



Islam Against Violence: An Analysis of the Implications of Domestic Violence for Women

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Abstract: Islam is a religion that upholds the dignity of humanity, the birth of Islam to erase all forms of violence and slavery, one of which is domestic violence. But in fact, domestic violence is still happening, and domestic violence is often victimized by women (wives). The purpose of this article is to reveal the implications of domestic violence against women, then analyze domestic violence in an Islamic perspective. This type of article is qualitative, this type of article is library research or library research, the approach in this article is a normative approach, data sources are obtained from some literature both journals, books related to the study of domestic violence in an Islamic perspective. The results of the analysis show that the implications of domestic violence victims psychologically can experience "Dialectics of Trauma", namely symptoms of post-traumatic stress as follows, including Hyper Arousal, Intrusion, and Numbing. Nash texts in Islamic law are not a basis and reason for violence against women and domestic violence. However, Islamic teachings and laws always understand the relationship between men and women as equal and fair. Although in general the victims are women, it is still a shared responsibility to overcome it. In tackling violence against women, domestic violence must use a cohesive approach that covers several aspects and involves all parties.

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INTRODUCTION

Every citizen is entitled to a sense of security and freedom from all forms of violence in accordance with the philosophy of Pancasila and the 1945 Constitution of the Republic of Indonesia. All forms of violence, especially violence against women in the household, are violations of human rights and crimes against human dignity as well as forms of discrimination that must be eliminated (Muhajarah, 2017).

Indonesia is one of the countries that ratified the *Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW) (Habib Shulton A, Fatul Mu'in, 2020). After ratifying, the state is obliged to implement the principles contained in the women's convention. The implementation of these principles can be in the form of laws and strategic programs in protecting women in the form of discrimination and injustice, both in the public and domestic spheres (Asnawi, 2012). In addition, the government is also obliged to change cultural practices based on patriarchal superiority that have an impact on women's injustice (Ismail, 2020).

But the fact is, until now violence against women and domestic violence from time to time shows an increasing number and continues to be a concern for the public, including for law enforcers and is worth listening to. Recently, the shocking news was the corpse of a female coworker of the perpetrator, who was bent in a suitcase killed by the perpetrator and then dumped

on the side of the highway, Bekasi, West Java. Then in Ciamis, West Java, the mutilated corpse of his wife was very horrendous, because all or the perpetrators (stress) offered the meat of the corpse to the passing public (TV ONE, May 2024).

If you look at what is wrong and who is wrong when looking at this phenomenon, in the Indonesian Law No. 23 of 2024 concerning the Elimination of Domestic Violence defines; domestic violence is any act against a person, especially women, which results in physical, sexual, psychological, and or domestic neglect, including threats to commit acts, coercion or unlawful deprivation of independence within the scope of the household (Article 1 Paragraph 1).

Acts of violence against women and domestic violence are strongly suspected of the emergence of the concept of gender inequality and injustice where one party dominates the other or the emergence of the concept of *patriarchy* where the blood lineage is controlled by the male clan, indeed the cultural culture in Indonesia is mostly colored by the concept of *patriarchy* such as; Batak tribe, Bali, including Lampung, where women are subordinated to men. If we look at the Al-Quran letter An-Nissa Verse 1;

يَا أَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ وَخَلَقَ مِنْهَا زَوْجَهَا وَثَ مِنْهُمَا رِجَالًا كَثِيرًا وَنِسَاءً

....

Meaning: O mankind, fear your Lord who created you from one self (Adam) and Allah created his spouse (Eve) from both of them Allah multiplied many men and women (Al- Quran and its Translation; Ministry of Religious Affairs of the Republic of Indonesia, 2020).

The Nash implies that the position and position of men and women are equal in the eyes of Islamic law and sharia, there is no discrimination between the two (Asnawi, 2022). However, why the phenomena that appear to be very contrary to Nash and the study of Islamic law, on this basis the author wants to conduct a study, how Islamic law sees violence against women and domestic violence by using the analysis of the Koran and Hadith.

Previous research related to domestic violence has been conducted by many other researchers, including research conducted by (Amalia, 2011) This research explains that the factors of domestic violence are a patriarchal culture that is still strong so that men are considered the most dominant, both in the family and the surrounding environment, the economic crush of the family, to overcome the problem of violence in the environment and in Indonesia, there needs to be joint action between all parties, from the community to the authorities, one of which is with the socialization that is expected to be able to prevent all forms of violence, protect victims, take action against perpetrators of violence in accordance with the laws and regulations. Other research conducted by, (Bayu Wicaksono & Son Ashari, 2024) Bayu's research on analyzing Islamic protection of women victims of domestic violence in maqashid sharia review, the results of this study indicate that Islamic protection of women victims of domestic violence allows wives to apply for khulu' so that they can worship solemnly. Preserving the soul is implemented with qishas or takzir laws against husbands who commit violence to maintain the dignity and welfare of the wife. Preserving the mind involves reporting violence to restore the wife's mental state. Preserving offspring emphasizes the importance of a safe environment for children. Safeguarding property requires husbands to provide a proper livelihood, with neglect or restraint of the wife from working considered reportable violence.

From the review of relevant research, the Gap analysis of this article is different from previous studies. The novelty of this article reveals the implications of domestic violence on women, then how Islamic teachings actually teach related to fostering households. The purpose of this article is to reveal the implications of domestic violence against women, then analyze domestic violence in an Islamic perspective.

METHODS

This type of article is qualitative, quantitative research is a method for testing certain theories by examining the relationship between variables. The foundation of the quantitative approach is

the philosophy of positivism which was first introduced by Emile Durkheim (1964). The view of positivism philosophy is that human actions are manifested in social symptoms called social facts. These social facts must be studied objectively, namely by viewing them as objects such as objects in natural science. The trick is to make observations or observe social facts to see trends, connect with other social facts. This type of article is *library research*, by collecting secondary data from literature such as scientific journals that are relevant for descriptive analysis. The approach in this article is a normative approach, data sources are obtained from some literature both journals, books related to the study of domestic violence in an Islamic perspective.

FINDING AND WETTING

General Concepts of Violence Against Women and Domestic Violence

"Violence" is defined as the act of a person or group of people that causes injury or death to another person or causes physical or property damage to another person, according to the Indonesian dictionary (Asnawi., 2024). The reality is that violence against women not only has physical consequences but also psychological aspects, namely the occurrence of permanent or non-permanent mental disorders, such as trauma, and can even result in sexual aspects.

As the UN convention formulated in the declaration of the Elimination of All Forms of Violence Against Women better known as CEDAW (Confention of The Elemination of All Forms of Descremination Againts Women) as stated in Article 1; violence against women is any act based on sex differences that results or may result in the physical, sexual or psychological harm or suffering of women including threats of certain acts, coercion or arbitrary deprivation of liberty whether it occurs in public or in private life (Achie Sudiarti Luhulima 2014)

Violence caused by gender bias is called *gender-related violence*. The types and forms of crimes that can be categorized as gender violence include (Fakih, 2014):

1. First; forms of violence against women including marital rape, obtaining sexual services without the will of the person concerned, because they are forced, afraid, embarrassed, forced because of economic, social or cultural there is no other choice.
2. Second; acts of beatings and physical attacks that occur within the household (*Domestic Violence*) including *child* abuse.
3. Third, violence in the form of *prostitution*. Prostitution is a form of violence against women that is organized by an economic mechanism that harms women.
4. Fourth, violence in the form of pornography, where other types of violence against women include non-physical violence, namely harassment of women where women's bodies are used as objects for someone's benefit.
5. Fifth, violence in the form of forced sterilization in the form of family planning in many places has turned out to be a source of violence in the form of women.
6. The sixth type is covert violence (moliytation), which is holding or touching certain parts of a woman's body without her consent.

Domestic violence, sometimes referred to as family violence, is interpersonal violence, including aggressive behavior and actions between family members and it may occur between spouses, children, parents, sisters or brothers.

Implications of Violence Against Women and Domestic Violence

The impact of violence against women and domestic violence is usually experienced for a few moments to a few days, such as; injuries, bruises, broken bones, cuts, nerve disorders, and others. Even other than that, in the form of women's reproductive health problems, victims are very angry, irritated, feel guilty, embarrassed and humiliated, this results in *sleeplessness (insomnia)* and loss of appetite (Asnawi., 2024).

In the long term, it can be in the form of negative attitudes and perceptions towards oneself or even towards men (Hartian Silawati 2002) Specifically from the psychological aspects of victims of violence (domestic violence) can experience "*Dialectics of Trauma*", namely symptoms of post-traumatic stress as follows:

1. *Hyper Arousal* is an unstable emotional condition that sometimes rises (anger, rage, etc.) This up and down emotion can be one that is intense, but also both can be intermittent
2. *Intrusion*, which is a symptom of cognitive chaos characterized by thoughts filled with *flashbacks*, events, or *nightmares*.
3. *Numbing*, which is numbness or a deep and cold emotional state as if there is no will and hope, stupor and others (Elli Nur Hayati, Wahid Hasyim 2002). In addition, victims of violence also experience;
 - a) Short-term Emotional Characteristics
 - 1) Feeling guilty
 - 2) Deep anger
 - 3) Shame
 - 4) Anxious
 - 5) Sleep Disorder
 - b) Long-term Emotional Characteristics
 - 1) Low self-esteem
 - 2) Phobia
 - 3) Anti-social personality
 - 4) Psychosomatic disorders

Seeing the implications as above, the steps that must be taken are:

1. There should be socialization about the Law on Violence Against Women and Domestic Violence, including the penalties for witnesses (Law No 23 of 2004).
2. To sensitize the public on gender equality and justice specifically from an Islamic perspective, all elements of society must be involved, such as scholars, intellectuals, activists, political leaders, community leaders, and more effectively, educational institutions.
3. It is necessary to establish centers for handling women's violence (domestic violence) with medical personnel, counselors, pediatrics, clergy who have gender sensitivity.

Violence Against Women and Domestic Violence According to Islamic Law

In Islamic law, the problem of violence against women and domestic violence is closely related to the term / expression *Nusyuz*, this is usually done by the wife, there are stages that must be done by the husband as a learning process for the *Nusyuz* wife so that she is deterred, not repeated where the husband in the initial stage gives a warning, the next is bed separation, the last is then subjected to a blow in the sense that is educational or learning, meaning that it is not harmful to the wife (Asnawi, 2024). Seeing Nash and Islamic law like this is sometimes misunderstood by some people and even scholars (Extreem), in fact the text in Islamic law does not encourage violence, but as if the religious text can legitimize violence against women. They rely on Quranic verse An-Nisa 34.

الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ...

This verse shows that men are leaders of women, which is then interpreted by men to dominate women in all matters, in the end women are under the control of men which can cause pain and harm to women, such as; Rape and forms of physical and psychological violence *Al-Jassos* explains that the rights of husbands are an obligation for wives, such as maintaining the good name of the family, protecting property, and obeying the husband. Then further *Al-Jassos* explained that between husband and wife, both have an obligation to do good to each other. While behind the husband's privileges and the wife's privileges, there are also both very heavy responsibilities, which in the end occur balanced rights and obligations (Al Jassos 2020).

Zamak Shari also believes that differences in obligations and rights in Islam are intended to create a common good, not to encourage discriminatory practices. Some scholars argue that this verse, on the one hand, gives men almost absolute superiority, but on the other hand, it also creates considerable and heavy responsibilities and obligations for men. The superiority of men, among others; excess in the field of reason, excess inheritance, leadership, testimony, justice, the right to refer and thalaq and part of the spoils of war (Ghanimah). Furthermore, the Hadith of the Prophet

SAW explains the prohibition of violence against women, husbands should only do bed separation rather than violence.

رواه أبو داود. أن النبي فإن خفتم نشوزهن فاهجروهن في المضاجع: عن أبي حرة الرقاشي عن عمه

Meaning: Abu Hurairah AR-Raqqqasih reported from his uncle that the Prophet said: If you are worried that your wives are Nusyuz separate the bed with them (H.R Abu Dawud) (Abu Daud, Sunnan Abu Daud 1994).

In another Hadith the Prophet SAW forbade hitting God's servants including women / wives, but because there was a protest from Umar RA Rasullah gave dispensation. But the husbands who beat their wives by the prophet were declared not to be good husbands. The hadith reads:

لا تضربوا: الله صلى الله عليه وسلم قال رسول: عن إياس بن عبيد الله بن أبي ذباب رضي الله عنه قال
ذثرن النساء على أزواجهن. :الله عنه إلى رسول الله صلى الله عليه وسلم. فقال رضي فجاء عمر. إماء الله
فأطاف بآل محمد صلى الله عليه وسلم نساء كثير يشكون أزواجهن. فقال رسول الله عليه. فرخص في ضربهن
رواه أبو داود. لقد أطاف بآل محمد نساء كثير يشكون أزواجهن. ليس أولئك بخياركم: وسلم

Meaning: Iyas Bin Abdillah Bin Abi Dzubab said: Do not beat the servants of Allah, Then came Umar RA to the Prophet and said,, The wives dare (fight) to their husbands,, So the Prophet gave dispensation to beat them. Then many wives came to the Prophet's family while complaining about their husbands, so the Prophet said; indeed many women of Muhhamad's family were complaining about their husbands. Then the husbands are not the best of you (H.R Abu Dawud) (Baqih M. F., 1985).

Another hadith explicitly forbids beating one's wife as a protest against the custom of the Arabs as follows

رواه ابن ماجه. لا يجلد أحدكم امرأته جلد الأمة ولعله أن يضاجعها من آخر يومه

Meaning: Let not one of you whip his wife like a slave and then sleep with her at night (H.R Ibn Majah).

Asghar Ali Engineer hopes that all discrepancies (injustices) against women should not make religious texts (Islam) the main cause. It should be seen as religion in a certain concrete sociological or socio-historical context. In this case, the most responsible is the patriarchal society, which has the interior status of women. Scriptural texts have been interpreted by men. (Asghar Ali Idjnir 1969) In accordance with the messages of the Qur'an in interpreting the Qur'an hemdal;ah not partially but comprehensively in other words an approach that is more suitable with the rules of thematic or *maudhui* interpretation. In general, each verse is understood, so that the message of the Qur'an can be captured, as stated by Nasaruddin Umar and Amany Lubis that the basic principles of the Qur'an that must be upheld include the principles of justice and equality (Amani Lubis 2002).

Likewise, Siti Musdah Mulia revealed that the Qur'an presents several principles of equality for the guidance and management of life in society including in marriage; Mawaddah Warahmah (Qs. Surah Ar-Rum, 21) protect each other (Qs. Al-Baqarah, 187), Muasyaroh bil Ma'ruf (Qs. (Musdah, Siti Musdah Muliya 2004) From all that has been described above, it is clear that specifically Surah An-Nisa verse 34 and pieces of verses about nusyuz cases in the family do not justify violence except for two recommendations, namely being given advice and bed separation.

Meanwhile, beating is a solution that is not recommended. Beating is only tolerated in special cases in the masses and in Arab society when the verse was revealed, when male superiority over women characterized society at that time. In general, the Quran has a mission to fight for gender justice.

CONCLUSIONS

After the presentation and study of violence against women, including domestic violence, it has a very serious impact on women, both physically and psychologically. Specifically, from the psychological aspect, victims of violence (domestic violence) can experience the "Dialectic of Trauma", namely symptoms of post-traumatic stress, including *Hyper Arousal*, which is an unstable emotional condition that sometimes rises (anger, rage, etc.) This up and down emotion can be one that is intense, but also both can alternate. Then *Intrusion*, which is a symptom of cognitive chaos characterized by thoughts filled with flashbacks, events, or nightmares. Furthermore, *Numbing*, which is numbness or a deep and cold emotional state as if it has no will and hope, stupor and others. In the perspective of Islamic law, it can be described that; Nash texts in Islamic law are not a basis and reason for violence against women and domestic violence. However, Islamic teachings and laws always understand the relationship between men and women as an equal relationship and must be fair. Although in general the victims are women, it is still a shared responsibility to overcome it. In tackling violence against women, domestic violence must use a cohesive approach that covers several aspects and involves all parties.

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