

Vasectomy Family Planning Policy and the Rights of Social Assistance Recipients: A Critical Study from the Perspective of *Ḥifẓ an-Nasl* and *al-Māl*

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Abstract

Policies that link access to social assistance with vasectomy reflect a form of state intervention that has the potential to violate basic principles of justice and human rights. Instead of strengthening welfare, such a policy raises serious problems in terms of the protection of offspring (*ḥifẓ an-nasl*) and the protection of property (*al-māl*) as stipulated in Maqāṣid as-Sharī'ah. This study uses normative legal approaches and qualitative methods to analyze these policies from the perspective of Islamic ethics and social rights frameworks. The results of the study show that imposing permanent contraceptive methods as a prerequisite for social assistance is not only contrary to the principles of maqāṣid, but also creates systemic discrimination against vulnerable groups. In this context, the state should not necessarily sacrifice the basic rights of citizens for the sake of achieving demographic figures. Therefore, this research challenges policy logic that ignores the values of protection and justice, and encourages the formulation of public policies that are more humane, inclusive, and in accordance with the socio-religious ethics of the Indonesian nation.

Keywords: *Ḥifẓ an-Nasl*, *al-Māl*, Vasectomy.

Abstrak

Kebijakan yang mengaitkan akses terhadap bantuan sosial dengan pelaksanaan vasektomi mencerminkan bentuk intervensi negara yang berpotensi melanggar prinsip-prinsip dasar keadilan dan hak asasi manusia. Alih-alih memperkuat kesejahteraan, kebijakan semacam ini justru menimbulkan persoalan serius dalam hal perlindungan keturunan (*ḥifẓ an-nasl*) dan perlindungan harta (*al-māl*) sebagaimana diatur dalam Maqāṣid asy-Syarī'ah. Penelitian ini menggunakan pendekatan hukum normatif dan metode kualitatif untuk menganalisis kebijakan tersebut dari perspektif etika Islam dan kerangka hak sosial. Hasil kajian menunjukkan bahwa memaksakan metode kontrasepsi permanen sebagai prasyarat bantuan sosial bukan hanya bertentangan dengan prinsip maqāṣid, tetapi juga menciptakan diskriminasi sistemik terhadap kelompok rentan. Dalam konteks ini, negara tidak semestinya mengorbankan hak-hak dasar warga negara demi capaian angka demografis. Maka dari itu, penelitian ini menantang logika kebijakan yang mengabaikan nilai-nilai perlindungan dan keadilan, serta mendorong formulasi kebijakan publik yang lebih manusiawi, inklusif, dan sesuai dengan etika sosial-religius bangsa Indonesia.

Kata kunci: *Ḥifẓ an-Nasl*, *al-Māl*, Vasektomi.

Introduction

Controlling population growth has long been an important agenda for various developing countries, including Indonesia.¹ According to data from the Central Statistics Agency, the development of this population has shown significant numbers, data can be taken from 2021 as many as 272,682,500 people, 275,773,800 people in 2022, and 278,696,200 people in 2023. Then it rose again to 281,603,800 people in 2024. Seeing the numbers that continue to increase every year, Indonesia still continues to enact and socialize the Family Planning (KB) program which can reduce the mortality rate, improve the health status of mothers and children and control population growth.²

This is also strictly enforced through Vasectomy Family Planning as a condition for receiving social assistance introduced by the Governor of West Java, Dedi Mulyadi. This policy requires that prospective recipients of social assistance undergo a vasectomy or male sterilization procedure to regulate the number of children in the family³, also aims to ensure that social assistance is delivered in a targeted manner and supports the Government's vision of population control. Conceptually Islamic, this policy needs to be studied in depth, especially in the context of Maqāṣid Ash-Sharia. This concept emphasizes the goals of the Shari'ah which include five vital human needs, namely Ḥifẓ ad-Dīn (religious protection), Ḥifẓ an-Nafs (protection of the soul), Ḥifẓ al-'Aql (protection of intellect), Ḥifẓ an-Nasl (protection of offspring), and Ḥifẓ al-Māl (protection of property).⁴ However, the consensus to analyze the vasectomy policy as a condition for this social assistance is the conception of Ḥifẓ an-Nasl and al-Māl.

The concept of Ḥifẓ an-Nasl emphasizes the importance of maintaining the continuity and plurality of the human generation. In Islam, offspring are not only considered as successors, but also as a moral trust and responsibility.⁵ The protection of offspring is considered fundamental so that human sustainability is maintained and society can develop sustainably. Therefore, the vasectomy policy as a prerequisite for receiving social assistance must be faced with the

¹ Badan Pusat Statistik, Jumlah Penduduk Pertengahan Tahun 2022-2024 Jiwa, diakses pada 28 Juni 2024.

² Fiona Amelia, 'Indonesian National Family Planning Program, Past, Now & Later', *Klikdokter*, 20 July 2016, <https://www.klikdokter.com/info-sehat/reproduksi/program-kb-nasional-indonesia-dahulu-kini-amp-nanti?srsltid=AfmBOooy0Nf7N6noYMJNvUXWaqXfkCJyGCTFrCrt0y7OHP1QANKFiuc>.

³ Vivi Teriviantina and Ferry Simanjuntak, 'Kontrasepsi Vasektomi Pria: Perspektif Teologi Etika Terapan', *Jurnal LedaLero* 20, no. 2 (December 2021): 177–79. <http://dx.doi.org/10.31385/jl.v20i2.238.175-185>

⁴ Deva Nabilah, 'Bank Indonesia's Policy in the Implementation of a 0.7% Merchant Discount Rate from the E-Payment QRIS from the Perspective of Maqashid Syariah (MDR Merchant Response 0.7% in the Special Region of Yogyakarta)' (UIN Sunan Kalijaga Yogyakarta, 2023).

⁵ Muthi'ah hijriyati, 'The Responsibility of Parents to Prepare a Resilient Generation in the Perspective of the Qur'an Semantic Analysis of Q.S. Al-Nisa': 9', *EL-Islam* 1, no. 1 (January 2019): 122–122. <https://doi.org/10.33752/el-islam.v1i01.765>

consideration that this action can have implications for restricting individual reproductive rights and affect the dynamics of offspring. Meanwhile, *Ḥifẓ al-Māl* as the concept of property protection, asks that the country's economic resources and wealth be managed optimally and fairly. In the context of *social welfare policies*⁶, social assistance is directed to improve the economic welfare of the targeted group.

The policy that requires a vasectomy to get this assistance is in principle intended to reduce the potential economic burden on families with large children so that social assistance funds are on target and used effectively by the community.⁷ However, the application of these conditions raises questions about justice and human rights related to freedom of choice (number of offspring) in having a family. Dedi Mulyadi's policy received mixed responses from the community and social activists. On the one hand, there is support that considers the policy appreciative to control the birth rate and improve the target of more focused social assistance recipients. But on the other hand, there are sharp criticisms that question the ethical aspects and human rights of individuals in the forced implementation of family planning, especially those related to sterilization methods, which have the potential to violate reproductive rights as a basic human right and violate the principles of social justice.

In the academic context, studies related to the relationship between family planning policy and *maqāṣid ash-sharia* are still relatively limited, especially related to the policy of male sterilization. Most of the literature emphasizes more on the perspective of women and postpartum family planning⁸. Therefore, a critical study that integrates *maqāṣid ash-syarīah* as a normative basis is very important to provide a new understanding in formulating family planning policies that are not only technically effective but also fair and in accordance with the socio-cultural values of the surrounding community.⁹ Furthermore, the era of technological and social disruption opens up opportunities as well as challenges in the implementation and socialization of family planning programs. Information that spreads quickly through social media can significantly affect public opinion, so policies such as those carried out by the Governor of West Java need to be

⁶ The concept of *welfare state* can be briefly defined where the government is considered to play an important role in ensuring the welfare of every citizen.

⁷ Devita Sari, Nindi Aulia, and Muhammad Rianto, 'Indonesian Government Policies in Poverty Alleviation from an Islamic Economic Perspective', *Journal of Dynamics and Science* 1, no. 3 (2024): 263–64.

⁸ Fatma Laili, 'Enforcement of Women's Reproductive Rights in Family Planning Policy in Indonesia', *Palastren* 6, no. 1 (2013). <http://dx.doi.org/10.21043/palastren.v6i1.982>

⁹ Aswita, Dewi Sari, et al., *Family Planning: Contraception and Intertility* (Eureka Media Aksara, 2023).

communicated appropriately so as not to cause misinformation or strong resistance.¹⁰ Modernization of family planning policies must always accommodate local perspectives, gender justice, and community aspirations in order to create inclusive and sustainable policies.¹¹ In addition, globally, the sustainable development agenda formulated in *the Sustainable Development Goals* (SDGs) also emphasizes the importance of achieving reproductive health and women's rights in the context of equitable population control.¹²

Local policies need to be aligned with international standards that prioritize human rights and the principle of non-discrimination. Thus, the discussion of the vasectomy family planning policy as a condition for receiving *basnso*s from the perspective of *Ḥifẓ an-Nasl* and *al-Māl* becomes very relevant and strategic. This research is expected to make a profound scientific contribution to assist policymakers, social activists, and academics in formulating policies that are not only effective in emphasizing population growth but also respecting humanitarian and socio-religious values.

Before embarking on the previous study, it is important to understand the context and relevance of this study within the framework of social policy and reproductive health. This research focuses on vasectomy family planning policies and the rights of social assistance recipients, as well as how these two aspects interact with each other in the perspectives of *Ḥifẓ an-Nasl* and *al-Māl*. The previous study that will be presented below aims to emphasize the existence and urgency of this research in making academic and practical contributions to better understanding and policy development in the future.

The Legal Politics of Family Planning Programs in Indonesia: This study identifies the various policies and regulations that govern Family Planning Programs in Indonesia. The author highlights that family planning policies have undergone various changes along with changes in the political regime in Indonesia. Each regime brings a different approach and priorities in the implementation of family planning programs, which has an impact on the effectiveness and acceptance of the community.¹³

¹⁰ Dwi Retno Hapsari, Asri Sulistiawati, and Aditya Rahmadhony, 'The Effect of Media Exposure on the Knowledge of Women of Childbearing Age in Family Planning Programs in Indonesia', *Journal of Development Communication* 21, no. 2 (2023): 74.

¹¹ Deva Nabilah et al., 'Analysis of Cross-Border Conformity in Trade Regulation No. 31 of 2023 on Keynesian Economic Theory as a Supporter of SDGs and Maqāṣid Ash-Sharia', *Pagaruyuang Journal* 8, no. 2 (2025): 234–35. <https://doi.org/10.31869/plj.v0i0.6362>

¹² SDGs Bappenas, 'SDGs Knowledge HUB', Bappenas, SDGs, n.d., <https://sdgs.bappenas.go.id/>.

¹³ Aditya Rahmadhony et al., 'The Legal Politics of Family Planning Programs in Indonesia', *Journal of Law & Development* 51, no. 3 (2021).

Implementation of Government Policies in Family Planning (Kb) Programs for Men (Vasectomy) in Southeast Pontianak District, Pontianak City: The results of the study show that government policies regarding vasectomy as one of the contraceptive methods for men have been regulated in various regulations. However, its implementation still faces various challenges. The authors note that despite support from the government, public awareness of vasectomy is still low, and many have a negative stigma against this method. There is a stigma in society that considers vasectomy to be an act that is not masculine or detrimental to health. This prevents men from choosing this method.¹⁴

Jasser Auda's Thoughts on the Reconstruction of the Political Vision of Islamic Law in the Dialectic of Sharia Maqasid and Public Policy Formulation: This study aims to explore Jasser Auda's thoughts on the reconstruction of the political vision of Islamic law through the approach of maqasid sharia (sharia goals) and how this thinking can be integrated in public policy formulation. The author wants to understand how maqasid sharia can be the foundation for the development of laws and policies that are more responsive to the needs of the community.¹⁵ Comparison of the above research with the research on Vasectomy Family Planning Policy and the Rights of Social Assistance Recipients: A Critical Study in the Perspective of *Ḥifẓ an-Nasl Dan al-Māl*, can be conveyed through the following table:

Tabel.1
Comparison of Previous Research

Research Focus	Similarities	Difference
Legal Politics of Family Planning Programs in Indonesia		
This study analyzes the influence of political law on the success of family planning programs in Indonesia, including the factors that influence policies and their implementation.	Like the design of this research, this study also discusses family planning policies, but emphasizes more on the political aspects of law and its impact on society in general.	The design of this study is more specific to the vasectomy method and the rights of recipients of social assistance, and relates it to the perspectives of <i>Ḥifẓ an-Nasl</i> and <i>al-Māl</i> , which

¹⁴ Al Gunawan Pratama, 'Implementation of Government Policies in Family Planning (Kb) for Men (Vasectomy) in Southeast Pontianak District, Pontianak City', *Publika: Journal of State Administrative Science* 5, no. 1 (2016). <http://dx.doi.org/10.26418%2Fpublika.v5i1.904>

¹⁵ Hendra Yasin, 'Jasser Auda's Thoughts on the Reconstruction of the Political Vision of Islamic Law in the Dialectic of Sharia Maqasid and Public Policy Formulation', *Al-Himayah Journal* 8, no. 2 (2024).

		are not discussed in this study.
Implementation of Government Policies in Family Planning (KB) Program for Men (Vasectomy) in Southeast Pontianak District, Pontianak City		
This research focuses on the implementation of vasectomy family planning policies at the local level, analyzing the challenges and factors that affect the success of the program.	The design of this study has similarities in the focus on the vasectomy method as part of the family planning program, as well as the challenges faced in its implementation.	The design of this study expands the analysis to include the rights of recipients of social assistance and the perspectives of <i>Ḥifẓ an-Nasl</i> and <i>al-Māl</i> , which provide the in understanding the social and economic implications of the policy.
Jasser Auda's Thoughts on the Reconstruction of the Political Vision of Islamic Law in the Dialectic of Sharia Maqasid and Public Policy Formulation		
This research explores Jasser Auda's thoughts on the reconstruction of the political vision of Islamic law and how sharia maqasid can be integrated in public policy.	The design of this research and Auda's research both emphasize the importance of the principles underlying policy, although Auda focuses more on sharia maqasid in the context of Islamic law.	The design of this research is more specific in the context of vasectomy family planning policy and the rights of social assistance recipients, and links it to protection ancestry and possessions, which were not the main focus in Auda's thought.

This research theoretically aims to develop an understanding of the relationship between the Family Planning (KB) policy of the vasectomy method and the rights of recipients of social assistance in the framework of *maqāṣid al-syarī'ah*, especially the aspects of *ḥifẓ an-nasl* (protection of offspring) and *ḥifẓ al-māl* (protection of property). Through this approach, it is hoped that it can contribute to the enrichment of academic literature in the field of social policy and reproductive health. Practically, this study aims to provide more inclusive and equitable policy recommendations for social assistance recipients who choose the vasectomy method, so as to encourage the formulation of programs that are responsive to the real needs of the community and strengthen their understanding of inherent social rights. Especially for the people of West Java, this research is expected to have a direct impact in the form of increasing awareness of rights in family planning policies and social assistance, as well as becoming the basis for constructive dialogue between the Government and the community in order to build policies that are more just, sustainable, and in favor of the welfare of the people.

Research Methods

The Family Planning (KB) policy in West Java is a strategic effort by the government to control population growth and improve the quality of life of the community, one of which is through the vasectomy contraceptive method.¹⁶ However, the proposal to make vasectomy a condition for receiving social assistance, as conveyed by Dedi Mulyadi, has sparked debate in terms of ethics, social, and religious values.¹⁷ In this context, it is important to analyze the policy through the *Maqāṣid as-Sharī'ah* approach, especially with regard to *ḥifẓ an-nasl* (protection of offspring) and *al-māl* (protection of property), in order to assess its conformity with the principles of sharia and social justice. This research uses a normative legal method with a qualitative approach, which allows an in-depth study of legal norms, ethical principles, and religious values that underlie public policy.¹⁸ This study also aims to evaluate the relationship between vasectomy family planning policies and human rights and recommend more inclusive and equitable policies. The legal materials used include Law Number 52 of 2009, academic literature, and international legal instruments such as CEDAW and UDHR.¹⁹ The data collection technique was carried out through

¹⁶ I Gusti Ketut Ariawan, 'Normative Law Research Methods', *Kertha Widya* 1, no. 1 (2013).

¹⁷ Iman Jalaludin Rifa'i, 'The Scope of Legal Research Methods', *Legal Research Methodology* 6 (2023).

¹⁸ Kornelius Benuf and Muhamad Azhar, 'Legal Research Methodology as an Instrument for Unraveling Contemporary Legal Problems', *Gema Keadilan* 7, no. 1 (2020): 20–33. <https://doi.org/10.14710/gk.2020.7504>

¹⁹ Ahamad Rosidi, Mukti Zainuddin, and Ismi Arifiana, 'Methods in Normative and Sociological Law Research (Field Research)', *Journal of Law and Government* 2, no. 1 (2024): 46–58. <https://doi.org/10.31764/jlag.v2i1.21606>

a literature study, with the classification of materials based on theme and relevance.²⁰ The analysis was carried out descriptively and normatively to describe the policy context, assess its conformity with maqāṣid asy-syarī'ah, and synthesize findings to provide policy recommendations oriented towards the protection of social rights and reproductive health of the community, especially in the West Java region. With this approach, it is hoped that research can provide academic contributions as well as practical benefits in realizing just and sustainable social policies.²¹

Research and Discussion Results

Vasectomy Policy as an Effort to Control Population: A Study of the Context and Objectives of the Family Planning Program

The Vasectomy Family Planning policy as a condition for receiving social assistance aims to control the birth rate and ensure that social assistance is provided to families who are really in need. In this context, the government is trying to reduce the economic burden borne by families with a large number of children²². However, these policies also raise questions about social justice and the right of individuals to determine the number of children they want. According to BKKBN, the family planning program in Indonesia aims to improve the quality of family life and reduce poverty rates. However, an approach that links vasectomy to social assistance can be considered a form of coercion that runs counter to human rights principles²³. The right to determine the number of offspring is regulated in several international and national legal instruments. Here are some relevant articles:

Tabel 1.2
Legal Instruments and Human Rights Linkages

Legal Rules/Instruments	Legal Rule	Contents of the Legal Rule	Linkages
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	Pasal 16	States parties should take all necessary steps to menghapuskan discrimination against women in all matters	The family planning policy is that the policy must Providing space for women to have control over their bodies and

²⁰ Ayyub Kadriah and Dadang Sumarna, 'Critical Epistemological Analysis of Civil Law Research Methods', *Journal of Supremacy Of Law (Ilmu Hukum)* 1, no. 1 (2024): 1–25.

²¹ Dadang Sumarna and Ayyub Kadriah, 'Qualitative Research on Empirical Law', *Journal of Law Research* 16, no. 02 (2023): 101–13. <https://doi.org/10.59582/sh.v16i02.730>

²² Rahma Pramudya Nawang Sari et al., 'Community Views on the Implementation of Family Planning (KB) Programs in Realizing Sakinah Families in South Lembang District', *Al Maqasid* 10, no. 1 (2024): 22–23. <https://doi.org/10.24952/almaqasid.v10i1.10998>

²³ Ervina Adelia, 'Sharia Reform through Abdullah Ahmed Na'im's Critical Thinking on Human Rights', *Journal of Qur'an and Tafsir* 2, no. 1 (December 2020): 68–68. <https://doi.org/10.53649/at-tahfidz.v2i01.606>

		related to marriage and family relations.	reproduction. Policies that force certain methods of contraception, such as vasectomy, can be considered a violation of rights if they do not take into account individual preferences and desires.
Universal Declaration of Human Rights (UDHR)	Pasal 16	Declares that men and women, upon reaching adulthood, have the right to marry and form families without boundaries of race, nationality, or religion.	The right to determine the number of offspring is that the decision regarding the number of children is part of the formation of the family. Policies governing the number of children should respect the individual's right to make such decisions without coercion.
International Convention on Civil and Political Rights (ICCPR)	Pasal 23	Declare that the family is the basic unit of society and has the right to be protected by society and the state.	The right to determine the number of offspring is that the state must create an environment that supports family decisions without the intervention of the merugikan. Kebijakan which links social assistance to the condition of a vasectomy can be considered a violation of this right if it does not take into account the wishes and needs of the family.
Convention on the Rights of the Child (CRC)	Pasal 27	Declares that every child has the right to have an adequate	The right to determine the number of offspring is that parents must

		standard of living for physical, mental, spiritual, moral, and social development.	have the ability to plan their families in order to provide a decent life for them. their children. Policies that force permanent methods of contraception can interfere with parents' ability to fulfill their children's rights.
National Laws	No. 52 Tahun 2009	About Population Development and Family Planning	This law should support the right to determine the number of offspring and should not force individuals to follow certain methods without their consent.

The data source was created by the Researcher

The linkage between the right to determine the number of offspring and the articles in international and national legal instruments suggests that family planning policies must respect and protect human rights. Policies that do not consider the right of individuals to make decisions related to reproduction can potentially violate the principles set forth in these legal instruments,²⁴ in addition if policies do not take into account cultural and religious values, they may face resistance from society.

Population control is a top priority in the Family Planning (KB) program to control the rapidly increasing population growth rate. Vasectomy, as a permanent contraceptive method aimed at men, offers an effective solution in supporting the achievement of these goals. However, the acceptance and implementation of vasectomy policies is still limited due to various challenges, both from social, cultural, and medical aspects that affect the level of participation and success of this program. The main goal of using permanent contraceptives such as vasectomy is to significantly reduce the birth rate with methods that are effective, safe, and have minimal risk to the perpetrator, so as to provide a long-term solution in population control without causing significant negative impacts on health. One of the important goals of the vasectomy policy is to transfer part of the responsibility of birth control from women to men, in order to realize gender

²⁴ Muhammad Alfathir Akbar, Khairulyadi Khairulyadi, and Firdaus Mirza Nusuary, 'Kb Villages in an Effort to Improve Population Welfare (Study in Gampong Doy, Ulee Kareng District, Banda Aceh City)', *Student Scientific Journal (JIM)* 7, no. 1 (2022).

equality in the division of roles and burdens in the Family Planning program. The vasectomy policy also aims to reduce dependence on temporary contraceptive methods that require repeated use, thereby increasing the effectiveness and sustainability of Family Planning programs in the long term. The implementation of vasectomy as a permanent contraceptive method also supports the government's efforts to achieve population control goals while encouraging the realization of prosperous and sustainable family development.

Public awareness and acceptance of the vasectomy method is still relatively low, caused by various myths and negative stigmas, especially the assumption that this procedure can eliminate "masculinity" or male ability, thus causing fear and doubt in participating in the program. Gender roles that are thick with traditional patriarchal values cause the burden of responsibility in the Family Planning program to fall more on women, so that men's interest and participation in the vasectomy method as a form of permanent contraception tends to be low and less in demand. Limited education and comprehensive information about vasectomy is one of the main obstacles that hinder men's participation in the Family Planning program, so many men lack understanding of the benefits, procedures, and safety of this permanent contraceptive method.

The safety and effectiveness of vasectomy have been proven through a simple, minimally risky procedure and a very low failure rate of less than 1%, making it a reliable and reliable permanent contraceptive option in birth control programs. The availability of trained medical personnel and adequate health facilities is a crucial factor that determines the success of the implementation of the vasectomy program, as this procedure requires special expertise and proper facilities to be carried out safely and effectively. Accessibility is an important aspect in the implementation of the vasectomy program, where efforts need to be directed to reach remote areas with appropriate approaches to avoid inequality in services and ensure that all levels of society have equal opportunities to access this method of permanent contraception.

Based on the latest national data, the percentage of vasectomy method use among male Family Planning participants is still relatively low, which is less than 1% according to the 2023 National Health Research (Riskesnas). Meanwhile, the total birth rate (TFR) is at 2.3 children per woman (BPS 2023), and men's participation in the family planning program reaches around 10% (BKKBN 2024 data). In terms of facilities, around 45% of all family planning facilities have provided vasectomy services (Ministry of Health of the Republic of Indonesia 2024), with a fairly high level of satisfaction among vasectomy participants, reaching 85% based on an independent survey in 2024. This data shows the potential that can still be developed in improving the role of men through the vasectomy method in population control programs.

Analysis of the Implications of the Family Planning Program on *Hifz an-Nasl* in the Social and Religious Context

The concept of *Hifz an-Nasl* in Islam emphasizes the importance of caring for and protecting one's offspring as one of the main purposes of the sharia²⁵. In this context, every individual and family has the responsibility to ensure the survival and well-being of future generations, this is because the protection of offspring is one of the important aspects that must be considered in any policy related to reproduction.²⁶ Policies that encourage vasectomy as a condition for receiving social assistance can be seen as a threat to these values. Policies that can reduce the potential for birth and affect the demographic structure of the community. So if the policy is too strict in regulating the number of children, it can cause a drastic decrease in the birth rate, which in turn can affect the sustainability of culture and societal values. Policies that force individuals to undergo vasectomy as a condition for receiving social assistance can be considered a form of coercion that is contrary to the principles of justice and human rights. In this context, it is important to consider that reproductive rights are an integral part of human rights that the state is supposed to protect. Each individual has the right to determine the desired number of children without any pressure from any party. This suggests that policies linking vasectomy to social assistance need to be reviewed so as not to violate individual rights.

The Family Planning Policy (KB) has significant implications for the *hifz an-nasl* aspect in *maqasid al-syari'ah*, namely the protection of offspring and generational continuity. A family planning program that is implemented appropriately can help families in planning the number and distance of child births in a healthy and regular manner, so that children born have a greater opportunity to grow and develop in an optimal environment physically, psychologically, and socially. Thus, KB supports the creation of a quality generation and is able to continue the legacy of religious and cultural values. However, if the family planning policy is implemented repressively or without paying attention to individual reproductive rights, this has the potential to threaten the sustainability of offspring and ignore human rights in determining the family according to their individual wishes. Therefore, in the perspective of *hifz an-nasl*, family planning policies must be

²⁵ Deva Nabilah, "Trade Tax Through The Electronic System (PMSE) In The Sharia Maqasid Perspective According To Jasser Auda", *Nurani: Jurnal Kajian Syari'ah Dan Masyarakat* 22, no. 1 (2022): 181.

²⁶ Habib Sulton Asnawi, "The Legal Politics of the Protection of Women's Human Rights in Indonesia (Study on Efforts to Realize Justice and Gender Equality for Women in the Health Sector in the Era of the Susilo Bambang Yudhoyono/SBY Government)" (Islamic University of Indonesia, 2011). <https://dspace.uui.ac.id/handle/123456789/8766>

integrated with the principle of respect for individual rights and a balance between family planning and generational preservation in an ethical and civilized manner.

The Family Planning (KB) program in Indonesia aims to regulate the number and distance of births in order to improve the welfare of families and the community at large. In the perspective of *maqāṣid al-syarī'ah*, especially the aspect of *ḥifẓ an-nasl* or protection of descendants, the implementation of the family planning program must be in harmony with religious values and social norms that are strongly attached to family institutions. This protection of offspring emphasizes the importance of the sustainability and purity of the lineage as a fundamental part of the goals of Islamic law, so family planning policies need to be carefully designed so as not to violate or threaten reproductive rights that are the basic rights of every individual.

In the social context, the Family Planning (KB) program faces various challenges stemming from differences in cultural perceptions and practices in society. Some communities believe that birth restrictions have the potential to disrupt family continuity and the preservation of cultural heritage, especially in areas that strongly uphold traditional and religious values. Therefore, family planning policies must be designed with a sensitive and adaptive approach, involving the active role of religious and customary leaders in the socialization process, so that this program can be widely accepted without diminishing respect for traditions and applicable social norms.

Religiously, the principle of *Ḥifẓ an-Nasl* requires that the policy of Family Planning does not undermine the sanctity of the reproductive process and respects the right of every individual to have legitimate offspring. Therefore, the family planning method used must be in line with sharia principles, avoid the use of permanent methods except in emergency conditions, and not hinder overall reproductive function. To ensure this, a deep understanding and proper education are needed to the community and program implementers, so that the implementation of family planning does not cause violations of religious values and resistance from the community concerned.

However, the Family Planning program also has a crucial role in maintaining the quality of family life and preventing prolonged poverty due to uncontrolled child numbers. With wise birth arrangements, families have a greater opportunity to focus resources on meeting basic needs such as education, health, and economic well-being. This approach is in line with the goal of *maqāṣid al-syarī'ah* which aims to protect the ummah from misery and at the same time strengthen social resilience in society. Thus, the implications of the Family Planning program on *Ḥifẓ an-Nasl* need to be managed holistically by paying attention to social and religious aspects as a whole. Policies that are sensitive to cultural values and sharia principles, while involving the active participation of

the community, will make the family planning program an effective instrument in protecting offspring while improving the quality of family life. Policy reforms that focus on respect for rights, justice, and sustainability are key factors in ensuring the successful implementation of family planning in Indonesia.

Family Planning in the Perspective of Ḥifẓ al-Māl: Between Economic Efficiency and Social Justice

The Family Planning (KB) program in Indonesia is one of the government's strategic efforts to control the rate of population growth with the main goal of improving the welfare of the community as a whole. In the perspective of *maqāṣid al-shari'ah*, especially on the aspect of *ḥifẓ al-māl* or the protection of property, family planning is seen as an important instrument that allows families to manage their economic resources more effectively and efficiently. By limiting the number of family members, the burden of living costs can be minimized so that families have a greater capacity to optimally meet basic needs such as education, health, and other basic needs. This condition directly contributes to strengthening household economic resilience as well as being a preventive step in avoiding sustainable structural poverty.

From al-Māl's perspective, the Vasectomy family planning policy can be seen as an effort to manage resources efficiently and sustainably. In many cases, families receiving social assistance may face significant economic challenges²⁷, and policies that encourage vasectomy can be seen as a move to reduce the financial burden associated with raising children. However, these policies are not always effective in achieving the goal of reducing the birth rate. In many cases, families with many children are not always in poor economic conditions²⁸ therefore, an approach that links vasectomy to social assistance can be considered a dangerous oversimplification of the complex problems faced by families.

Policies that link permanent contraceptive methods to the recognition or provision of social assistance have the potential to hinder citizens' rights to meet basic family needs, so policies that do not consider social justice aspects can exacerbate existing injustices²⁹. In this context, it is important to consider that policies that associate vasectomy with social assistance can create a

²⁷Andi Asnidar, Jamaluddin Aswaji, and Abdul Samad, "The Influence of Social Assistance, Family Income and Health on the Social Welfare Level of the Underprivileged Community in Lawe-Lawe Village", *YUME: Journal of Management* 8, no. 1 (2025): 1120. <https://doi.org/10.37531/yum.v8i1.8234>

²⁸Fatimatuzahroh et al., "The Effectiveness of Family Planning Programs on Reducing the Birth Rate (Case Study in Bandar District)", *Journal of Demography, Ethnography, and Social Transformation* 3, no. 2 (2023): 88–90.

²⁹Andi Asnidar, Jamaluddin Aswaji, and Abdul Samad, "The Influence of Social Assistance, Family Income and Health on the Social Welfare Level of the Underprivileged Community in Lawe-Lawe Village". <https://doi.org/10.37531/yum.v8i1.8234>

social stigma against families with many children. This stigma can result in social and economic marginalization for families who are unable to meet these requirements.

However, economic efficiency which is the main goal of family planning should not ignore the principle of social justice which is also an integral part of *ḥifẓ al-māl*. Social justice in this context means that the distribution of resources and access to family planning services must be equitable without social, economic, and gender discrimination. In practice, family planning programs often place women as the main target without encouraging men's participation in a balanced manner, thus creating inequality in social responsibilities and burdens in the family. This condition reflects the patriarchal power relations inherent in public policies that have the potential to strengthen gender injustice.

In terms of reproductive rights, family planning must be able to guarantee individual autonomy and freedom in determining the number and distance of children, in accordance with Islamic values that uphold human rights. An approach that is too technocratic and oriented to quantitative targets risks ignoring these rights, so that family planning policies can become a form of repressive state control over citizens. Therefore, in the perspective of *ḥifẓ al-māl*, family planning programs should be developed with an approach centered on empowerment and justice, not just a tool for population control.

The socio-cultural and religious context must also be an important consideration in the implementation of family planning. Given that Indonesia is a country with strong cultural diversity and beliefs, the neglect of these values in family planning policies can create resistance and reduce the effectiveness of the program. A participatory and contextual approach is needed so that family planning programs can be accepted and implemented optimally, while respecting the rights of individuals and families to practice their cultural beliefs and values.

Overall, the Family Planning (KB) policy in the perspective of *ḥifẓ al-māl* must be able to balance between economic efficiency and social justice so that it not only functions as a means of population control, but also as an effective instrument to realize the economic welfare of families and society at large. Policy reformulation that prioritizes participatory principles, gender equality, respect for reproductive rights, and sensitivity to cultural and religious values is the main key to the success of a fair and sustainable family planning program, especially in the context of diversity and social dynamics in Indonesia.

Between Population Control and Reproductive Rights: A Critical Perspective on Family Planning Policy in Indonesia

According to Law No. 52 of 2009 concerning Population Development and Family Planning, the family planning program aims to control population growth and improve community welfare³⁰. Contraceptive methods, including vasectomy, are recognized as part of family planning programs. However, the implementation of this contraceptive method must be based on the principle of voluntary and *informed consent*, as regulated in health and human rights regulations. The policy that makes vasectomy a condition for receiving social assistance raises questions about its legality, because it has the potential to contradict the principles of freedom of choice of contraceptive methods and reproductive rights protected by Indonesia's positive law, including Law No. 39 of 1999 on Human Rights, so that social assistance recipients are legally entitled to fair treatment, without discrimination or coercion that is contrary to the principles of social justice which is regulated in Law No. 11 of 2009 concerning Social Welfare. Policies that require social assistance recipients to undergo vasectomy can be interpreted as discrimination or restriction of human rights. In addition, in the context of the protection of reproductive rights, the policy must pay attention to international standards such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) which is also part of national law based on Law No. 7 of 1984 concerning the Ratification of CEDAW.

The policy of Vasectomy Family Planning as a condition for receiving social assistance fosters tension between the state and society regarding the perception of social rights and responsibilities. Policies that do not take into account cultural and religious values can face strong resistance from the public because they are considered incompatible with religious and cultural values³¹. This shows that policies that do not take into account social and cultural contexts can face challenges in their implementation. The *maqāṣid as-syarīah* approach aims at the very basic and essential goals of maintaining human survival, which are categorized into 5 concepts: 1) *Ḥifẓ an-Nafs*: Protection of soul and life, 2) *Ḥifẓ al-Din*: Protection of religion and belief, 3) *Ḥifẓ al-'Aql*: Protection of reason and intellect, 4) *Ḥifẓ al-Nasl*: Protection of offspring and family, and 5) *Ḥifẓ al-Māl*: Protection of property and wealth. So in this context, which places a balance between the protection of descendants and the management of property, proposing a family planning policy

³⁰Reni Mulyanti and Suyatno, 'The Impact of the Use of Vasectomy Contraceptive Method on Health and Harmony in Married Couples in Pagerbarang District, Tegal Regency in 2016', *Journal of Public Health* 4, no. 4 (October 2016): 591. <https://doi.org/10.14710/jkm.v4i4.14290>

³¹tri Utami, 'Experience of Using Steady Contraceptives (Vasectomy) in Wanasaba District, East Lombok Regency', *Journal of Health Sciences Bhakti Husada* 9, no. 2 (December 2018): 107–8.

that is not only economically efficient but also respects ethical and social principles, so that the integration of the principles of *maqāṣid ash-syarīah* in the formulation of family planning policies can help create a more inclusive and equitable policy, this can be achieved by involving the community in the decision-making process and listening to their voices community.

Family planning policies are designed to reduce the birth rate by encouraging the use of contraceptives and limiting the number of children. In practice, this approach is often top-down and oriented towards national quantitative targets. The state plays a dominant role in determining the ideal narrative about family size, marriage age, and contraceptive methods used. This raises ethical issues when these policies are imposed without considering the cultural, social, and economic context of the community, especially in rural areas and areas with low levels of education.

In the human rights discourse, reproductive rights include the right of each individual or couple to freely and responsibly determine the number, distance, and time of having children, as well as the right to obtain information and access to safe and effective means. In the Indonesian context, the implementation of family planning policies sometimes violates this principle, especially when contraceptive services are focused on women without providing free and equal choices. In addition, the narrative of family planning is often framed with the interests of state development, not from the perspective of reproductive health or individual autonomy.

Gender Inequality in the Implementation of Family Planning Programs is reflected in the dominance of women as the main target, while men's involvement is still very limited. This condition reflects the existence of patriarchal power relations in the formulation and implementation of public policies, where reproductive responsibilities are disproportionately imposed on women. The lack of comprehensive sexual education in the Family Planning program shows that the approach used is more oriented towards the technical use of contraceptives than building critical awareness about reproductive rights, sexual health, and bodily autonomy. As a result, family planning programs tend to be reductive and do not touch on the fundamental educational aspects of empowering individuals, especially adolescents and women, in making responsible decisions related to their reproductive health.

One of the significant challenges in the implementation of the Family Planning program in Indonesia is the neglect of cultural and religious values that live in society, especially in areas with conservative views. The approach used in family planning programs tends to be technocratic, uniform, and numerically oriented, so it does not take into account the cultural diversity and religious beliefs of local communities. As a result, the program often faces resistance at the

grassroots level, as it is perceived as contrary to moral values, religious norms, and traditional views on family and descent. The absence of intercultural and interreligious dialogue in the formulation of family planning policies shows the weak participatory approach, as well as the failure of the state to bridge the gap between development interests and the socio-cultural sensitivity of the community.

Family Planning Policy in Indonesia is at a crossroads between the state's interest in controlling the rate of population growth and the demand to uphold and protect the reproductive rights of every individual. From a critical perspective, this policy needs to be reviewed so as not to be trapped in a hegemonic logic that positions the body of citizens, especially women, as an object of demographic control alone. On the contrary, family planning policies should be directed to be instruments based on the principles of human rights, gender equality, and social justice. For this reason, policy reformulation needs to be carried out through a participatory, contextual, and aligned approach with universal ethical values that respect cultural diversity, individual autonomy, and family integrity as a dynamic social unit.

Conclusion

Based on the results of this study, the family planning (KB) policy of vasectomy as a condition for receiving social assistance has complex implications and has the potential to violate the principles of justice and human rights (HAM). Because, according to the sharia maqashid, especially the concepts of *Hifz an-Nasl* and *al-Māl*, the policy needs to be reviewed to ensure that the rights of individuals in determining the number of offspring (children) and the management of property are still respected and considered. Policies that force individuals to undergo vasectomy can create social stigma and disregard for individual autonomy, which can ultimately be detrimental to family well-being. Therefore, it is important to formulate policies that are more responsive to the needs of the community, taking into account sociological, cultural and situational aspects. Thus, this study recommends the need for the involvement of various parties in the formulation of policies made by the West Java Government, such as West Java residents, Regency/City Governments, DPRD, Religious Leaders, Community Organizations (CSOs) and other stakeholders. This will not only increase the legitimacy of the policy, but also ensure that it is in accordance with Islamic values and the norms embraced by the community. In addition, it is important that providing legal education and counseling regarding contraceptive methods, including vasectomy, should be an integral part of the family planning program. By providing accurate and comprehensive information, people can make better and more informed decisions about contraceptive choices. So that in the end, transparency in social assistance programs and

effective mentoring mechanisms will contribute to the sustainability of the program, as well as maintain public trust in the Government. Therefore, family planning policies can be implemented in a more fair, inclusive, and respectful manner of human rights, and in line with the principles of sharia maqashid.

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