scholars generally prohibit permanent sterilization because it permanently eliminates reproductive capacity and may be considered a form of *taghyir khalq Allāh* (altering God's creation). This position is supported by classical jurists and contemporary scholars who emphasize the preservation of lineage (*ḥifẓ al-nasl*) as one of the primary objectives of Islamic law. Contemporary fatwa institutions, including the International Islamic Fiqh Academy and the European Council for Fatwa and Research, have similarly maintained that permanent sterilization is generally impermissible unless justified by a legitimate medical necessity.

Nevertheless, Islamic jurisprudence recognizes exceptions in cases of genuine medical necessity. Based on the legal maxim *al-darūrāt tubīḥ al-maḥẓūrāt* (necessities render prohibited matters permissible), several contemporary fatwa bodies allow permanent contraception when pregnancy poses a serious threat to the life or health of the mother and no less harmful alternative is available. In such circumstances, procedures such as tubectomy may be permitted following reliable medical assessment and, where applicable, consultation between spouses. This exception reflects the balance between the objectives of preserving lineage (*ḥifẓ al-nasl*) and protecting human life (*ḥifẓ al-naḥs*) within Islamic legal reasoning.²⁶

Contraception in Modern Muslim Families: A Comparative Analysis of Yusuf al-Qaradawi and Ibn Utsaimin

In classical literature, contraception is generally discussed through the practice of 'azl, which has been known since the time of the Companions. This practice is considered permissible as long as it does not cause harm and is carried out with the partner's consent, thus becoming the analogous basis for modern contraception in contemporary fiqh. In modern family fiqh, contraception is not only understood as preventing pregnancy, but also part of family management, reproductive health, and household welfare. This perspective

²⁶ Wahbah Al-Zuhayli, *Al-Fiqh Al-Islami Wa Adillatuhu* (Vol. 7) (Damascus: Dar al-Fikr, 2011).

developed along with the *maqāṣid al-syarī'ah* approach, especially the protection of offspring (*hifz al-nasl*) and souls (*hifz al-nafs*), so that contraception is considered to be able to support the goals of sharia if used proportionally.

Modern family jurisprudence also considers women's reproductive health as a crucial aspect in determining contraception laws. Many contemporary scholars consider maintaining maternal health to be part of the objectives of sharia, so contraceptive use is permissible when pregnancy poses a risk to the mother's physical or psychological health. This approach demonstrates the integration of medical considerations and Islamic law in determining contraception status.²⁷

Furthermore, modern family jurisprudence emphasizes the principle of deliberation between husband and wife in decisions about contraceptive use. Reproductive decisions are not viewed as a unilateral authority, but rather as a shared decision related to family responsibilities. This principle aligns with the concept of relational justice in the Islamic family, a focus of contemporary Islamic jurisprudence studies.

Developments in contraceptive technology have led to legal classifications based on method. Temporary methods such as the pill, injections, IUDs, and condoms are seen as more flexible because they are reversible, while permanent methods such as sterilization require strict consideration and are generally permitted only in medical emergencies.²⁸ In modern society, contraception is also related to the family's socio-economic factors. Contemporary scholars accept welfare considerations as long as they are not based on absolute fear of sustenance, thus modern family jurisprudence seeks to balance theological values and the realities of life.

Methodologically, the study of modern family jurisprudence demonstrates the use of contextual *ijtihād*, referencing not only classical texts but also medical science, changes in family structure, and reproductive health policies. This emphasizes the dynamic and adaptive nature of contraception. Therefore, contraception in modern family jurisprudence is understood as a conditional law. Its permissibility depends on the purpose, method, health impact, and the couple's agreement. Thus, *fiqh* seeks to balance sharia principles, family needs, and contemporary social developments.

Yusuf al-Qaradawi's Views on the Use of Contraceptives

Thinking Yusuf al-Qaradawi Regarding the use of contraceptives, it cannot be separated from the broader framework of family jurisprudence which is oriented towards the welfare and balance between sharia texts and social reality.²⁹ Al-Qaradawi is known as a cleric who emphasizes a moderate approach in responding to contemporary issues, including reproductive health and family planning issues.³⁰ Within this framework, contraception is understood as a matter of *ijtihād* that is open to analysis based on the objectives of sharia.³¹

²⁷ Ahmad Atabik and Khoridatul Mudhiiah, "Marriage and Its Wisdom from an Islamic Legal Perspective," *Yudisia* 5, no. 2 (2014): 215.

²⁸ Muhammad bin Shalih al-Utsaimin, *Majmu' Fatawa Wa Rasail* (Riyadh: Dar al-Wathan, 2006).

²⁹ Rahmani, *Moderation of Yusuf Al-Qaradawi's Fiqh in Contemporary Issues* (Bandung: Teen Rosdakarya, 2019).

³⁰ Suharto, *Yusuf Al-Qaradawi's Islamic Legal Thought* (Jakarta: Prenadamedia Group, 2020).

³¹ Fadilah, *Yusuf Al-Qaradawi's Contemporary Family Fiqh* (Yogyakarta: Student Library, 2021).

Al-Qaradawi emphasized that Islam does not absolutely prohibit birth control because the practice has a historical basis in the classical fiqh tradition through the 'azl method.³² He views that the permissibility of 'azl shows that there is room for flexibility in Islamic law regarding the regulation of pregnancy.³³ Therefore, modern contraception can be analogous to 'azl as long as it does not cause harm and is not permanent.³⁴

Within the framework of *maqāṣid al-syarī'ah*, Al-Qaradawi linked contraception to the protection of offspring (*hifẓ al-nasl*) and life protection (*hifẓ al-nafs*).³⁵ He believes that maintaining maternal health, ensuring the psychological readiness of parents, and ensuring the quality of childcare are part of the public interest recognized by Sharia. Therefore, contraception can be viewed as a preventative measure to create a quality family.³⁶

Al-Qaradawi also emphasized that the law on contraception is very dependent on the intention and purpose of its use.³⁷ Contraception is considered permissible if it is used to space births, avoid health risks, or take into account the family's economic situation.³⁸ On the contrary, he criticized the use of contraception which aims to permanently prevent children without any Islamic reason.³⁹ This approach shows that the ethical dimension has an important role in determining contraception laws according to Al-Qaradawi.⁴⁰

In his works on family fiqh, Al-Qaradawi makes a clear distinction between *tanzīm al-nasl* (birth control) and *taḥdīd al-nasl* (restriction of descent).⁴¹ He supported birth control as part of rational family planning, but rejected ideological or forced childbearing.⁴² This conceptual difference is the main basis for understanding Al-Qaradawi's position on contraception.

In addition to individual legal aspects, Al-Qaradawi also discusses contraception from a social and public policy perspective.⁴³ He stated that family planning programs are acceptable as long as they do not conflict with sharia and do not eliminate the reproductive

³² Zamzam Mustofa, "Hukum Penggunaan Alat Kontrasepsi Dalam Prespektif Agama Islam."

³³ Elyse Prastika Sari et al., "Penggunaan Alat Kontrasepsi Dalam Perspektif Islam," *Maliki Interdisciplinary Journal* 3, no. 1 (2025): 45–60.

³⁴ Shofwan Supardiyono, Tri Wahyu Hidayati, and Umar Multazam, "Penggunaan Alat Kontrasepsi Dalam Perspektif Ahkamul Fuqoha," *Shar-E: Jurnal Kajian Ekonomi Hukum Syariah* 6, no. 1 (2025): 25–60, <https://doi.org/10.37567/shar-e.v1i1.4005>.

³⁵ Azam Sukri and Aris Fauzan, "Maqasid Al-Shariah and Child Protection," *Karsa: Journal of Social and Islamic Culture* 33, no. 2 (2025): 210–25, <https://doi.org/10.19105/karsa.v33i2.21696>.

³⁶ Oktavian, "Quality Families in the Perspective of Modern Family Fiqh," *Journal of Islamic Sociology* 2, no. 2 (2022): 79.

³⁷ Pramesti, "Intentions and Goals in Establishing Islamic Family Law," *Al-Ahwal Journal* 11, no. 2 (2018): 153.

³⁸ Qonita, "Economic Factors in Islamic Contraceptive Law 3, No. 1 (2020): 29.," *Journal of Islamic Economics and Family* 3, no. 1 (2020): 29.

³⁹ Rasyida, "Limitation of Descent from the Perspective of Contemporary Ulama," *Journal of Family Law* 10, no. 1 (2019): 96.

⁴⁰ Salsabila, "Ethical Dimensions in Modern Islamic Family Fiqh," *Journal of Islamic Studies* 18, no. 1 (2023): 61.

⁴¹ Taufan, "Tanzim Al-Nasl in Islamic Family Fiqh," *Al-Istinbath Journal* 6, no. 1 (2021): 125.

⁴² Uswah, "The Concept of Limiting Descent in Islamic Law," *Jurnal Ahkam* 19, no. 1 (2019): 71.

⁴³ Wardani, "Family Planning in the Perspective of Islamic Law," *Jurnal Bimas Islam* 13, no. 2 (2020): 218.

rights of married couples.⁴⁴ This view shows that Al-Qaradawi sought to integrate fiqh with the realities of modern policy.⁴⁵

Methodologically, Al-Qaradawi's thinking reflects an integrative approach between textual evidence, maqāṣid al-syarī'ah, and consideration of social reality.⁴⁶ He rejects a rigid legal approach to family matters because according to him family matters are contextual and are greatly influenced by individual conditions. This approach means that Al-Qaradawi's views are often categorized as moderate fiqh on family issues.

Al-Qaradawi's views regarding types of contraception also show a gradual approach.⁴⁷ He tends to allow temporary contraceptive methods such as pills, injections, or intrauterine devices as long as they are medically safe.⁴⁸ Meanwhile, permanent methods such as sterilization are considered not recommended except in clear medical emergencies.⁴⁹ This confirms the principle of prudence in family fiqh developed by Al-Qaradawi.

Thus, Al-Qaradawi's view can be understood as a moderate-accommodative position that places contraception as part of family planning that is legitimate according to sharia.⁵⁰ This permission is conditional, that is, it is not permanent, does not cause harm, is carried out with the agreement of husband and wife, and does not aim to absolutely reject offspring.⁵¹ This framework shows how modern family jurisprudence can provide solutions to reproductive health problems without abandoning the normative principles of Islam.⁵²

Ibn Utsaimin's View on the Use of Contraceptives

Muhammad ibn Salih al-Utsaimin's view on the use of contraceptives stems from a fiqh approach that emphasizes caution against human intervention in the reproductive process.⁵³ Ibn Utsaimin is known as a scholar who uses a textual approach (manhaj naṣṣī) while still considering emergency conditions, so that his views on contraception tend to be more restrictive than those of some other contemporary scholars.⁵⁴ Within this framework,

⁴⁴ Yunus, "Reproductive Rights of Couples in Islamic Law," *Musawa: Jurnal Studi Gender Dan Islam* 20, no. 2 (2021): 207.

⁴⁵ Zulfikar, "Fiqh and Public Policy in the Thought of Contemporary Ulama," *Journal of Islamic Legislation* 15, no. 1 (2018): 42.

⁴⁶ Khoirurrizal and Afnan Luthfi, "Maqāṣid Al-Syarī'ah Dan Ketahanan Keluarga Berbasis Komunitas: Peran Muhammadiyah Dan NU Di Perkotaan Indonesia," *JSHI: Jurnal Syariah Hukum Islam* 4, no. 1 (2025): 39–52, <https://doi.org/10.47902/jshi.v4i1.418>.

⁴⁷ Riarismayanti et al., "Maqāṣid Al-Syarī'ah Imam Al-Juwayni Dalam Merespons Fenomena Childfree," *Al-Hukamaa: Jurnal Hukum Keluarga Islam* 3, no. 2 (2025), <https://doi.org/10.35905/hukamaa.v3i2.14749>.

⁴⁸ Abdul Majid, "Islamic Legal Reform Based on Maqāṣid Syarī'ah: A Study of Al-Ghazali's Thoughts and Its Relevance in the Context of Indonesia Family Law," *Usrah: Jurnal Hukum Keluarga Islam* 6, no. 4 (2025): 33–50, <https://doi.org/10.46773/usrah.v6i4.2195>.

⁴⁹ Gumilang, "Sterilization in Contemporary Islamic Law," *Al-Ahkam Journal* 30, no. 1 (2020): 65.

⁵⁰ Nasaruddin Mera et al., "Child Custody for Mothers of a Different Religion: A Maqāṣid Al-Sharī'ah Perspective on Islamic Family Law in Indonesia," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 8, no. 3 (2024): 1–20, <https://doi.org/10.22373/sjkh.v8i3.23809>.

⁵¹ Jamilah, "Reproductive Ethics in the Thought of Yusuf Al-Qaradawi," *Musawa: Jurnal Studi Gender Dan Islam* 21, no. 2 (2022): 173.

⁵² Khalid, *Maqāṣid Al-Syarī'ah in Modern Islamic Family Law* (Jakarta: Kencana, 2020).

⁵³ Abdullah, "Ibn Utsaimin's Reproductive Fiqh Thoughts," *Journal of Islamic Studies* 14, no. 1 (2019): 77.

⁵⁴ Fauziyah, "Textual Approach in Contemporary Fiqh," *Jurnal Usul Fiqh* 12, no. 2 (2020): 134.

contraception is understood as an issue that may be discussed in fiqh, but cannot be separated from the basic purpose of marriage in Islam, namely continuing the lineage.⁵⁵

Ibn Utsaimin acknowledged that the practice of birth control has a basis in the classical fiqh tradition through the discussion of 'azl.⁵⁶ However, he emphasized that the permissibility of 'azl cannot be used as a basis for absolutely permitting all forms of modern contraception.⁵⁷ According to him, the analogy can only be used if the contraceptive method does not cause harm and does not permanently eliminate reproductive potential.⁵⁸ This approach demonstrates the limited and cautious use of qiyās in reproductive health issues.⁵⁹

In Ibn Utsaimin's view, the law on contraception is very dependent on the reason for its use.⁶⁰ It allows contraception under certain conditions, such as serious health risks to the mother or compelling medical reasons.⁶¹ However, the use of contraception for reasons of convenience alone or concern for sustenance is considered inconsistent with the principle of tawakkul in Islam.⁶² This shows that the theological dimension has an important role in Ibn Utsaimin's legal arguments.⁶³

Ibn Utsaimin also differentiates between temporary and permanent contraception.⁶⁴ Temporary methods may be permitted provided there is consent from both husband and wife and they do not pose a health hazard.⁶⁵ In contrast, permanent methods such as sterilization are generally not permitted except in clear medical emergencies.⁶⁶ This approach reflects the principle of sadd al-ẓarī'ah, namely closing off paths that could potentially lead to violations of the objectives of sharia.⁶⁷

In addition to the individual legal aspects, Ibn Utsaimin also highlighted the social impact of contraceptive use.⁶⁸ He warned that the widespread normalization of birth control could impact Muslim family structures and potentially contradict the call to increase the

⁵⁵ Bani Syarif Maula, "Kajian Al-Ahwal Al-Syakhsiyyah Dengan Pendekatan Maqāsid Al-Syari'ah," *Al-Manahij: Jurnal Kajian Hukum Islam* 8, no. 2 (2014): 223–40, <https://doi.org/10.24090/mnh.v8i2.410>.

⁵⁶ Iskandar, "Discussion of 'Azl in Classical Fiqh Literature," *Jurnal Syariah* 10, no. 2 (2018): 201.

⁵⁷ Jauhari, "Qiyas in Reproductive Health Fiqh," *Mazahib* 21, no. 1 (2022): 63.

⁵⁸ Kamal, "Analogy of Modern Contraceptive Law," *Al-Ahwal* 13, no. 1 (2020): 88.

⁵⁹ Latif, "The Qiyas Approach in Contemporary Fiqh," *Jurnal Ijtihad* 19, no. 2 (2019): 156.

⁶⁰ Ma'arif, "Consideration of Intention in Determining Family Fiqh Law," *Al-Ahkam Journal* 31, no. 1 (2021): 73.

⁶¹ Nashir, "Contraception from a Medical Emergency Perspective," *Journal of Sharia and Health* 5, no. 2 (2020): 118.

⁶² Qudsi, "The Concept of Tawakkal in Islamic Family Law," *Journal of Islamic Studies* 16, No. 1 (2019): 92., *Journal of Islamic Studies* 16, no. 1 (2019): 92.

⁶³ Rahimah, "Theological Dimensions in the Fiqh of Reproduction 22, No. 1 (2022): 41.," *Musawa: Jurnal Studi Gender Dan Islam* 22, no. 1 (2022): 41.

⁶⁴ Salman, "Classification of Contraception in Contemporary Fiqh," *Al-Istinbath Journal* 5, no. 1 (2018): 54.

⁶⁵ Tsalits, "Spousal Consent in Contraceptive Law," *Journal of Islamic Law*, *Journal of Islamic Law* 7, no. 2 (2021): 147.

⁶⁶ Umar, "Sterilization in the Perspective of Modern Fiqh," *Jurnal Al-Ahkam* 30, no. 2 (2020): 233.

⁶⁷ Wahid, "Sadd Al-Zarī'ah in the Fiqh of Reproductive Health," *Mazahib* 19, no. 2 (2019): 201.

⁶⁸ Yusufiyah, "The Social Impact of Limiting Descent," *Journal of Islamic Sociology* 3, no. 1 (2021): 66.

number of Muslims.⁶⁹ Therefore, he emphasized that family planning policies should not be coercive and must take into account sharia principles.⁷⁰

Methodologically, Ibn Utsaimin's thinking shows the dominance of a textual approach while still opening up space for exceptions based on needs (*hajah*) and emergency (*darūrah*).⁷¹ He rejects generalizations about the permissibility of contraception because he believes each case must be viewed individually.⁷² This approach places caution as the main principle in family fiqh relating to reproduction.⁷³

Ibn Utsaimin's views on types of contraception also show a selective attitude.⁷⁴ Methods that have the potential to damage reproductive organs or permanently eliminate reproductive function are considered not permitted.⁷⁵ Meanwhile, temporary and medically safe methods may be acceptable under certain conditions.⁷⁶ This confirms that the medical aspect is an important consideration in determining contraception laws according to Ibn Utsaimin.⁷⁷

Overall, Ibn Utsaimin's views can be categorized as conditionally restrictive on the issue of contraception.⁷⁸ He does not reject contraception outright, but places its permissibility within strict limits, particularly regarding the reasons for use, medical safety, and the nature of the contraceptive method.⁷⁹ This approach emphasizes the orientation of protecting the goals of marriage and the continuity of offspring in family jurisprudence.⁸⁰

Thus, Ibn Utsaimin's thinking shows that contraception is permitted in a limited and conditional manner, especially in conditions of real need or medical reasons.⁸¹ This framework demonstrates a fiqh approach that emphasizes caution, in contrast to the moderate-accommodative approach seen in Yusuf al-Qaradawi's thinking. This distinction

⁶⁹ Zainuddin, "Recommendations for Increasing the Ummah from a Hadith Perspective," *Hadith Journal* 8, no. 1 (2020): 39.

⁷⁰ Arsyad, "Family Planning Policy from a Sharia Perspective," *Journal of Islamic Legislation* 15, no. 2 (2018): 211.

⁷¹ Badrun, "The Concept of Hājah and Darūrah in Contemporary Fiqh," *Jurnal Usul Fiqh* 14, no. 1 (2022): 57.

⁷² Chalik, "Casuistic Approach in Family Fiqh," *Jurnal Syariah* 12, no. 1 (2019): 101.

⁷³ Dahlia, "The Principle of Precaution in Reproductive Fiqh," *Al-Ahkam Journal* 31, no. 2 (2021): 188.

⁷⁴ Fikriani, "Evaluation of Contraceptive Methods from a Fiqh Perspective," *Journal of Health and Religion* 4, no. 2 (2020): 120.

⁷⁵ Ghazwan, "Changes in Reproductive Organs from an Islamic Legal Perspective 17, No. 1 (2022): 75.," *Journal of Islamic Studies* 17, no. 1 (2022): 75.

⁷⁶ Hidayah, "Medical Considerations in Determining Contraceptive Laws," *Journal of Medicine and Sharia* 6, no. 1 (2019): 43.

⁷⁷ Imam, "Integration of Medicine and Fiqh in Reproductive Issues," 6, No. 1 (2021): 88.," *Journal of Sharia and Health* 6, no. 1 (2021): 88.

⁷⁸ Jannah, "Typology of Scholars' Views on Contraception," *Journal of Islamic Studies* 18, No. 2 (2023): 129.," *Journal of Islamic Studies* 18, no. 2 (2023): 129.

⁷⁹ Khasanah, "The Limits of the Permissibility of Contraception in Modern Fiqh," *Al-Ahwal Journal* 15, no. 1 (2022): 61.

⁸⁰ Laili, "The Purpose of Marriage and Protection of Offspring," *Family Law Journal* 12, no. 1 (2020): 94.

⁸¹ Mufidah, "Contraception in the Perspective of Real Needs," *Musawa: Jurnal Studi Gender Dan Islam* 20, no. 1 (2021): 72.

provides an important basis for a comparative analysis of contraceptive use in modern Muslim families.⁸²

Comparative Analysis of Yusuf al-Qaradawi and Ibn Utsaimin's Thoughts on the Use of Contraception

Analysis a comparative study of the thoughts of Yusuf al-Qaradawi and Ibn Utsaimin on the use of contraception reveals a similar normative basis, but differences in methodological approach and degree of legal flexibility. Both scholars agree that, in principle, Islam encourages procreation, but does not preclude the use of contraception under certain conditions that are permissible according to Islamic law.⁸³

From a legal perspective, both figures use the practice of *'azl* as a basis for analogy for modern contraception. This practice demonstrates that birth control is not a new concept in Islamic jurisprudence. This similarity confirms that temporary contraception is acceptable as part of contemporary *ijtihad* as long as it does not conflict with the objectives of sharia.

The main difference is seen in the methodological approach. Yusuf al-Qaradawi tends to use a more contextual approach to the *maqāṣid al-syarī'ah* (objectives of sharia). He views contraception as part of family management and household well-being, thus granting broader permissibility as long as it does not lead to permanent procreation. This approach reflects the character of *wasati* (moderate) *fiqh*, which emphasizes the public interest and social reality.

Beyond identifying similarities and differences, this study proposes an analytical framework for understanding contemporary Islamic legal reasoning on contraception through two complementary models: the *maqāṣid*-contextual model and the textual-normative model. The *maqāṣid*-contextual model, represented by Yusuf al-Qaradawi, prioritizes public welfare (*maṣlaḥah*), family well-being, and the objectives of Islamic law in addressing contemporary reproductive issues. This approach allows greater flexibility in responding to changing social and medical circumstances while maintaining the fundamental principles of Islamic law.

In contrast, the textual-normative model, represented by Ibn Utsaimin, emphasizes adherence to scriptural evidence, precautionary principles, and the preservation of the original objectives of marriage and procreation. Although he permits contraception under certain conditions, he places stricter limitations on its use, particularly with regard to intention and method. Contraception should not be motivated by fear of inadequate sustenance, while permanent contraceptive methods are permissible only in cases of genuine medical necessity. These contrasting approaches are not fundamentally contradictory but demonstrate how different methodologies of *ijtihād* can produce varying legal conclusions while remaining grounded in the same Islamic legal sources. Theoretically, this study contributes to contemporary Islamic family jurisprudence by demonstrating that adaptive and precautionary approaches can coexist within the broader spectrum of *ijtihād* in addressing reproductive issues in contemporary Muslim families.⁸⁴

⁸² Nurmala, "Comparative Analysis of Contemporary Contraceptive Fiqh," *Jurnal Usul Fiqh* 15, no. 1 (2022): 118.

⁸³ Yusuf Al-Qaradawi, *The Lawful and the Prohibited in Islam* (Cairo: Al-Falah Foundation, 1995).

⁸⁴ Muhammad bin Salih Al-Utsaimin, *Fatawa Nur 'ala Ad-Darb* (Riyadh: Dar al-Thurayya, 2006).

Differences are also evident in the level of legal flexibility. Yusuf al-Qaradawi allows greater scope for social, economic, and family health considerations as reasons for contraceptive use. He sees that changes in modern family structures require adaptive fiqh. In contrast, Ibn Utsaimin accepts these considerations but with stricter limits so as not to undermine the fundamental purpose of marriage in Islam.⁸⁵

Regarding spousal consent, both scholars agree that contraceptive decisions should involve mutual consideration between husband and wife, with deliberation and mutual consent serving as important foundations for reproductive decision-making within the family. This shared position highlights the relational dimension of contemporary Islamic family jurisprudence in determining the permissibility and application of contraception. However, the two scholars differ in their treatment of medical developments. Yusuf al-Qaradawi adopts a more open approach to incorporating medical knowledge into legal *ijtihad*, allowing for greater flexibility in assessing various contraceptive methods according to their potential benefits and risks, whereas Ibn Utsaimin acknowledges the relevance of medical considerations but places them within a framework of legal prudence aimed at preventing potential long-term harm. Conceptually, al-Qaradawi's approach may be characterized as contextual and maqāṣid-oriented, while Ibn Utsaimin's approach may be understood as moderately normative-textual. These approaches are not necessarily contradictory; rather, they represent different methodological orientations within contemporary *ijtihad* and demonstrate the diversity of Islamic legal reasoning on contraception and modern family planning.

From this comparative analysis, it can be concluded that Yusuf al-Qaradawi and Ibn Utsaimin share several fundamental positions, particularly regarding the permissibility of temporary contraception, the importance of intention, the prohibition of permanent contraception in the absence of a genuine emergency, and the need to consider the health and consent of both spouses. Their differences, however, lie primarily in the breadth of their consideration of public interest (*maslahah*), the degree of legal flexibility they allow, and the methodological approaches to *ijtihad* that they employ. These differences demonstrate that Islamic jurisprudence on contraception is dynamic and pluralistic, rather than characterized by a single uniform legal position. The contrasting approaches of al-Qaradawi and Ibn Utsaimin therefore enrich contemporary Islamic family jurisprudence by providing complementary legal perspectives and alternative frameworks for addressing the diverse reproductive and family-planning needs of contemporary Muslim families.

The Relevance of Contemporary Ulama's Thoughts to Modern Families

Contemporary Islamic scholars' views on the use of contraceptives have significant relevance in the context of the modern family. Changing family structures, increasing awareness of reproductive health, and socio-economic dynamics demand an adaptive understanding of Islamic jurisprudence (*fiqh*) while remaining grounded in sharia principles. In this context, the views of contemporary Islamic scholars provide a normative and practical framework for Muslim families in making reproductive decisions.⁸⁶

⁸⁵ Mohammad Hashim Kamali, *Shari'ah Law: An Introduction* (Oneworld Publications, 2008).

⁸⁶ Ahmad Hidayat, *Contemporary Family Fiqh* (Jakarta: Kencana, 2018): 87–92. (Jakarta: Kencana, 2018).

One key relevance lies in the concept of birth spacing as part of family management. Contemporary scholars do not view contraception as a form of rejection of offspring, but rather as a means to maintain the quality of parenting, maternal health, and family well-being. This approach demonstrates that modern family jurisprudence (*fiqh*) is oriented toward a balance between the quantity and quality of offspring. In the context of reproductive health, the thinking of contemporary scholars demonstrates the integration of medical considerations and Islamic law. The use of contraception can be a solution when pregnancy poses a risk to the mother's physical or psychological health. This demonstrates that protection of life (*hifz al-nafs*) and protection of offspring (*hifz al-nasl*) are important foundations for legitimizing contraceptive use in modern families.

Another relevance is seen in the strengthening of the principle of deliberation within the family. The decision to use contraception is no longer understood as a unilateral decision, but rather as a joint decision between husband and wife. This perspective aligns with developments in family jurisprudence (*fiqh*) studies, which emphasize relational justice and shared responsibility in domestic life. Furthermore, the thinking of contemporary Islamic scholars contributes to public policy responses related to family planning. A moderate *fiqh* approach allows reproductive health programs to be accepted by the Muslim community without being perceived as contradictory to religious teachings. Thus, *fiqh* acts as a bridge between state policy and religious values in family life.

In the socio-economic context, contraceptive use is closely related to a family's capacity to provide education, meet household needs, and maintain long-term family stability. Contemporary Islamic scholars generally recognize socio-economic welfare as a relevant consideration, provided that contraceptive decisions are not motivated by an absolute fear of inadequate sustenance. This perspective illustrates how Islamic legal reasoning can integrate religious principles with the practical realities of contemporary family life. The relevance of contemporary *ulama'* perspectives is also reflected in the flexibility of Islamic jurisprudence (*fiqh*) in responding to developments in contraceptive technology. The distinction between temporary and permanent methods provides an important framework for determining their legal status while allowing reproductive decisions to be informed by both Islamic legal principles and medical considerations.

From an academic perspective, the contribution of contemporary Islamic scholars to modern family jurisprudence lies in their contextual approaches to *ijtihād*, which consider not only classical legal sources but also developments in medical science, changing family structures, gender relations, and contemporary social conditions. Their approaches demonstrate that Islamic family jurisprudence is not static but capable of responding to social and technological change while maintaining its foundational principles. Accordingly, the contemporary discourse on contraception contributes to family jurisprudence in several interconnected areas, including the legal legitimacy of birth control, the integration of reproductive health considerations, the importance of spousal consultation and mutual consent, and the flexibility of *fiqh* in addressing technological developments. These dimensions demonstrate the potential of contemporary Islamic legal reasoning to provide an adaptive and context-sensitive framework for addressing the reproductive and family-planning needs of Muslim families in modern society.

Conclusion

This study demonstrates that contemporary Islamic jurisprudence on contraception is characterized by methodological diversity rather than legal contradiction. A comparative analysis of Yusuf al-Qaradawi and Ibn Utsaimin reveals that both scholars permit the use of temporary contraception under specific conditions while prohibiting permanent sterilization except in cases of genuine medical necessity. Their shared position reflects a common commitment to the objectives of Islamic law (*maqāṣid al-sharī'ah*), particularly the protection of life (*hifẓ al-nafs*) and lineage (*hifẓ al-nasl*). However, they differ substantially in their methods of legal reasoning. Al-Qaradawi adopts a *maqāṣid*-oriented and contextual approach that emphasizes public welfare (*maṣlaḥah*) and responds to the changing realities of modern family life, whereas Ibn Utsaimin applies a textual-normative and precautionary approach that gives greater priority to scriptural evidence and legal safeguards. These methodological differences result in varying degrees of legal flexibility while remaining firmly grounded in the same Islamic legal principles.

Building upon these findings, this study proposes a comparative framework comprising two complementary models of contemporary Islamic legal reasoning: the *maqāṣid*-contextual model and the textual-normative model. This framework contributes to the advancement of contemporary Islamic family law by explaining how different methods of *ijtihād* can produce diverse yet equally legitimate legal responses to reproductive issues. The findings further demonstrate that Islamic jurisprudence possesses the intellectual flexibility to engage with medical advances, reproductive health concerns, and changing social conditions without compromising its normative foundations. Consequently, this study provides both a theoretical contribution to the discourse on contemporary Islamic family jurisprudence and a practical reference for scholars, policymakers, and family planning practitioners seeking to formulate reproductive policies that are consistent with Islamic legal principles while remaining responsive to the realities of modern Muslim families.

References

- Abdullah. "Ibn Utsaimin's Reproductive Fiqh Thoughts." *Journal of Islamic Studies* 14, no. 1 (2019): 77.
- Al-Qaradawi, Yusuf. *The Lawful and the Prohibited in Islam*. Cairo: Al-Falah Foundation, 1995.
- Al-Utsaimin, Muhammad bin Salih. *Fatawa Nur 'ala Ad-Darb*. Riyadh: Dar al-Thurayya, 2006.
- Al-Zuhayli, Wahbah. *Al-Fiqh Al-Islami Wa Adillatuhu* (Vol. 7). Damascus: Dar al-Fikr, 2011.
- Anwar. "Contemporary Family Fiqh in the Perspective of Maqāṣid Al-Sharī'ah." *Al-Ahwal* 13, no. 2 (2020): 149.
- Arsyad. "Family Planning Policy from a Sharia Perspective." *Journal of Islamic Legislation* 15, no. 2 (2018): 211.
- Asman. "The Sakinah Family in the Study of Islamic Law." *Al-Qadha: Jurnal Hukum Islam Dan Perundang-Undangan* 7, no. 2 (2020): 104. <https://doi.org/10.32505/qadha.v7i2.1952>.
- Atabik, Ahmad, and Khoridatul Mudhiiah. "Marriage and Its Wisdom from an Islamic Legal Perspective." *Yudisia* 5, no. 2 (2014): 215.
- Badrun. "The Concept of Hājah and Darūrah in Contemporary Fiqh." *Jurnal Usul Fiqh* 14, no.

- 1 (2022): 57.
- Chalik. "Casuistic Approach in Family Fiqh." *Jurnal Syariah* 12, no. 1 (2019): 101.
- Dahlia. "The Principle of Precaution in Reproductive Fiqh." *Al-Ahkam Journal* 31, no. 2 (2021): 188.
- Fadilah. *Yusuf Al-Qaradawi's Contemporary Family Fiqh*. Yogyakarta: Student Library, 2021.
- Fauziyah. "Textual Approach in Contemporary Fiqh." *Jurnal Usul Fiqh* 12, no. 2 (2020): 134.
- Fikriani. "Evaluation of Contraceptive Methods from a Fiqh Perspective." *Journal of Health and Religion* 4, no. 2 (2020): 120.
- Firmansyah. "A Comparative Descriptive Approach in Islamic Legal Research." *Al-Manahij* 14, no. 2 (2020): 238.
- Ghazwan. "Changes in Reproductive Organs from an Islamic Legal Perspective 17, No. 1 (2022): 75." *Journal of Islamic Studies* 17, no. 1 (2022): 75.
- Gumilang. "Sterilization in Contemporary Islamic Law." *Al-Ahkam Journal* 30, no. 1 (2020): 65.
- Hendrianto. "Rekonstruksi Hukum Keluarga Islam Berbasis Maqāṣid." *Jurnal Al-Wasith* 6, no. 1 (2025): 77–95.
- Hidayah. "Medical Considerations in Determining Contraceptive Laws." *Journal of Medicine and Sharia* 6, no. 1 (2019): 43.
- Hidayat, Ahmad. *Contemporary Family Fiqh* (Jakarta: Kencana, 2018): 87–92. Jakarta: Kencana, 2018.
- Hidayat, Komaruddin. *Contemporary Family Fiqh*. Jakarta: Prenadamedia Group, 2018.
- Ilnawati. "Wanita Karir Dan Kontrasepsi Spiral Dalam Perspektif Hukum Islam." *Al-Ahkam: Jurnal Hukum Islam* 30, no. 1 (2021): 75–90. <https://doi.org/10.47435/al-ahkam.v3i1.525>.
- Imam. "Integration of Medicine and Fiqh in Reproductive Issues," 6, No. 1 (2021): 88." *Journal of Sharia and Health* 6, no. 1 (2021): 88.
- Iskandar. "Discussion of 'Azl in Classical Fiqh Literature." *Jurnal Syariah* 10, no. 2 (2018): 201.
- Jamilah. "Reproductive Ethics in the Thought of Yusuf Al-Qaradawi." *Musawa: Jurnal Studi Gender Dan Islam* 21, no. 2 (2022): 173.
- Jannah. "Typology of Scholars' Views on Contraception," *Journal of Islamic Studies* 18, No. 2 (2023): 129." *Journal of Islamic Studies* 18, no. 2 (2023): 129.
- Jauhari. "Qiyas in Reproductive Health Fiqh." *Mazahib* 21, no. 1 (2022): 63.
- Judge. "Maqāṣid Al-Syarī'ah and Protection of Offspring in Islamic Family Law." *Al-Mawarid* 10, no. 1 (2018): 95.
- Kamal. "Analogy of Modern Contraceptive Law." *Al-Ahwal* 13, no. 1 (2020): 88.
- Kamali, Mohammad Hashim. *Shari'ah Law: An Introduction*. Oneworld Publications, 2008.
- Karim. "The Law on the Use of Contraceptives in Contemporary Islamic Fiqh." *Al-Istinbath* 5, no. 2 (2020): 179.
- Khairani. "Delaying Pregnancy through Implant Type Contraception in View of the Mashalah Murlah Theory," *El Hadhanah Journal* 1, No 1 (2022): 3." *El Hadhanah Journal* 1, no. 1 (2022): 3. <https://doi.org/El Hadhanah Journal>.
- Khalid. *Maqāṣid Al-Syarī'ah in Modern Islamic Family Law*. Jakarta: Kencana, 2020.
- Khasanah. "The Limits of the Permissibility of Contraception in Modern Fiqh." *Al-Ahwal Journal* 15, no. 1 (2022): 61.

- Khoirurrizal, and Afnan Luthfi. "Maqāṣid Al-Syarī'ah Dan Ketahanan Keluarga Berbasis Komunitas: Peran Muhammadiyah Dan NU Di Perkotaan Indonesia." *JSHI: Jurnal Syariah Hukum Islam* 4, no. 1 (2025): 39–52. <https://doi.org/10.47902/jshi.v4i1.418>.
- Laili. "The Purpose of Marriage and Protection of Offspring." *Family Law Journal* 12, no. 1 (2020): 94.
- Latif. "The Qiyas Approach in Contemporary Fiqh." *Jurnal Ijtihad* 19, no. 2 (2019): 156.
- Ma'arif. "Consideration of Intention in Determining Family Fiqh Law." *Al-Ahkam Journal* 31, no. 1 (2021): 73.
- Mahmud, Z. "Tinjauan Maqasid Terhadap Hukum Wasiat." *El-Ussrah: Jurnal Hukum Keluarga* 4, no. 1 (2021): 65–80.
- Majid, Abdul. "Islamic Legal Reform Based on Maqāṣid Syari'ah: A Study of Al-Ghazali's Thoughts and Its Relevance in the Context of Indonesia Family Law." *Ussrah: Jurnal Hukum Keluarga Islam* 6, no. 4 (2025): 33–50. <https://doi.org/10.46773/ussrah.v6i4.2195>.
- Maula, Bani Syarif. "Kajian Al-Ahwal Al-Syakhsiyyah Dengan Pendekatan Maqāṣid Al-Syarī'ah." *Al-Manahij: Jurnal Kajian Hukum Islam* 8, no. 2 (2014): 223–40. <https://doi.org/10.24090/mnh.v8i2.410>.
- Mera, Nasaruddin, Marzuki, M. Taufan B., Sapruddin, and Andi Intan Cahyani. "Child Custody for Mothers of a Different Religion: A Maqāṣid Al-Sharī'ah Perspective on Islamic Family Law in Indonesia." *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 8, no. 3 (2024): 1–20. <https://doi.org/10.22373/sjkh.v8i3.23809>.
- Mufidah. "Contraception in the Perspective of Real Needs." *Musawa: Jurnal Studi Gender Dan Islam* 20, no. 1 (2021): 72.
- Nashir. "Contraception from a Medical Emergency Perspective." *Journal of Sharia and Health* 5, no. 2 (2020): 118.
- Nasution. *Birth Control in the Classical Islamic Legal Tradition*. Jakarta: Kencana, 2017.
- Nurmala. "Comparative Analysis of Contemporary Contraceptive Fiqh." *Jurnal Usul Fiqh* 15, no. 1 (2022): 118.
- Oktavian. "Quality Families in the Perspective of Modern Family Fiqh." *Journal of Islamic Sociology* 2, no. 2 (2022): 79.
- Pramesti. "Intentions and Goals in Establishing Islamic Family Law." *Al-Ahwal Journal* 11, no. 2 (2018): 153.
- Pratiwi. "Women's Reproductive Rights in the Perspective of Contemporary Islamic Law." *Musawa: Jurnal Studi Gender Dan Islam* 21, no. 1 (2022): 41.
- Purnomo, Jumah, Pipi Sopyani, and Sudirman. "Reinterpretation Contraception in Fiqh Contemporary Perspective." *Saliha: Jurnal Pendidikan Dan Agama Islam* 8, no. 2 (2025): 120–35. <https://doi.org/10.54396/saliha.v8i2.1660>.
- Putri. "Modern Contraceptive Technology and Its Legal Implications in Islam." *Journal of Public Health* 16, no. 2 (2021): 214.
- Qonita. "Economic Factors in Islamic Contraceptive Law 3, No. 1 (2020): 29." *Journal of Islamic Economics and Family* 3, no. 1 (2020): 29.
- Qudsi. "The Concept of Tawakkal in Islamic Family Law," *Journal of Islamic Studies* 16, No. 1 (2019): 92." *Journal of Islamic Studies* 16, no. 1 (2019): 92.
- Rahimah. "Theological Dimensions in the Fiqh of Reproduction 22, No. 1 (2022): 41." *Musawa: Jurnal Studi Gender Dan Islam* 22, no. 1 (2022): 41.

- Rahman, Fazlur. *Islam and Modernity: Transformation of an Intellectual Tradition*. Chicago: University of Chicago Press, 2009.
- Rahmani. *Moderation of Yusuf Al-Qaradawi's Fiqh in Contemporary Issues*. Bandung: Teen Rosdakarya, 2019.
- Rasyida. "Limitation of Descent from the Perspective of Contemporary Ulama." *Journal of Family Law* 10, no. 1 (2019): 96.
- Riarismayanti, Hannani, M Ali Rusdi, Rusdaya Basri, and Islamul Haq. "Maqāṣid Al-Syari'ah Imam Al-Juwayni Dalam Merespons Fenomena Childfree." *Al-Hukamaa: Jurnal Hukum Keluarga Islam* 3, no. 2 (2025). <https://doi.org/10.35905/hukamaa.v3i2.14749>.
- Ridwan. "The Dynamics of Scholars' Ijtihad in Contemporary Family Issues." *Al-Risalah* 19, no. 2 (2019): 187.
- Rohman. "Plurality of Scholars' Opinions in Modern Family Fiqh." *Ahkam: Journal of Sharia Science* 20, no. 1 (2020): 82.
- Salman. "Classification of Contraception in Contemporary Fiqh." *Al-Istinbath Journal* 5, no. 1 (2018): 54.
- Salsabila. "Ethical Dimensions in Modern Islamic Family Fiqh." *Journal of Islamic Studies* 18, no. 1 (2023): 61.
- Sari. "Ethics of Contraceptive Use from an Islamic Perspective." *Journal of Religious and Social Studies* 16, no. 2 (2020): 121.
- Sari, Elyse Prastika, Nasywa Nayla Fawwazni, Jamalul Il Alfam, and Muhammad Amiruddin. "Penggunaan Alat Kontrasepsi Dalam Perspektif Islam." *Maliki Interdisciplinary Journal* 3, no. 1 (2025): 45–60.
- Suharto. *Yusuf Al-Qaradawi's Islamic Legal Thought*. Jakarta: Prenadamedia Group, 2020.
- Sukri, Azam, and Aris Fauzan. "Maqasid Al-Shariah and Child Protection." *Karsa: Journal of Social and Islamic Culture* 33, no. 2 (2025): 210–25. <https://doi.org/10.19105/karsa.v33i2.21696>.
- Supardiyono, Shofwan, Tri Wahyu Hidayati, and Umar Multazam. "Penggunaan Alat Kontrasepsi Dalam Perspektif Ahkamul Fuqoha." *Shar-E: Jurnal Kajian Ekonomi Hukum Syariah* 6, no. 1 (2025): 25–60. <https://doi.org/10.37567/shar-e.v11i1.4005>.
- Syafitri. "A Comparative Study of Contemporary Ulama's Thoughts on Family Planning." *Al-Ahkam Journal* 32, no. 1 (2022): 66.
- Taufan. "Tanzim Al-Nasl in Islamic Family Fiqh." *Al-Istinbath Journal* 6, no. 1 (2021): 125.
- Tsalits. "Spousal Consent in Contraceptive Law," *Journal of Islamic Law* 7, no. 2 (2021): 147.
- Umar. "Sterilization in the Perspective of Modern Fiqh." *Jurnal Al-Ahkam* 30, no. 2 (2020): 233.
- Uswah. "The Concept of Limiting Descent in Islamic Law." *Jurnal Ahkam* 19, no. 1 (2019): 71.
- Utami. "Literature Research Methodology in Islamic Studies." *Islamic Scientific Journal* 17, no. 1 (2018): 45.
- Utsaimin, Muhammad bin Shalih al-. *Majmu' Fatawa Wa Rasail*. Riyadh: Dar al-Wathan, 2006.
- Wahid. "Sadd Al-Zari'ah in the Fiqh of Reproductive Health." *Mazahib* 19, no. 2 (2019): 201.
- Wahyuni. "Ijtihad of Ulama in Responding to Reproductive Health Issues." *Journal of Islamic Studies* 15, no. 2 (2019): 209.

- Wardani. "Family Planning in the Perspective of Islamic Law." *Jurnal Bimas Islam* 13, no. 2 (2020): 218.
- Yunus. "Reproductive Rights of Couples in Islamic Law." *Musawa: Jurnal Studi Gender Dan Islam* 20, no. 2 (2021): 207.
- Yusuf. "The Maqā Approachsid in Yusuf Al-Qaradawi's Fatwa on the Family." *Ushul Fiqh Journal* 13, no. 2 (2021): 151.
- Yusufiyah. "The Social Impact of Limiting Descent." *Journal of Islamic Sociology* 3, no. 1 (2021): 66.
- Zahra. "A Moderate Islamic Perspective on the Issue of Contraception and the Modern Family Law 7, No. 1 (2023): 33." *Journal of Contemporary Islamic* 7, no. 1 (2023): 33.
- Zainuddin. "Recommendations for Increasing the Ummah from a Hadith Perspective." *Hadith Journal* 8, no. 1 (2020): 39.
- Zamzam Mustofa. "Hukum Penggunaan Alat Kontrasepsi Dalam Prespektif Agama Islam." *Ma'alim: Jurnal Pendidikan Islam* 1, no. 2 (2020): 85-103. <https://doi.org/10.21154maalim.v1i02.2625>.
- Zulfikar. "Fiqh and Public Policy in the Thought of Contemporary Ulama." *Journal of Islamic Legislation* 15, no. 1 (2018): 42.

