

Between Procreation and Poverty Alleviation: Re-evaluating Shafi'i Jurisprudence on State-Mandated Vasectomy

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Abstract:

This study aims to examine the legality of vasectomy as a prerequisite for receiving social assistance from the perspective of Shafi'i jurisprudence. The emergence of vasectomy requirements in welfare policies has generated debate in Muslim societies because it intersects with issues of reproductive rights, bodily autonomy, and religious ethics. Such policies raise questions about whether state efforts to control population growth and poverty align with the principles and objectives of Islamic law. This research employs a qualitative, normative approach, drawing on library research methods. Classical and contemporary Shafi'i jurisprudential texts are analysed through the framework of *maqasid al-Shari'ah* and Islamic legal maxims. The findings show that vasectomy is generally categorized as impermissible because it permanently eliminates reproductive capacity and contradicts the principle of *hifz al-nasl*. Economic hardship and administrative interests cannot be classified as *darurah* that would justify permanent sterilization. Conditioning social assistance on vasectomy potentially creates structural coercion for economically vulnerable communities. This policy may therefore produce tensions between welfare objectives and Islamic legal principles. This study contributes to the discourse on Islamic public policy and recommends interdisciplinary research integrating *fiqh*, socio-legal analysis, and public policy studies.

Keywords: *Vasectomy, Social Assistance, Shafi'i Madhhab, Public Policy, Maqashid Al-Sharia*

INTRODUCTION

Public policy is one of the main instruments of government for regulating society's social and economic order. One of the forms is the policy of distributing social assistance (*bansos*), which aims to ensure the welfare of vulnerable community groups. Nevertheless, the effectiveness and fairness of such policies are often debated, especially when administrative or ideological requirements are enacted controversially (Lascoumes & Le Galès, 2007). For example, the policy requiring a vasectomy for former Regent of Purwakarta and Governor of West Java at the time, Dedi Mulyadi, for social assistance

recipients sparked controversy in the community (Kompas.com, July 30, 2025). The reason is that, although this is intended to control the birth rate for welfare purposes, the policy is considered to have exceeded the limits of moral and religious authority. This is in line with the argument of Gilabert, who stated that social policies should be inclusive and not provide additional burdens that hurt the dignity of the recipient (Gilabert, 2024). In the context of Indonesia's predominantly Muslim society, it is very important to assess the policy based on the perspective of *fiqh*, especially according to the predominantly adhered to of the Shafi'i school. Therefore, this research is relevant to criticize social policies that intersect with religious norms.

The main problem behind this study is the emergence of public anxiety towards policies that are considered to impose the medical practice of vasectomy as an administrative prerequisite to receive social assistance. From the perspective of the general public, especially devout Muslim groups, vasectomy is not only a matter of reproductive health, but also a matter of religious principles. The public questioned whether the state has the authority to intervene in citizens' bodily rights for the sake of welfare programs. In addition, doubts arise as to whether such a requirement is in accordance with the principles of social justice as mandated in the constitution (1945 Constitution, Article 28B paragraph (1)), as well as Islamic values that uphold the right to posterity (*hifzh al-nasl*). According to Abdulghani and Mohamad, Islam places great emphasis on protecting human existence, and permanent medical intervention without a medical emergency is a very sensitive issue in Islamic law (Abdulghani & Alrumayh, 2025; Mohamad et al., 2025). When social assistance is required due to permanent sterility, the public considers it a violation of individual freedom, especially in religious terms. This problem is getting worse because not all people have adequate medical knowledge and religious law to understand the impact of vasectomy fully. Therefore, there is a need for an in-depth and objective study based on Islamic law, especially the views of the Shafi'i school, as a guideline for the majority of Muslims in Indonesia.

Various previous studies have discussed controversial issues surrounding Family Planning (KB) programs and permanent sterility in the context of public policy. A study by Pallangyo and Putra Mina highlights the community's resistance to vasectomy because it is considered contrary to local religious and cultural values (Pallangyo et al., 2020; Putra Mina & Triani, 2025). Meanwhile, researchers have researched scholars' perceptions of the family planning program and concluded that there are still differences in acceptance of certain contraceptive methods, especially permanent methods (Alspaugh et al., 2020; Fantaye & Damtew, 2024). Likewise, the Anderson study emphasises that population policies often clash with the doctrine of "many children have sustenance," which is still firmly rooted in rural Indonesia (Andersson et al., 2024). However, most of these studies focus only on sociological and public health aspects, without delving into the specific perspective of *fiqh*. In this case, the normative aspects of Islam have not been comprehensively explored, especially in the approach of the Shafi'i school, which is very dominant in Indonesia. This gap in normative *fiqh* analysis underscores a need in the academic literature to be filled immediately, so that policies can be evaluated fairly, objectively, and contextually.

On the other hand, some studies try to review the law of vasectomy from the perspective of *fiqh*, but it is generally descriptive and not contextual to the case of social assistance policies. For example, Hadiati work discusses the law of sterility in Islam in general, but does not relate it to the government's social policies (Hadiati et al., 2025). In

addition, Mohamad and Yusuf, in his essay on body sovereignty, also touch on the ethical aspects of medicine in Islam but do not draw a direct correlation with the administrative requirements of state assistance (Mohamad et al., 2025; Yusuf & Bashir, 2024). These studies have not elaborated on the relationship between government policy decisions and the principles of *maqāṣid al-syari'ah* in the case of conditional social assistance.

In addition, most studies present only the school's general views, without in-depth details about the Shafi'i school, which has its own peculiarities in assessing medical practices such as vasectomy. In fact, in the reality of Indonesian society, which is of the Shafi'i school, normative justification from the school's perspective is urgently needed. Therefore, this research seeks to address this need by critically exploring the Shafi'i school's views on the requirements for vasectomy in social assistance receipt policies.

The novelty of this study lies in the focus of *fiqh* analysis on public policies that require vasectomy, with a specific approach to the Shafi'i school. While previous research was more oriented towards positive sociological, psychological, or legal aspects, this research contributes to filling the gap in the normative analysis of Shafi'i school Islam for social-health policies. By examining the primary sources of Shafi'i jurisprudence, such as *al-Umm*, *al-Majmu' Syarh al-Muhadzdzab*, and other works of Shafi'i scholars, this study links contemporary practice with classical principles that remain relevant. In addition, this study examines how Islamic law assesses the state's role in determining conditions that affect human rights, such as the right to have offspring. This is important because policies like this can set a bad precedent in government practice if not scientifically and religiously criticised. Thus, this research is important in compiling *fiqh*-based social justice parameters.

The main problem in this study is: "What is the law of vasectomy requirements in the policy of receiving social assistance according to the Shafi'i *madhhab*?" This research departs from the allegation that these requirements are contrary to the basic principles in the Shafi'i school, especially related to the protection of offspring (*hifzh al-nasl*) and the prohibition of castration (*al-'aqr*) permanently without a strong shari'i reason. Moreover, in the perspective of *maqāṣid al-syari'ah*, the imposition of permanent sterility can be categorized as a form of *dharar* (damage) to the human rights protected by religion. The contribution of this research is to present a robust and applicable *fiqh* analysis in response to state policies that affect the spiritual and moral dimensions of society. This study can also serve as a critical reference for policymakers to consistently consider Islamic ethics in setting social regulations and to avoid potential oppression under the guise of development.

RESEARCH METHODS

This study employs a qualitative approach with a normative-judicial method, commonly categorized as library research, to provide a rigorous and argumentative analysis of written sources (Alhazmi & Kaufmann, 2022; Kawar et al., 2024). This method was selected because the primary objective is a normative evaluation of a contemporary public policy, the vasectomy requirement for social assistance, examined through the authoritative lens of Shafi'i jurisprudence. Consequently, the research focuses on the collection and synthesis of data from both classical and contemporary literature relevant to the intersection of Islamic law, reproductive rights, and social welfare (Hussain, 2023).

Data collection was conducted through a comprehensive review of primary Shafi'i texts (*Al-Turath*), notably Imam al-Shafi'i's *al-Umm*, Imam al-Nawawi's *al-Majmu' Sharh al-Muhadhdhab*, and other significant works by Shafi'i scholars addressing reproductive law, permanent sterilization, and the preservation of progeny (*hifzh al-nasl*). To ensure

contextual relevance, the study also incorporates modern legal instruments, including fatwas issued by the Indonesian Ulema Council (MUI), previous academic research, and government policy documents on family planning and social aid distribution (Shihab, 2007). This dual-layered sourcing enables robust comparison between foundational legal principles and modern administrative mandates.

The data analysis follows an adapted qualitative analysis model that integrates thematic content analysis with the stages of data reduction, data display, and conclusion drawing (Rohbiyatun et al., 2025; Salmona & Kaczynski, 2024). This process involves filtering and categorizing relevant textual evidence to focus on the core issues of bodily autonomy and state authority, and then systematically synthesizing these findings into a coherent narrative. Crucially, the study utilizes the mechanism of *istinbat al-ahkam* (legal deduction) and thematic hermeneutics to bridge classical jurisprudence with modern policy (Al-Farsi, 2022). By applying *Qawaid Fiqhiyyah* (legal maxims) specifically the principle that a leader's actions toward subjects must be predicated on the public interest (*tasharruf al-imam 'ala al-ra'iyah manuthun bi al-Maslahah*) and the framework of *Maqasid al-Shari'ah*, this research aims to provide a scholarly contribution that harmonizes state mandates with Islamic ethical principles, advocating for social policies that are more equitable and contextually grounded (Salma, 2024).

RESULTS AND DISCUSSION

Vasectomy as a Permanent Procreation Termination in Shafi'i Jurisprudence

In the discourse of modern reproductive medicine, vasectomy is defined as a minor surgical procedure involving the severing or ligating of the vas deferens to prevent sperm from entering the seminal stream. While medical advancements suggest the possibility of "vasectomy reversal" (vasovasostomy), the success rate remains statistically inconsistent, and the prohibitive costs involved render it inaccessible for the majority of the population (Thoma et al., 2021). Within the framework of *Shafi'i* jurisprudence, this procedure is not merely a clinical intervention but is categorized as *ta'qīm dā'im* (permanent sterilization). This classification is crucial because the *Shafi'i* school of thought strictly distinguishes between temporary contraception such as *azl* (coitus interruptus), which is generally permitted due to its reversible nature and permanent methods that terminate the reproductive faculty entirely. In the context of *Maqasid al-Syari'ah* (the higher objectives of *Shari'ah*), the preservation of progeny (*hifz al-nasl*) is a primary necessity (*dharuriyyat*) that must be protected from any form of irreversible interference, unless under extreme medical exigency. The fundamental distinction between these contraceptive methods in *Shafi'i* jurisprudence is further systematized in Table 1.

Table 1. Comparative Jurisprudential Analysis of Contraceptive Methods in the *Shafi'i Madhhab*

Analytical Criteria	Temporary Contraception (e.g., Azl/Hormonal)	Permanent Sterilization (Vasectomy)
Medical Nature	<i>Reversible</i> (Restorable reproductive function)	<i>Irreversible</i> (Permanent termination)
Default Legal Status	<i>Mubāḥ</i> (Permissible) / <i>Makrūh</i> (Disliked)	<i>Ḥarām</i> (Strictly Prohibited)
<i>Shafi'i</i> Justification	Does not eliminate the progeny faculty	<i>Al-i'thāl</i> (Rendering an organ/function useless)
Legal Analogy (<i>Qiyas</i>)	<i>Tanzīl</i> (Delay of procreation)	<i>Al-khasi</i> (Human Castration)
Impact on <i>Hifzh al-nasl</i>	Regulates birth spacing	Terminates the genealogical line

The data presented in Table 1 elucidates the sophisticated legal stratification within the *Shafi'i madhhab* regarding reproductive control. The primary point of divergence lies in the ontological nature of the medical intervention: whether it is reversible (*tanzil*) or irreversible (*al-i'thal*). In *Shafi'i* thought, temporary contraception such as *azl* is categorized as *mubāh* (permissible) or *makrūh* (disliked) because it merely delays the meeting of gametes without destroying the inherent capacity of the organ. This is grounded in the Prophetic tradition, which allows for birth spacing as a means of managing household capacity.

Conversely, vasectomy is strictly prohibited (*ḥarām*) because its legal analogy (*qiyas*) is drawn to human castration (*al-khasi*), an act that the Prophet Muhammad explicitly condemned as a violation of the *fitrah* (natural disposition). While temporary methods regulate the timing of procreation, vasectomy terminates the genealogical line entirely (Naaman, 2025; Putra Mina & Triani, 2025). From a *Shafi'i* perspective, this constitutes a breach of *Hifzh al-nasl* (preservation of progeny), as it permanently renders a healthy functional organ useless. Therefore, the "permanency" factor is the legal '*illah*' (effective cause) that transforms a permissible act of birth control into a prohibited act of sterilization. This distinction demonstrates that *Shafi'i* law prioritizes the preservation of potential life and bodily integrity over administrative or economic convenience.

The prohibition of permanent sterilization in the *Shafi'i madhhab* is deeply rooted in the analogical reasoning (*qiyas*) of *al-khasi* (castration), which the Prophet Muhammad explicitly forbade for humans. Shabana, a pivotal authority in the later *Shafi'i* tradition, asserts in *Nihāyah al-Muḥtāj* that any action intended to sever the potential for procreation permanently is fundamentally unlawful (*haram*) because it constitutes a violation of the bodily integrity entrusted to humankind by the Creator (Shabana, 2021). This prohibition remains the default legal ruling (*al-ashl*) because procreation is viewed not as a mere personal choice but as a communal trust (*amanah*) for the continuity of the *Muslim ummah*. Therefore, unless a pregnancy poses a verified threat to a woman's life, invoking the higher principle of *hifzh al-nafs* (preservation of life), the intentional destruction of reproductive capacity through vasectomy is seen as a transgressive act that alters the natural disposition (*fitrah*) of the human body.

Further analytical depth is found in the works of Ibnu Ḥajar al-Haitami, particularly in *Tuḥfat al-Muḥtāj*, where he emphasizes that the illicit nature of sterilization stems from the principle of *al-i'thal* (rendering a limb or function useless). Al-Haitami argues that the permanent removal of a God-given faculty without a *ḍarūrah syar'iyyah* (canonical necessity) is a form of muḥarram that carries spiritual and legal consequences (Jamaluddin et al., 2022; Munif et al., 2024). In the *Shafi'i* hierarchy of needs, a distinction is made between *darurat* (life-threatening emergency) and *hajat* (hardship or need). Economic instability or the state's desire to curb population growth is categorized merely as *hajat* or even *Maslahah mursalah* (public interest) that cannot override a definitive prohibition (*nash*) regarding the preservation of the human species. Consequently, using vasectomy as a tool for administrative efficiency fails to meet the stringent criteria of necessity required to bypass the foundational prohibition of permanent sterilization. To clarify the jurisprudential boundaries of such necessity, Table 2 illustrates the hierarchy of conditions and their legal status regarding sterilization.

Table 2. The Hierarchy of Necessity (*Darurah*) and the Legal Standing of Vasectomy

Category of Condition	Definition in <i>Shafi'i</i> Jurisprudence	Legal Status of Vasectomy
Necessity (<i>Darurah</i>)	Life-threatening situations (Threat to <i>Hifzh al-nafs</i>)	Permissible (As a last resort to save life)
Need (<i>Hajat</i>)	Socio-economic hardship or financial difficulty	Prohibited (Cannot override the prohibition of sterilization)
Refinement (<i>Tahsiniyat</i>)	Administrative efficiency or population aesthetics	Strictly Forbidden (Considered an overreach of authority)

The analytical matrix presented in Table 2 provides a critical deconstruction of the "necessity" argument often invoked by state actors to justify invasive reproductive policies. Within *Shafi'i* legal theory, the hierarchy of human needs is strictly bifurcated into *Daruriyyat* (essentials), *Hajiyyat* (needs), and *Tahsiniyat* (embellishments). The table highlights a fundamental legal misalignment in the "Vasectomy-Bansos" policy: while the state classifies economic instability as a "necessity" warranting sterilization, *Shafi'i* jurisprudence primarily categorizes financial hardship as *Hajat* (need) or *Maslahah* (public interest). Under the classical maxim, "الضَّرُورَاتُ تُبَيِّحُ الْمَحْظُورَاتِ" (necessity renders the prohibited permissible), only a direct, verified threat to life (*Hifzh al-nafs*) can override the prohibition of permanent sterilization (*al-i'thāl*).

Furthermore, the interpretation of Table 2 exposes the invalidity of using administrative efficiency as a legal justification. In *Shafi'i* thought, a certain harm (*darar yaqin*) which is the permanent loss of reproductive function, cannot be removed by addressing a speculative or non-lethal harm (*darar wahmi*), such as potential fiscal deficit or population density. By placing "Administrative Efficiency" in the *Tahsiniyat* category, the table demonstrates that such motives are legally insufficient to infringe on the physical integrity of the citizenry. Consequently, the state's mandate of vasectomy as a prerequisite for social aid constitutes a "jurisprudential overreach," as it attempts to elevate a secondary socio-economic concern to the status of a primary life-saving necessity. This systematic classification reinforces the argument that poverty alleviation must be achieved through distributive justice (الْعَدَالَةُ الْإِجْتِمَاعِيَّةُ) rather than irreversible medical interventions for the poor.

From a legal-maxim perspective, the *Shafi'i* school applies the principle of الضَّرُّ لَا يُزَالُ إِلَّا بِضَرْرٍ (an equivalent or greater harm cannot remove harm), Al-Suyuti in (El-Jaichi & Sabih, 2022). In the case of making vasectomy a prerequisite for social assistance, the "harm" being addressed is poverty or fiscal deficit. However, the "remedy" proposed permanent sterilization inflicts a far greater and irreversible harm upon the individual's biological and religious rights (Ostrowsky, 2020). Within the *Shafi'i* tradition, the state's authority to manage public affairs is bound by the mandate of تَصَرُّفُ الْإِمَامِ عَلَى الرَّعِيَّةِ مُنَوِّطٌ بِالْمَصْلَحَةِ (the leader's actions must be predicated on the public interest) (Abd Razak, 2020; Rifai, 2021). A policy that forces the vulnerable to choose between economic survival and their reproductive future is a clear deviation from *maslahah* (benefit) and falls into the category of *mafsadah* (corruption), as it exploits the socio-economic weakness of the citizenry to enforce a medically and religiously controversial procedure.

Moreover, the *Shafi'i* perspective emphasises the mutual rights of husband and wife (*haqq al-nasl*). Procreation is a shared right within a valid marriage contract; thus, a state-mandated vasectomy effectively interferes with the private sanctity of the marital bond (Drobac, 2024). *Shafi'i* scholars argue that the right to have children is a fundamental

right of both spouses that cannot be unilaterally or externally terminated (Lewis, 2020). By imposing vasectomy as a condition for state aid, the government indirectly pressures individuals to waive a right that is protected under the umbrella of *Maqasid al-Syari'ah* (AM et al., 2025). This policy creates a coercive environment in which people on low incomes are forced to trade their long-term genealogical rights for short-term financial relief. This exchange is viewed as ethically bankrupt and legally invalid under the Shafi'i theory of *ikrah* (coercion) and administrative justice (Al-Nasiri, 2025).

The principle of *دَرْءُ الْمَفَاسِدِ مُقَدَّمٌ عَلَى جَلْبِ الْمَصَالِحِ* (averting harm takes precedence over attaining benefits) provides the final jurisprudential blow to this policy (El-Bassiouny et al., 2023). Proponents might argue that controlling the birth rate brings the "benefit" of a more manageable economy; however, Shafi'i jurists would counter that the "harm" of permanent sterilisation which includes the potential for psychological regret, the irreversible loss of a human faculty, and the degradation of human dignity is far more certain and severe (*yaqin*). In Islamic legal theory, a certain harm cannot be justified by a speculative benefit (*maslahah wahmiyyah*) (Ahmed, 2025). The state's obligation to provide for people experiencing poverty via zakat or baitul mal is an absolute duty that should not be contingent upon the citizen surrendering their bodily autonomy. Therefore, the Shafi'i madhhab provides a robust defense against such policies, categorizing them as an overreach of state power.

In conclusion, the Shafi'i jurisprudential framework offers a comprehensive critique of vasectomy when used as a socio-political tool. By synthesising the views of classical scholars such as al-Nawawi, ar-Ramli, and al-Haitami, it becomes evident that the preservation of the reproductive faculty is a non-negotiable tenet of Islamic bioethics (Hashmi, 2021). The state must seek alternative, non-invasive, and reversible methods of family planning that do not infringe upon the individual's permanent physical and spiritual rights. Poverty alleviation must be achieved through equitable wealth distribution and social justice rather than the "medical silencing" of the poor's future generations. This analysis underscores the relevance of Shafi'i legal thought in providing a moral compass for modern public policy, ensuring that the dignity of the human person remains the central focus of all government initiatives in Muslim-majority societies.

The Paradox of State Mandates: Islamic Leadership Principles and the Limits of Administrative Authority

In the Islamic political tradition, leadership (*imamah*) is conceptualized not as absolute power, but as a sacred trust (*amānah*) inextricably bound by the parameters of *Shari'ah*. A leader, whether at the national or regional level, is granted the mandate to manage public affairs under the guiding principle of *Jalb al-Masalih wa Dar' al-Mafasid* (accruing benefits and averting harms). This structural framework implies that every policy issued by the sovereign must be rooted in the pursuit of genuine public interest (*al-Maslahah*). In the *Shafi'i* tradition, the legitimacy of a ruler's decree depends on its alignment with divine law; thus, any mandate that oversteps these ethical boundaries loses its inherent legal force (Ben-Menahem & Ben-Menahem, 2020).

The imposition of vasectomy as a prerequisite for receiving social assistance (*bansos*) raises a critical question regarding the *Shari'ah* legitimacy of state-sponsored reproductive intervention. If permanent sterilisation is classified as *harām* (prohibited) within the Shafi'i school, then mandating such an act as an administrative requirement constitutes a compulsion toward a prohibited deed. This policy not only undermines the

fundamental objective of *hifz al-nasl* (preservation of progeny) but also violates the principles of social justice and human dignity. In this context, the state essentially weaponizes the socio-economic vulnerability of people experiencing poverty to enforce a medical procedure that contradicts their religious convictions (Umar & Maaji, 2025).

The primary legal maxim governing this issue is *تَصَرُّفُ الْإِمَامِ عَلَى الرَّعِيَّةِ مُنَوَّبٌ بِالْمَصْلَحَةِ*, which dictates that a leader's authority over the subjects is strictly dependent on the actualisation of public welfare (Scott & Husain, 2021; Simon, 2020). This maxim serves as a constitutional safeguard, ensuring that state policies are recognized only if they align with *maṣlaḥah mu'tabarah* interests recognized by *Shari'ah* and do not contradict explicit scriptural texts (*nass*). As illustrated in Figure 1, the proposed policy fails to pass the essential jurisprudential filters. When a policy induces public anxiety and compels the prohibited, it becomes void of *Shari'ah* legitimacy. The state's claim of "welfare" in this instance is merely a speculative benefit (*Maslahah wahmiyyah*) that cannot override the certain harm (*mufsadah*) of permanent bodily alteration.

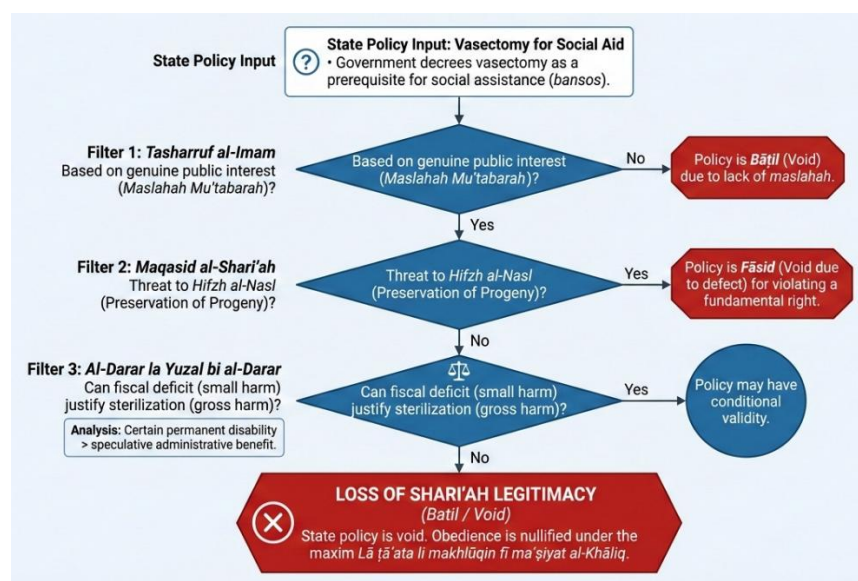


Figure 1. Flowchart of *Shari'ah* Legitimacy for Public Policy Analysis.

Furthermore, the principle of *saddu al-dzari'ah* (blocking the means to evil) is highly relevant in critiquing this policy. Allowing the state to condition social rights upon the surrender of reproductive autonomy sets a dangerous precedent for further coercive interventions regarding bodily rights. Even if the government's ultimate goal is poverty alleviation, the instruments used must remain within the boundaries of *halal* and *ḥarām*. Contemporary scholars like Wahbah al-Zuhaili emphasise that a legitimate interest must not contravene the Quran, Sunnah, or Qiyas (Siddique & Siddique, 2025). Therefore, using economic aid as leverage to sterilise is a systematic violation of the ethical foundations of Islamic governance.

In *Shafi'i* literature, a policy that compels subjects to perform a prohibited act is categorized as *taṣarruf bātil* (a void action). As asserted by Ibn Ramli in *Nihāyah al-Muḥtāj*, the permanent removal of procreative potential is unjustifiable except in cases of absolute, life-threatening necessity (Amin et al., 2024; Kalafati, 2023). By transforming vasectomy into an administrative condition, the government is effectively coercing its citizens into a state of disobedience toward divine law. In Islamic legal theory, this creates a situation in which the policy fails the *Maslahah* test, as it prioritises fiscal efficiency over the preservation of a primary human faculty protected by the *Maqasid*.

Moreover, the legal maxim *لَا طَاعَةَ لِمَخْلُوقٍ فِي مَعْصِيَةِ الْخَالِقِ*, which means there is no obedience to the creature in disobedience to the Creator, serves as the ultimate limit on state power (Airaksinen, 2020). The obligation to obey a leader (*ulil amri*) is not absolute; it is conditional upon the leader's adherence to the commands of Allah and His Messenger. If a decree clearly mandates a sinful act, the subject's duty to obey is nullified, and the policy loses its moral and legal standing. This principle ensures that the state cannot use its administrative machinery to bypass the ethical dictates of Islam concerning the sanctity of the human body. The fundamental imbalance between the state's administrative objectives and the resulting jurisprudential harms is summarized in Table 3, reinforcing the conclusion that a certain injury to bodily integrity outweighs any speculative fiscal benefit.

Table 3. Analysis of Proportionality in Vasectomy-Bansos Policy

Aspect of Analysis	Government's Claimed Benefit (<i>Maslahah</i>)	Jurisprudential Harm (<i>mafsadah</i>)
Urgency	Administrative Efficiency / Fiscal Control	Violation of <i>Hifzh al-nasl</i> (Fundamental Right)
Certainty	<i>Wahmiyyah</i> (Speculative/Long-term)	<i>Yaqiniyyah</i> (Certain/Permanent disability)
Legal Status	<i>Maslahah Mulghah</i> (Rejected interest)	<i>Darar Fahish</i> (Gross injury to the body)
Conclusion	Invalid Premise	Prevailing Prohibition

In conclusion, the controversy surrounding the vasectomy requirement for social aid transcends individual medical ethics and enters the realm of *Shari'ah* legitimacy. While a leader is tasked with fostering prosperity, this prosperity must be *mu'tabarah* (legitimately recognized) and not a facade for policies that inflict greater harm. Within the *Maqashid al-Syari'ah* framework, the protection of lineage is a foundational pillar that cannot be sacrificed for administrative convenience. Thus, the *Shafi'i* perspective provides a robust jurisprudential defense for people experiencing poverty, asserting that social assistance is a right that should never be bartered for the permanent loss of one's biological and religious heritage.

The Invalidity of Prohibited Conditions in Social Welfare Mandates

The foundational principles of Islamic law stipulate that any agreement, contract, or public policy is only valid as long as it adheres to the parameters of *Shari'ah*. This principle is anchored in the prophetic tradition: *الْمُسْلِمُونَ عَلَى شُرُوطِهِمْ إِلَّا شَرْطًا حَرَّمَ حَلَالًا أَوْ أَحَلَّ حَرَامًا* (The Muslims are bound by their conditions, except for a condition that prohibits the permissible or permits the prohibited) (Abu Dawud, No. 3594; Tirmidzi, No. 1352). This hadith serves as a cornerstone of *Muamalah* (civil acts), establishing that if a condition within a policy mandates an act forbidden by divine law, that condition is automatically void (*batil*) and unenforceable (Bielefeldt, 2020; Maevskaya & Aga, 2023). When such a condition is utilized as an administrative gatekeeper for basic citizen rights, such as social assistance (*bansos*), the entire policy framework becomes jurisprudentially defective (Silalahi, 2021; Subekti & Kensiwi, 2025).

Within the *Shafi'i* school, where vasectomy is classified as *haram* due to its permanent nature, it cannot be legally instituted as an administrative requirement. No individual should be coerced into an act that directly contradicts the decrees of Allah and His Messenger, particularly when such a requirement determines access to fundamental survival resources (Fitria et al., 2025; Mina & Triani, 2025). This policy is not merely ethically questionable but fundamentally disrupts the hierarchy of Islamic legal sources, which places the distinction between *halal* and *haram* above administrative expediency (Rahim

& Hashim, 2025; Sencal & Asutay, 2021).

Furthermore, embedding prohibited conditions into state policy risks creating systemic social and spiritual harm (*mafsadah*). When citizens are pressured to sacrifice their religious principles to receive their rightful entitlements, it breeds social inequality and spiritual distress. Every public contract must be grounded in *Shari'ah*-compliant terms and must refrain from compelling the masses toward prohibited acts or hindering them from mandatory duties. In *Shafi'i* jurisprudence, the state acts as a trustee (*wakil*), and a trustee has no legal authority to impose conditions that cause the loss of a fundamental human faculty (*al-i'thāl*) (Awad, 2025; Miftahussurur & Faiz, 2025). The systematic classification of policy conditions and their respective legal standings is further detailed in Table 4, highlighting the void nature of the vasectomy requirement.

Table 4. Jurisprudential Validity Matrix of Public Policy Conditions

Criteria of Condition	<i>Shari'ah</i> -Compliant Condition (<i>Shart Sahih</i>)	Prohibited/Void Condition (<i>Shart Batil</i>)
Legal Basis	Aligns with <i>Nass</i> (Scripture) and <i>Maqasid</i> .	Contradicts <i>Nass</i> or prohibits the <i>Halal</i> .
Objective	Enhances public welfare (<i>Maslahah</i>).	Causes permanent harm (<i>Darar Yaqin</i>).
Impact on Rights	Protects fundamental human faculties.	Forces the surrender of bodily autonomy.
Case Example	Mandatory health screening for aid.	Mandatory vasectomy for social aid.
Legal Verdict	Binding and Valid.	Void and Unenforceable.

Permanent contraceptive methods like vasectomy are only permissible in dire medical emergencies verified by experts and justified by *Shari'ah* (Astarina & Akmal, 2024; Mina & Triani, 2025). When sterilization is performed based on administrative mandates rather than medical necessity, it fails to meet the criteria of *darurah* (exigency). This stance is echoed by international bodies such as *Dar al-Ifta' al-Misriyyah* and the Permanent Committee for Scholarly Research and Ifta in Saudi Arabia (Ajoke, 2025; Mustafa, 2021), which emphasize that reproductive rights are sacred trusts. Consequently, making vasectomy a prerequisite for social aid lacks any valid basis in both local and global Islamic legal thought.

From a legal standpoint, this policy is unjustifiable as it oversteps the *Shar'i* boundaries of public governance. It directly contradicts the foundational maxims of *لَا ضَرَرَ وَلَا ضِرَارَ* (*Lā darar wa lā dirar*). There shall be no harm nor reciprocating harm, and *رَفْعُ الْحَرَجِ* (*Raf' al-haraj*). The removal of hardship (Alam, 2022). These principles are intended to guide policymakers toward easing the burdens on the populace, not compounding those burdens with irreversible medical mandates. Therefore, the vasectomy requirement must be rejected and reassessed to preserve the purity of Islamic law and ensure social justice for the Muslim majority (Fitria et al., 2025; Mina & Triani, 2025; Woolhandler et al., 2021).

Ultimately, the policy of conditioning social aid on vasectomy lacks a legitimate basis in *Shafi'i* jurisprudence. It not only violates the primary ruling on sterilization but also erodes the foundations of justice (*'adalah*) and public welfare (*Maslahah*) that should underpin all government actions. Forcing citizens to engage in *haram* acts to secure their rights is a clear manifestation of administrative injustice. This coercion creates social unrest and weakens public trust in government institutions, as people feel alienated from a state that demands the surrender of their religious identity for economic relief.

This condition fails to meet the criteria of *Maslahah mu'tabarah* (recognised benefit) as defined by both classical and contemporary scholars. *Shari'ah* has established clear boundaries: all policies must orient toward authentic welfare, not a pseudo-benefit that gives birth to a far greater harm. Within the *Maqasid* framework, this policy violates not only *Hifzh al-nasl* (preservation of progeny) but also *Hifzh al-Din* (preservation of religion) by leading the *ummah* toward prohibited obedience. Thus, such administrative conditions must be deemed null and void to uphold the integrity of the faith and the dignity of the human person (Addis, 2020; Hassan et al., 2023; Tahir & Hamid, 2024).

CONCLUSION

This study reveals that, within the framework of *Shafi'i* jurisprudence, vasectomy as a form of permanent sterilisation is generally categorised as *haram* because it permanently eliminates the human reproductive capacity, which contradicts the principle of *hifz al-nasl* (the preservation of progeny) as one of the essential objectives of Islamic law. The findings demonstrate that the requirement of vasectomy as a prerequisite for receiving social assistance does not meet the criteria of *darurah* (necessity) that could justify overriding a prohibited act. Socio-economic hardship, administrative efficiency, or population control are classified as *hajat*, or public interest, and cannot override explicit prohibitions aimed at preserving human lineage and bodily integrity. Consequently, the policy represents a jurisprudential inconsistency because it compels vulnerable citizens to choose between economic survival and adherence to religious principles. The key insight of this research is that social welfare policies must remain aligned with ethical, religious, and human rights principles to ensure that poverty alleviation efforts do not create new forms of structural injustice.

The strength of this article lies in its contribution to bridging contemporary public policy debates with classical Islamic jurisprudence, particularly through a focused analysis of the *Shafi'i madhhab* that predominates in Indonesian Muslim society. By integrating classical *fiqh* sources with modern policy discourse and employing the framework of *maqasid al-syari'ah* and *qawa'id fihiyyah*, this study offers a normative analytical model for evaluating social policies that intersect with bioethics and religious values. Nevertheless, this research is limited by its normative, library-based approach, which relies primarily on textual analysis and does not incorporate empirical data on community perceptions, policy implementation dynamics, or medical perspectives in practice. Therefore, future research is recommended to adopt interdisciplinary approaches that integrate *fiqh* analysis with socio-legal, medical, and policy studies to gain a more comprehensive understanding of the relationships among reproductive policies, social welfare programs, and religious ethics in Muslim-majority societies.

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