

Reinterpreting Ridha in Fiqh Munakahat: A Maqasid al-Shariah Analysis of Child Grooming

Muhil Mubarak, Hawa' Hidayatul Hikmiyah, A. Fikri Amiruddin Ihsan

STISNU Nusantara Tangerang, Universitas Islam Zainul Hasan Genggong
Istanbul 29 Mayıs University

E-mail: portzmoehil114@gmail.com, hawahidayatulhikmiyah@gmail.com,
Ihsaniafa22@29mayis.edu.tr

Abstract: This article examines whether ridha in fiqh munakahat can remain legally meaningful when a child's apparent assent is produced through grooming. The study departs from a doctrinal gap: classical fiqh generally discusses ridha in relation to coercion (ikrah), whereas child grooming operates through gradual psychological manipulation and unequal power relations. Using normative legal research with a conceptual and maqasid-based approach, this article analyzes classical discussions of ridha together with Jasser Auda's maqasid al-shariah, especially hifz al-nafs, hifz al-'aql, and hifz al-nasl. The article argues that a child's compliance in a grooming situation cannot be treated as valid ridha because it lacks psychological maturity, freedom from manipulation, and awareness of consequences. Its contribution lies in proposing a substantive formulation of ridha that moves beyond formal consent and functions as a doctrinal test for assessing exploitative relationships involving children. This reformulation strengthens the child-protective orientation of Islamic family law and clarifies the normative incompatibility between grooming and the objectives of sharia.

Keywords: ridha, child grooming, fiqh munakahat, maqasid al-shariah

Introduction

Child grooming has emerged as a serious child-protection problem in Indonesia, particularly in digital spaces where perpetrators can build trust, secrecy, and emotional dependence before exploitation occurs. Official and institutional reports continue to show that violence against children and online sexual exploitation remain significant concerns, indicating that grooming is not a marginal issue but a concrete legal and social challenge.¹

¹ KPAI, "Laporan Tahunan Perlindungan Anak 2025," Jakarta: KPAI, 2025.

Within Islamic legal discourse, this phenomenon is important because it raises questions about the meaning of consent in relationships that involve children.² Classical fiqh discusses *ridha* mainly in relation to coercion (*ikrah*) and formal voluntariness, but it has not sufficiently addressed consent formed through psychological manipulation, deception, and unequal power relations such as those found in child grooming. As a result, there is a doctrinal gap between the classical formulation of *ridha* and the contemporary pattern of exploitation faced by children.³

This gap gives rise to the central question of this article: how should the concept of *ridha* be reinterpreted to respond to child grooming from the perspective of *maqasid al-shariah*.⁴ The question is important because grooming often produces outward compliance without genuine autonomy, so the problem cannot be resolved merely by asking whether the child verbally agreed or appeared willing.

This study therefore aims to reinterpret *ridha* in fiqh *munakahat* not as formal assent alone, but as substantive consent that must be grounded in psychological maturity, freedom from manipulation, and awareness of consequences. Such a reformulation is necessary to ensure that Islamic family law is able to respond to contemporary forms of harm without abandoning its own doctrinal foundations.

To develop that argument, this article employs Jasser Auda's *maqasid al-shariah* as an analytical framework, especially *hifz al-nafs*, *hifz al-'aql*, and *hifz al-nasl*. The contribution of the article lies in translating these *maqasid* into concrete parameters for evaluating the validity of *ridha* in unequal relationships involving children. In this way, *maqasid al-shariah* is not treated as a supplementary moral slogan, but as the principal basis for reconstructing the concept of consent in a child-protective direction.

Research Method

This research uses normative legal research with a conceptual and *maqasid*-based approach. The study examines the concept of *ridha* in fiqh *munakahat* through doctrinal reading of fiqh literature and contemporary *maqasid al-shariah* scholarship, especially the work of Jasser Auda. Primary

² Beni Ahmad Saebani, *Fiqh Munakahat 1* (Bandung: Pustaka Setia, 2001), 45.

³ Netti Herawati dkk., "Perlindungan Hak Anak Akibat Kekerasan Seksual Perspektif *Maqashid Syariah dan Hukum Positif*," 2023.

⁴ UNICEF. "Child Protection Online: Understanding and Preventing Child Sexual Exploitation." 2023.

materials consist of fiqh munakahat texts and maqasid literature, while secondary materials include child-protection reports, relevant Indonesian legislation, and recent studies on child grooming. The analysis is argumentative rather than empirical: the collected sources are used to identify the limits of formal consent in classical fiqh and to formulate substantive indicators of *ridha* in cases involving children and psychological manipulation.

Results and Discussion

Child Grooming as Psychological Manipulation

Child grooming should not be understood merely as a sexual offence at its final stage, but as a gradual process that constructs obedience. Perpetrators typically build emotional closeness, normalize intimacy, create secrecy, and exploit the child's trust until resistance becomes difficult. In this setting, the child's apparent compliance is not a reliable sign of autonomous choice, because the will has already been shaped within an unequal relationship.⁵

Trauma from child grooming can manifest as an excessive fear of adults, difficulty building healthy interpersonal relationships, and impaired self-esteem. Furthermore, child victims of grooming are also at risk of social isolation, both due to shame and pressure from the perpetrator, who exploits secrecy and manipulation.⁶ These impacts not only occur during childhood but can continue into adulthood, affecting quality of life, mental health, and the ability to socialize effectively. In addition to the psychological impacts, child grooming also has social implications. Child victims often face social stigma or difficulties in social interactions at school and in the community. Victims' families can also experience social and psychological stress, including guilt, anger, or frustration due to perceived failure to protect their children.⁷ This phenomenon shows that grooming is not just an individual problem, but also a social problem that requires attention from families, educational institutions, society, and the government.

⁵ UNICEF. *Child Protection Online: Understanding and Preventing Child Sexual Exploitation.* 2023.

⁶ Netti Herawati, dkk., *Perlindungan Hak Anak Akibat Kekerasan Seksual Perspektif Maqashid Syariah dan Hukum Positif* (Jakarta: Universitas Indonesia Press, 2023), hlm 56–60.

⁷ Komisi Perlindungan Anak Indonesia (KPAI), *Laporan Tahunan Perlindungan Anak 2025* (Jakarta: KPAI, 2025), hlm 18–20.

In the context of child protection, the psychological and social dimensions of grooming demonstrate the importance of a preventive approach. Educating children about their rights, providing appropriate supervision, and counseling for parents and teachers are important strategies to mitigate the risks of grooming. Legally and ethically, this phenomenon also underscores the relevance of the principle of *hifz al-nafs* (protection of the soul) within the *maqasid sharia* according to Jasser Auda, which emphasizes the protection of the safety, dignity, and well-being of individuals, including children.⁸ Thus, the digital era expands the psychological and social dimensions of child grooming. The internet, social media, and instant messaging apps make it easier for perpetrators to communicate with children, often without parental supervision. Children become more vulnerable to psychological manipulation due to their ignorance of digital dangers and lack of digital literacy. Therefore, protecting children from grooming requires a combination of psychological, social, educational, and legal approaches, so that children can grow up in a safe environment free from exploitation.⁵ From the perspective of *munakahat fiqh*, the concept of consent or consent is one of the conditions for a valid marriage. Consent is not just a formal agreement, but must be given consciously, free from pressure, manipulation or deception.⁹ Child grooming clearly contradicts this principle because the child victims are not yet capable of giving valid consent; they are manipulated by the perpetrator, who exploits their psychological immaturity and power imbalance. Thus, grooming removes the child's right to give valid consent, clearly violating the principles of Islamic jurisprudence in interpersonal relationships and marriage.

The concept of consent or agreement in *munakahat fiqh* is one of the conditions for the validity of marriage and interpersonal relationships in Islam. Consent is not just a formal agreement, but is an agreement given consciously, free from pressure, coercion or manipulation.¹⁰ In the context of children, the capacity to give consent legally recognized under Islamic law is very limited because children lack psychological maturity and the ability to assess the consequences of their actions. Therefore, children who

⁸ Jasser Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach* (Herndon, VA: International Institute of Islamic Thought, 2008), hlm 78–80.

⁹ Beni Ahmad Saebani, *Fiqh Munakahat 1* (Bandung: Pustaka Setia, 2001), hlm 45.

¹⁰ Beni Ahmad Saebani, *Fiqh Munakahat 1* hlm 50.

are victims of child grooming cannot be said to have given valid consent, as the psychological manipulation by the perpetrator negates their freedom and awareness.¹¹ The integration of the concept of consent with child protection emphasizes that Islamic law emphasizes not only the formal aspects of the marriage contract but also ensures the rights and well-being of children. This principle aligns with the objectives of the maqasid sharia, specifically hifz al-nafs (protection of the soul) and hifz al-nasl (protection of offspring).¹² From Jasser Auda's perspective, sharia aims to safeguard the welfare and prevent harm (mafsadah) for individuals and society.¹³ Grooming practices that force children to submit or obey the perpetrator's wishes clearly contradict this principle, because they cause psychological, social and spiritual harm to the victim.

This characteristic is analytically decisive for Islamic legal discussion. The problem in grooming is not only the presence or absence of physical force, but the distortion of volition itself. A child may continue communication, accept gifts, or remain silent, yet those acts occur within a structure of dependence and informational inequality. Therefore, the legal question is whether such behaviour can be read as *ridha*, or whether it represents only the outward appearance of consent.

The Limits of *Ridha* in Classical Fiqh

In classical fiqh, *ridha* occupies an important place in contracts and marriage because it signifies voluntariness and distinguishes valid agreement from acts tainted by coercion. This framework is normatively valuable because it rejects *ikrah* and protects individuals from forced legal relationships. However, its dominant formulation tends to focus on visible pressure, direct compulsion, or explicit coercion. The concept of *Ridha* is then analyzed through the perspective of maqashid sharia according to Jasser Auda, which emphasizes the protection of the five main objectives of sharia: religion (*hifz al-din*), soul (*hifz al-nafs*), reason (*hifz al-'aql*), descendants (*hifz al-nasl*), and property (*hifz al-mal*).¹⁴ In the context of

¹¹ Netti Herawati, dkk., *Perlindungan Hak Anak Akibat Kekerasan Seksual Perspektif Maqashid Syariah dan Hukum Positif* (Jakarta: Universitas Indonesia Press, 2023), hlm 56–60.

¹² Isniyatin Faizah et al., "IMPLEMENTASI KAIDAH DAR'UL MAFASID MUQADDAMUN 'ALA JALBIL MASHALIH TERHADAP PENCATATAN PERKAWINAN DI INDONESIA," *As-Sakinah Journal of Islamic Family Law* 2, no. 1 (2024): 1–11, <https://doi.org/10.55210/jhki.v1i2.333>.

¹³ Jasser Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law*, ...hlm 78–82

¹⁴ Jasser Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach* (Herndon, VA: International Institute of Islamic Thought, 2008), hlm 78.

child grooming, the principles of *hifz al-nafs* and *hifz al-nasl* are highly relevant because grooming practices threaten the physical, psychological, and reproductive rights of children, even long before they reach adulthood or marriage. Therefore, this phenomenon is not simply a violation of positive law but also violates the primary objective of sharia, which is to protect children from harm and danger.

The case of child grooming exposes the limit of that formulation. Grooming does not usually operate through open threats at the beginning; it works through gradual manipulation, emotional capture, and asymmetrical power. If *ridha* is reduced to the mere absence of overt coercion, then a child's engineered compliance may be misread as valid assent. For that reason, the classical discourse must be critically extended: not rejected, but developed so that its protective logic can address forms of consent distorted by manipulation. In this respect, the concern for capacity, vulnerability, and the prevention of harm already present in *fiqh* becomes the basis for reinterpretation rather than an obstacle to it.

Maqasid al-Shariah as an Evaluative Framework

Jasser Auda's *maqasid al-shariah* provides the analytical move needed to shift the discussion from formal legality to substantive protection. In the context of child grooming, *hifz al-nafs* requires protection from physical and psychological harm; *hifz al-'aql* requires protection of judgment, mental integrity, and the ability to decide freely; and *hifz al-nasl* requires safeguarding the child's dignity, bodily integrity, and future social welfare. Grooming violates all three because it injures security, distorts judgment, and creates exploitative sexual vulnerability.¹⁵

From this perspective, the validity of *ridha* cannot be determined only from outward statements, silence, or behaviour. *Maqasid* demands a deeper evaluation: does the relationship protect the child's welfare and agency, or does it produce *mafsadah* through manipulation and unequal power? Once that question is asked, apparent agreement in a grooming situation loses normative force.¹⁶ *Maqasid* therefore functions here not as a decorative ethical reference, but as the primary framework for testing whether consent is legally and morally meaningful.

¹⁵ Jasser Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law*, ...hlm 78-82

¹⁶ Agus Hermanto and Ihda Shofiyatun Nisa', "Ekologi Rumah Tangga Harmonis: Konsep Mubadalah Sebagai Kunci Utama," *The Indonesian Journal of Islamic Law and Civil Law* 5, no. 1 (2024): 92-108, <https://doi.org/10.51675/jaksya.v5i1.734>.

Reinterpreting Ridha: From Formal Consent to Substantive Consent

Based on the foregoing analysis, this article proposes that valid *ridha* in cases involving intimate or exploitative relations must be understood through at least three substantive indicators: psychological maturity, freedom from manipulation and exploitative power relations, and awareness of consequences. Psychological maturity requires the capacity to understand the nature of the relationship and evaluate its risks. Freedom from manipulation requires that assent not be produced through emotional dependency, secrecy, deception, threats, or grooming tactics. Awareness of consequences requires an adequate understanding of the legal, moral, bodily, and social implications of the act. When these elements are absent, apparent assent cannot be classified as valid *ridha*.

This reformulation clarifies why a child's compliance in grooming situations cannot generate legal or moral legitimacy. It also offers a conceptual contribution to Islamic family law by turning *ridha* into a preventive doctrine rather than a purely formal requirement. In practical terms, the concept of substantive *ridha* can support child-protection policies, legal interpretation, and religious education aimed at identifying exploitative relationships early. Its significance is therefore twofold: it preserves the normative core of *fiqh munakahat* while aligning that core with the *maqasid*-based obligation to protect children from contemporary forms of harm, both offline and online.

Thus, the combination of the analysis of *fiqh munakahat* and *maqasid sharia* demonstrates that Islamic law has a clear normative mechanism to protect children from exploitation, including grooming practices. Legitimate consent can only be granted by individuals who are psychologically mature and free from manipulation, so acts of coercion or deception of children are contrary to Islamic legal principles.¹⁷ This approach emphasizes the relevance of Islamic legal protection in the contemporary social context, while also providing a theoretical basis for child protection policies that are in accordance with *sharia* values. Furthermore, the phenomenon of child grooming in the digital era requires synergy between Islamic law and positive laws in Indonesia, such as Child Protection Law No. 35 of 2014 and ITE Law No. 19 of 2016, which prohibit

¹⁷ Isniyatin Faizah et al., "Peran Kantor Urusan Agama Dalam Penguatan Keutuhan Rumah Tangga: (Studi Program SEKOPER HATI Di KUA Kecamatan Tuban)," *Minhaj: Jurnal Ilmu Syariah* 7, no. 1 (2026): 124–38, <https://doi.org/10.52431/minhaj.v7i1.4214>.

the sexual exploitation of children both online and offline. With the maqashid sharia approach, these policies can be strengthened by the ethical and moral foundations of Islam that emphasize the benefit and prevention of harm (mafsadah) to children.¹⁸

From the perspective of maqashid sharia, the primary objective of Islamic law is to protect human welfare and prevent harm (mafsadah) in the lives of individuals and society. Jasser Auda emphasizes that maqashid sharia must be understood systematically, where the principles of Islamic law are not only normative but also contextual, able to adapt to contemporary social challenges. One of the main principles of maqashid is the protection of the soul (hifz al-nafs) and the protection of offspring (hifz al-nasl), which is highly relevant in the study of marriage, consent, and the phenomenon of child grooming.¹⁹ Ridha, as consent in the fiqh of munakahat, is a valid condition of marriage that requires freedom, awareness, and psychological maturity from the parties giving consent. From a maqashid perspective, ridha is not merely a legal formality, but also a mechanism to protect the soul and honor of an individual, preventing psychological or moral harm. In the context of children, the ability to give consent legally under Islamic law is still limited. When a child becomes a victim of grooming, they are unable to give free consent due to psychological manipulation by the perpetrator, thereby violating their rights to protection of life and offspring according to sharia.²⁰

The maqasid sharia approach provides a holistic and preventative analytical framework. In the case of grooming, Islamic law emphasizes that no legitimate consent can be given by a child victim of manipulation, as this would result in psychological, social, and moral harm. Thus, the practice of child grooming clearly contradicts the objectives of maqasid, particularly the principles of hifz al-nafs and hifz al-nasl. This emphasizes the relevance of Islamic legal principles in child protection, while broadening the interpretation of consent from mere formal consent to an indicator of individual protection and well-being. Therefore, the integration of fiqh munakahat, consent, and maqasid sharia allows for a normative analysis of

¹⁸ Undang-Undang Republik Indonesia Nomor 35 Tahun 2014 tentang Perlindungan Anak; Undang-Undang Nomor 19 Tahun 2016 tentang Informasi dan Transaksi Elektronik.

¹⁹ David Finkelhor, *Childhood Victimization: Violence, Crime, and Abuse in the Lives of Young People* (Oxford: Oxford University Press, 2008), hlm 78–81.

²⁰ Kementerian Pemberdayaan Perempuan dan Perlindungan Anak RI, *Pedoman Nasional Perlindungan Anak* (Jakarta: Kemen PPPA, 2023), hlm 15.

contemporary phenomena.

Conclusion

This study shows that the concept of *ridha* in *fiqh munakahat* is inadequate if it is confined to the absence of overt coercion. Child grooming demonstrates that apparent agreement can be produced through psychological manipulation, emotional dependency, and unequal power relations, so that outward compliance does not necessarily reflect autonomous will. In such circumstances, treating a child's response as valid *ridha* would contradict the protective purpose of Islamic law itself.

By using Jasser Auda's *maqasid al-shariah*, especially *hifz al-nafs*, *hifz al-'aql*, and *hifz al-nasl*, this article reconstructs *ridha* as substantive consent measured by psychological maturity, freedom from manipulation, and awareness of consequences. The article's contribution lies in offering a conceptual test for identifying when formal consent is normatively void. This reinterpretation strengthens the child-protective orientation of Islamic family law and provides a stronger normative basis for synergy between *fiqh*, child-protection policy, and Indonesian positive law in responding to grooming.

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