

## Reframing Women's Rights and the Prohibition of Domestic Violence in the Qur'an: A *Maqāṣid*-Based Hermeneutical Framework for Family Justice

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### Abstract

Domestic violence within Muslim societies continues to persist not only as a social and legal problem but also as a consequence of entrenched interpretive practices that normalize patriarchal authority in family relations. This study critically examines women's rights and the Qur'anic prohibition of domestic violence through a *maqāṣid al-shari'ah*-based hermeneutical framework. The primary objective is to elucidate the ethical architecture of the Qur'an in regulating family relations and to develop an interpretive model that situates domestic violence as fundamentally incompatible with the higher objectives of Islamic law. Employing a qualitative normative approach, this study conducts a thematic analysis of Qur'anic verses on family relations, supported by classical and contemporary Qur'anic exegesis and strengthened through a comparative analysis of legal instruments and family protection policies. The data are integratively constructed from the Qur'anic text, representative exegetical literature, and legal documents addressing domestic violence. The findings demonstrate that the Qur'an consistently frames the family as an ethical space grounded in justice ('*adl*), compassion (*rahmah*), and human dignity (*karāmah*), thereby rendering all forms of domestic violence contradictory to the protection of life, honor, and family integrity as core objectives of the Shari'ah. This study contributes by proposing an integrative *maqāṣidī* hermeneutical framework that bridges Qur'anic ethics, gender-sensitive interpretation, and contemporary legal discourse, offering a normative foundation for advancing family justice and protection in Muslim societies.

**Keywords:** Women's Rights, Domestic Violence, *Maqāṣid Al-Shari'ah*, Qur'anic Hermeneutics, Family Justice.

### Abstrak

Kekerasan dalam rumah tangga (KDRT) di masyarakat Muslim masih kerap dilegitimasi melalui penafsiran keagamaan yang bersifat literal dan patriarkal, sehingga mengaburkan pesan etis Al-Qur'an tentang keadilan dan perlindungan martabat manusia. Penelitian ini mengkaji hak-hak perempuan dan larangan kekerasan domestik dalam Al-Qur'an melalui kerangka hermeneutika berbasis *maqāṣid al-shari'ah*. Tujuan utama penelitian ini adalah mengungkap konstruksi etika Qur'ani dalam relasi keluarga serta merumuskan model penafsiran yang menegaskan ketidakselarasan KDRT dengan tujuan fundamental syariat Islam. Penelitian ini menggunakan pendekatan kualitatif-normatif melalui analisis tematik ayat-ayat Al-Qur'an



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tentang relasi keluarga, ditopang oleh kajian tafsir klasik dan kontemporer, serta ditunjang dengan analisis komparatif terhadap instrumen hukum dan kebijakan perlindungan keluarga. Data penelitian dikonstruksikan secara integratif dari teks Al-Qur'an, literatur tafsir representatif, dan dokumen hukum terkait kekerasan domestik. Hasil kajian menunjukkan bahwa Al-Qur'an secara konsisten memosisikan keluarga sebagai ruang etis yang berlandaskan keadilan (*'adl*), kasih sayang (*rahmah*), dan martabat manusia (*karāmah*), sehingga segala bentuk kekerasan domestik bertentangan dengan perlindungan jiwa, kehormatan, dan keutuhan keluarga sebagai tujuan utama syariat. Studi ini berkontribusi dengan menawarkan kerangka hermeneutika *maqāṣidī* yang integratif, yang menjembatani etika Al-Qur'an, tafsir sensitif gender, dan kebijakan publik dalam upaya memperkuat keadilan dan perlindungan keluarga di masyarakat Muslim.

**Kata kunci:** Hak Perempuan, Kekerasan dalam Rumah Tangga, Maqāṣid Al-Sharī'ah, Hermeneutika Al-Qur'an, Keadilan Keluarga.

## Introduction

Domestic violence (DV) in Muslim societies persists not merely as a social pathology or a failure of legal enforcement, but as a consequence of long-standing interpretive practices that have shaped religious norms and state laws. Qur'anic interpretations historically produced within male-dominated scholarly traditions have often legitimized gender hierarchy, influencing both religious authority and national legal frameworks in many Muslim-majority countries (Bauer, 2015). Compounding this problem, Qur'anic exegesis is frequently mediated by ideological contestations and political interests, resulting in subjective interpretations that obscure the Qur'an's ethical commitment to justice and compassion (Nugroho et al., 2024). This interpretive reality exposes a profound ethical emergency: sacred texts that emphasize dignity and mercy continue to be mediated through power-laden readings that contribute to women's vulnerability within the family.

Within the Islamic tradition, the Qur'an functions as the primary source of moral guidance and legal reasoning, articulating foundational principles such as justice (*'adl*), compassion (*rahmah*), and *mu'āsharah bi al-ma'rūf* (dignified and kind companionship) as the ethical basis of family life. These principles position the family as a moral space oriented toward mutual care and protection rather than hierarchy and control. However, social realities in many Muslim societies reveal a persistent gap between these Qur'anic ideals and patriarchal practices that marginalize women and, in some cases, implicitly legitimize domestic violence. Contemporary hermeneutical studies identify literalist and gender-biased interpretations of Qur'anic texts as a central factor contributing to this disjunction. Ramli further emphasizes

that Qur'anic verses related to family relations must be interpreted contextually and purposively in accordance with the *maqāṣid al-shārī'ah*, particularly in safeguarding human dignity and protecting vulnerable groups (Dohe et al., 2025).

A growing body of scholarship on Qur'anic gender interpretation critically examines how traditional exegetical frameworks have reinforced hierarchical gender relations. Islamic feminist scholars argue for a systematic reevaluation of inherited interpretations in order to realign Qur'anic understanding with Islam's intrinsic principles of justice and equality (Afsaruddin, 2020). Bauer's analysis demonstrates that such interpretations have had far-reaching implications beyond theology, shaping religious norms and state laws alike (Bauer, 2015). In response to these concerns, contemporary reinterpreting efforts within Muslim societies reflect a broader trend toward ethical and humanistic readings of the Qur'an. In the Indonesian context, figures such as Gus Mus exemplify a contextual re-reading of religious texts that challenges gender-biased interpretations and promotes ethical equality within family relations (Irsad et al., 2024).

Despite these developments, Qur'anic interpretation remains deeply contested. Nugroho et al. show that *tafsīr* in Indonesia is often influenced by socio-political dynamics and ideological struggles, resulting in interpretations that are shaped as much by power relations as by textual meaning (Nugroho et al., 2024). This observation underscores a critical theoretical problem: interpretation itself is not neutral but embedded within historical, political, and cultural contexts. Consequently, ethical principles embedded in the Qur'an may be eclipsed by readings that reflect patriarchal or ideological interests rather than universal moral values.

Feminist exegesis has made significant contributions by exposing gender bias and advancing ethical critiques of patriarchal interpretation. However, such approaches also face notable limitations. Feminist readings often encounter resistance from traditionalist perspectives that challenge their theological legitimacy and accuse them of departing from established interpretive frameworks (Ismail, 2016). Moreover, feminist exegesis frequently remains concentrated at the level of moral critique and theological discourse, without sufficiently engaging with legal structures and public policy mechanisms that govern family life. As a result, a gap persists between progressive ethical interpretation and its practical implementation in protecting women from domestic violence.

Recent developments in Islamic legal theory offer a promising pathway for addressing this gap through the framework of *maqāṣid al-shārī'ah*, understood as the higher objectives of

Islamic law. Traditionally encompassing the preservation of religion, life, intellect, lineage, and property, *maqāṣid* has evolved into a dynamic ethical framework capable of guiding legal reform and social transformation (Norman & Ruhullah, 2024). Nur et al. further emphasize that *maqāṣid al-shārī‘ah* serves both a directive function—guiding legal dynamization and reform—and a defensive function—preserving the ethical and spiritual foundations of Islamic law (Nur et al., 2020). Within this ethical turn, domestic violence constitutes a direct violation of multiple *maqāṣid*, particularly the protection of life (*hifz al-nafs*), dignity (*hifz al-‘ird*), and family integrity (*hifz al-nash*).

Despite the expanding literature on Qur’anic gender interpretation, feminist exegesis, and *maqāṣid*-based legal theory, existing studies remain largely fragmented. Feminist approaches often operate independently of *maqāṣid*-oriented legal analysis, while *maqāṣid* scholarship tends to prioritize abstract legal theory without sustained engagement with domestic violence as a lived social reality. Studies addressing women’s protection from legal or sociological perspectives similarly rarely integrate systematic Qur’anic hermeneutics with policy-oriented advocacy. Ibrahim et al. highlight a persistent gap between Qur’anic ethical principles and the implementation of women’s protection laws in Muslim-majority societies (Ibrahim, A., 2021), underscoring the need for an integrative framework that connects text, ethics, and law.

Accordingly, this study addresses this gap by examining women’s rights and the prohibition of domestic violence in the Qur’an through an integrative *maqāṣidī* hermeneutical approach. The research is guided by three interrelated questions: first, how does the Qur’an conceptualize women’s rights and responsibilities within the family; second, to what extent do Qur’anic verses provide a normative foundation for prohibiting domestic violence; and third, how can these Qur’anic values be translated into contemporary legal and policy frameworks that ensure effective family protection. This study adopts a solution-oriented perspective aligned with Jasser Auda’s systemic *maqāṣid* approach, emphasizing moral objectives and social outcomes over formalistic textualism.

This article argues that domestic violence fundamentally contradicts the Qur’an’s higher objectives (*maqāṣid al-shārī‘ah*) and that a *maqāṣid*-based hermeneutical framework offers both a normative and practical foundation for prohibiting violence and advancing family justice. The primary objective of this research is to construct an Islamic advocacy framework that integrates Qur’anic ethics, gender-sensitive hermeneutics, and public policy analysis. Through thematic analysis of relevant Qur’anic verses, examination of classical and

contemporary exegesis, and comparative analysis of legal instruments, this study seeks to contribute to progressive, human-centered Islamic scholarship while reinforcing the moral and legal legitimacy of efforts to prevent domestic violence in Muslim societies.

## Methodology

This study adopts a qualitative normative-hermeneutical methodology to examine women's rights and the prohibition of domestic violence within the Qur'anic framework. The primary unit of analysis consists of Qur'anic verses related to family relations, marital ethics, gender responsibility, justice, and compassion, particularly those frequently invoked in discussions of authority and domestic conduct. These Qur'anic texts are not treated as isolated legal injunctions but as ethical-normative discourses that articulate broader moral objectives governing family life. In addition, classical and contemporary Qur'anic exegetical works and relevant legal-policy documents on domestic violence and family protection are incorporated as complementary units of analysis in order to situate Qur'anic ethics within both interpretive traditions and contemporary legal contexts.

A qualitative research design is employed because the research problem addressed in this study concerns meaning, ethical orientation, and normative coherence rather than measurable variables or causal relationships. Quantitative approaches are insufficient to capture the interpretive dynamics through which Qur'anic texts are understood, contested, and applied in relation to domestic violence. A normative-hermeneutical approach allows the study to explore how ethical values embedded in the Qur'an—such as justice (*'adl*), compassion (*rahmah*), dignity (*karāmah*), responsibility (*qiwāmah*), and *mu'āsharah bi al-ma'rūf*—are constructed and how they may function as moral constraints against violence within the family. This design is particularly suited to addressing the gap between Qur'anic moral ideals and social practices that persist in many Muslim societies.

The data sources used in this study comprise three interconnected categories. First, the primary sources include selected Qur'anic verses addressing marriage, family relations, and ethical conduct. Second, exegetical sources consist of classical *tafsīr* and contemporary Qur'anic interpretations representing both traditional and reform-oriented perspectives. These sources are utilized to trace interpretive patterns, identify gendered assumptions, and examine shifts toward ethical-humanistic readings of the Qur'an. Third, legal and policy documents related to domestic violence and family protection are analyzed to assess how Qur'anic ethical principles may be translated into modern legal norms. All data sources are treated as textual artifacts and analyzed through interpretive and comparative methods.

Data collection is conducted through systematic document analysis. Qur'anic verses are identified thematically based on their relevance to family ethics, gender relations, and harm prevention. Exegetical and scholarly sources are selected according to their relevance to Qur'anic gender interpretation, *maqāṣid al-shārī'ah*, and domestic violence discourse. Legal and policy documents are obtained from authoritative legislative and institutional sources. This study does not involve interviews, observations, or focus group discussions, as its primary objective is normative and conceptual analysis rather than empirical investigation of social behavior.

Data analysis proceeds in several stages. First, the collected Qur'anic verses and exegetical texts are thematically analyzed to identify key ethical concepts related to justice, compassion, dignity, and responsibility within family relations. These themes are then interpreted through the framework of *maqāṣid al-shārī'ah* to evaluate how Qur'anic ethics aim to protect fundamental human interests, particularly the preservation of life, dignity, and family integrity. This *maqāṣid*-based analysis enables the study to move beyond literalist interpretations and to emphasize ethical outcomes and social implications. Finally, a comparative analysis is conducted between Qur'anic ethical principles and contemporary legal frameworks on domestic violence to identify areas of convergence and tension, and to propose an integrative model in which Qur'anic ethics serve as a moral foundation for legal advocacy and policy development.

Through this narrative methodological approach, the study maintains coherence between textual interpretation, ethical reasoning, and practical application. The methodology ensures analytical rigor while remaining sensitive to the normative character of the Qur'an and the contemporary urgency of preventing domestic violence within Muslim societies.

## Results and Discussion

### A. Qur'anic Ethics, Women's Rights, and the Normative Rejection of Domestic Violence

The thematic analysis of Qur'anic verses, classical and contemporary exegetical works, as well as legal and policy documents yields several key findings concerning women's rights and the normative rejection of domestic violence within the Qur'anic ethical framework. These findings are systematically organized to reflect dominant patterns emerging from a *maqāṣid*-based hermeneutical reading of the texts.

#### 1. Family Relations as an Ethical Partnership in the Qur'an

The analysis demonstrates that the Qur'an consistently constructs family relations as an ethical partnership grounded in justice, compassion, and mutual responsibility. Qur'anic verses such as Q. al-Rūm (30):21 emphasize that marriage is intended to realize *sakinah* (tranquility), *mawaddah* (affection), and *rahmah* (compassion), indicating that marital relations are oriented toward emotional security and care rather than domination or control (The Qur'an, 30:21). Similarly, Q. al-Nisā' (4):19 explicitly commands husbands to live with women *bi al-ma'rūf*, a principle interpreted by classical exegetes such as al-Tabarī and al-Qurtubī as an ethical obligation to treat wives with fairness, kindness, and restraint from harm (al-Tabarī, 2001; al-Qurtubī, 2006).

A comprehensive examination of the Qur'anic discourse reveals no explicit legitimization of harm, coercion, or domination as components of family relations. Instead, the family is consistently framed as a moral space for protection (*himāyah*) and the preservation of human dignity (*karāmah al-insān*), reflecting the Qur'an's broader ethical vision of relational justice.

## 2. Women's Rights as Ethical Obligations Rather Than Legalistic Claims

The second finding indicates that women's rights in the Qur'anic framework are articulated primarily through ethical obligations imposed upon family members, particularly men, rather than through rigid legal formalism. Verses such as Q. al-Baqarah (2):228 and Q. al-Nisā' (4):1 affirm principles of reciprocity and moral equality between men and women, emphasizing mutual rights and responsibilities within family relations (The Qur'an, 2:228; 4:1).

Contemporary scholars such as Wadud (1999) and Barlas (2002) argue that the Qur'an approaches women's rights through an ethical-normative paradigm, in which justice and human dignity function as foundational principles that transcend specific legal rulings. Within this framework, the command of *mu'āsharah bi al-ma'rūf* operates as a normative constraint against unjust treatment, including domestic violence, rather than as a conditional or secondary entitlement.

## 3. *Qiwāmah* as an Ethical Trust Rather Than Absolute Superiority

The analysis of contested verses, particularly Q. al-Nisā' (4):34 concerning *qiwāmah*, reveals that this concept is ethical and conditional rather than absolutist or hierarchical. Classical exegetes such as Ibn Kathīr and Fakhr al-Dīn al-Rāzī consistently associate *qiwāmah*

with responsibility for provision, protection, and family management, not with inherent male superiority or unrestricted authority (Ibn Kathīr, 2000; al-Rāzī, 2000).

Contemporary interpretations advanced by scholars such as Rahman (1982) and Saeed (2006) further emphasize that *qiwāmah* must be understood within the Qur'an's comprehensive ethical system. When detached from moral responsibility and employed to justify coercion or violence, such interpretations contradict the internal ethical logic of the Qur'an, which prioritizes justice, compassion, and accountability.

#### 4. Shifting Exegetical Orientations: From Patriarchal to Ethical-Humanistic Readings

Comparative analysis reveals a significant shift in exegetical orientation across time. While classical *tafsīr* works—such as those by al-Qurṭubī and al-Jaṣṣāṣ—acknowledged ethical values like justice and mercy, they often subordinated these principles to prevailing patriarchal norms and social hierarchies of their historical contexts (al-Qurṭubī, 2006; al-Jaṣṣāṣ, 1994.). In contrast, contemporary Qur'anic interpretations increasingly foreground ethical objectives (*al-ghāyah al-akhlāqiyyah*), socio-historical context, and human dignity.

The *maqāṣid al-sharī'ah* framework, initially systematized by al-Shāṭibī and later expanded through a systemic approach by Auda (2021), underscores that Qur'anic interpretation should aim at realizing substantive justice and protecting vulnerable groups, including women within family structures.

#### 5. Domestic Violence as a Violation of Maqāṣid al-Sharī'ah

A *maqāṣid*-based analysis demonstrates that domestic violence constitutes a direct violation of the higher objectives of Islamic law, particularly the protection of life (*hifz al-nafs*), human dignity (*hifz al-'ird*), and family integrity (*hifz al-nasl*). The *maqāṣid* framework articulated by al-Shāṭibī (2004) and further developed by Ibn 'Āshūr (2006) and Auda (2021) affirms that any practice undermining these objectives must be categorically rejected.

From this ethical perspective, domestic violence cannot be treated as a private or culturally negotiable issue but must be recognized as fundamentally incompatible with Islamic moral and legal objectives.

#### 6. Convergence Between Qur'anic Ethics and Contemporary Legal Frameworks

The analysis of legal and policy documents—such as Indonesia's Law No. 23 of 2004 on the Elimination of Domestic Violence, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and family protection policies in several Muslim-majority countries—reveals substantial normative convergence with Qur'anic ethical

principles. Core values such as protection from harm, justice, and human dignity are shared across both domains, despite differences in legal language, enforcement mechanisms, and institutional implementation (Republic of Indonesia, 2004; United Nations, 1979).

These findings suggest that *maqāṣid*-based Qur'anic ethics can function as a moral and theological foundation that strengthens the legitimacy and social acceptance of contemporary legal frameworks aimed at preventing domestic violence within Muslim societies.

## B. The Principles of *Rahmah* and *Sakinah* as the Ethical Foundation of Family Relations

Qur'ān 30:21 establishes *sakinah*, *mawaddah*, and *rahmah* as the fundamental objectives of marriage in Islam. This verse does not merely describe the emotional bond between spouses; rather, it articulates an ethical framework for family relations that fundamentally rejects domination, subordination, and violence. Within Islamic normative thought, marriage is not conceived solely as a social contract but as a spiritual and moral institution oriented toward cultivating inner tranquility, affection, and compassion as the basis of a just and humane family life (Zubaidah & Zahiri, 2016).

Al-Wāhidī explains that this verse was revealed to affirm the creation of spouses as a manifestation of divine mercy, ensuring both social and spiritual stability for human beings (al-Wāhidī, n.d.). In a similar vein, al-Ṭabarī interprets the phrase *litaskunū ilayhā* as indicating reciprocal emotional and spiritual tranquility, rather than a unidirectional relationship that positions one party as dominant over the other (al-Ṭabarī, 2001). This interpretation underscores that marital tranquility can only be realized through balance and mutual recognition, not through unilateral control or authority.

Contemporary scholarship further elaborates these concepts. *Sakinah* is understood as a condition of peace and security that constitutes the foundation of family stability, wherein both spouses experience emotional and psychological safety (Fauzan & Amroni, 2020). *Mawaddah* refers to bonds of love and affection that foster mutual support within household life and contribute significantly to the emotional well-being of spouses and children alike (Rasyid & Siregar, 2025). Meanwhile, *rahmah* reflects empathy, gentleness, and a willingness to understand one another, enabling non-violent conflict resolution and the preservation of harmonious family relations.

In contemporary Qur'anic exegesis, Quraish Shihab emphasizes that *mawaddah* and *rahmah* function as moral foundations that inherently negate all forms of domestic violence, as violence stands in direct contradiction to the essential purpose of marriage—namely, shared tranquility and peace (Shihab, 2022). Accordingly, the principle of *rahmah* cannot be reduced

to an abstract ideal; it must be recognized as a normative basis for women's rights to affection, security, and protection within family life.

Nevertheless, while classical exegetes elaborated on the notion of emotional tranquility in this verse, their interpretations were generally descriptive and did not explicitly engage with the dynamics of power between husbands and wives. Classical *tafsīr* often overlooked the verse's potential as a structural critique of patriarchal cultures that normalize inequality and violence within the family. In contrast, contemporary hermeneutical approaches advanced by scholars such as Quraish Shihab and Amina Wadud argue that *litaskunū ilayhā* reflects a horizontal relationship grounded in moral partnership, rather than a hierarchy of power that renders women objects of subordination.

This ethical dimension is further reinforced by a Prophetic tradition narrated by al-Tirmidhī, in which the Prophet Muḥammad states, "The best of you are those who are best to their families" (al-Tirmidhī, n.d./2007). Studies on the *asbāb al-wurūd* of this ḥadīth indicate that the Prophet articulated this moral principle within a pre-Islamic Arabian social context marked by harsh, patriarchal norms and the marginalization of women, thereby functioning as a normative critique of prevailing social practices (al-Suyūtī, n.d.; Brown, 2009). Ibn Ḥajar al-‘Asqalānī interprets this ḥadīth as a moral declaration that situates ethical excellence in family relations, emphasizing compassion, moral responsibility, and respect for women's dignity as core indicators of religious virtue (Ibn Ḥajar al-‘Asqalānī, 1989).

At the practical level, the realization of *sakinah*, *mawaddah*, and *rahmah* requires sustained preparation and commitment from both spouses. Empirical studies demonstrate that adequate premarital education—particularly regarding moral and spiritual responsibilities in marriage—significantly contributes to the formation of harmonious families (Harun et al., 2021). Furthermore, a balanced distribution of rights and obligations between spouses has been identified as a key factor in preventing domestic conflict and violence (Apriana et al., 2022; Sanusi et al., 2024).

A thematic analysis of these Qur'anic verses and Prophetic traditions thus confirms that *rahmah* and *sakinah* function not only as individual spiritual values but also as social norms designed to safeguard family integrity. Within the framework of *maqāṣid al-shārī‘ah*, these principles are directly connected to the preservation of life (*hifz al-nafs*) and lineage (*hifz al-nasl*). Consequently, violence against a spouse cannot be tolerated as a private matter, as it directly contravenes the objectives of Islamic law and undermines the social harmony essential to communal sustainability (Auda, 2021).

In sum, *sakinah*, *mawaddah*, and *rahmah* must be understood as a comprehensive ethical framework that demands a transformation of both religious consciousness and social practice. Efforts to strengthen family education, promote gender awareness, and develop community-based support systems are therefore essential to ensure that these Qur'anic values are not confined to normative discourse but are effectively internalized within everyday marital life (Ariansyah, 2021; Harun et al., 2021).

### C. The Principle of Justice and the Prohibition of Violence in Domestic Relations

Qur'ān 4:19 serves as a key text affirming justice and the protection of women within Islam. Al-Suyūtī notes that this verse was revealed to abolish pre-Islamic *jahiliyyah* practices that treated women as mere inheritance objects, thereby constituting one of the earliest Islamic declarations of female dignity and rights (Al-Suyūtī, n.d.). Ibn Kathīr explains that the command *wa 'āshirūhunna bil-ma'rūf* explicitly prohibits harsh treatment—whether physical or verbal—toward wives, emphasizing ethical conduct and moral responsibility in family life (Alwani, n.d.). Contemporary exegesis interprets this verse as a normative foundation for egalitarian marital relations grounded in justice ('*adl*), rather than unilateral authority (Muhammad Mizan & Firdausi, 2024).

However, many classical interpretations limited *ma'rūf* to individual ethical advice without connecting it to structural prohibitions against domestic violence. Such formalistic readings weaken the normative power of the verse in protecting potential victims. From a *maqāṣid al-shārī'ah* perspective, this limitation arises from an overemphasis on literal compliance rather than on the moral objectives of revelation. Accordingly, this study argues that *ma'rūf* should be understood as relational justice and a mechanism for social protection, aligning with the preservation of life (*hifz al-nafs*), dignity (*hifz al-'ird*), and family integrity (*hifz al-nasl*) emphasized in Islamic legal philosophy (Ali & Mulyono, 2023; Nuroniyah et al., 2025).

The Prophetic tradition reported by Muslim, "*Istawṣū bi al-nisā' khayran*", further reinforces this principle. Hermeneutically, both the verse and the ḥadīth construct a domestic justice norm that prohibits all forms of violence, situating compassion, respect, and ethical responsibility at the core of family life (Mulia, 2007). In practical terms, Islamic law and *maqāṣid* theory emphasize that care and protection within the family are not optional virtues but essential moral obligations that prevent violations of human life, dignity, and relational integrity (Nuroniyah et al., 2025).

These Qur'anic and Prophetic principles find reflection in contemporary legal frameworks. For instance, Indonesia's Law No. 23 of 2004, which provides comprehensive protection against various forms of domestic violence—including physical, psychological, sexual, and economic abuse—operationalizes these ethical norms within a modern policy context (Zuhdi et al., 2019). Furthermore, Indonesian legal mechanisms that prohibit domestic violence while promoting non-repressive conflict resolution align with Islamic principles of justice and compassion, demonstrating a convergence between ethical imperatives and institutional implementation (Sumanto et al., 2021).

Overall, the integration of Qur'anic guidance, Prophetic tradition, *maqāṣid al-shari‘ah*, and contemporary legal frameworks underscores that domestic justice in Islam is inseparable from the prohibition of violence. This ethical-legal nexus affirms that any form of domestic abuse contradicts both normative objectives of the Qur'an and the overarching moral commitments of Islamic law.

#### D. *Qiwāmah* as Ethical Responsibility and Social Trust

Qur'an 4:34 has often been a point of controversy in gender justice discourse, particularly regarding interpretations of male authority within the family. The narration reported by Ibn Abī Ḥātim indicates that the verse was revealed in response to Sa‘d ibn Rabī‘'s violent behavior toward his wife, which was explicitly condemned by the Prophet Muḥammad, demonstrating the verse's corrective ethical function rather than legitimizing violence (Ibn Abi Hatim, n.d.).

Classical exegesis frequently interpreted *qawwāmūn* as male authority over women, emphasizing hierarchical roles. However, contemporary scholars such as Quraish Shihab and Jasser Auda argue that *qiwāmah* refers primarily to ethical and economic responsibility rather than gender superiority (M. Quraish Shihab, 2022; Auda, 2021). From a feminist perspective, Amina Wadud interprets *qiwāmah* as a social *amānah*, which requires moral accountability, protection, and care within the family (Wadud, 2020). The limitation of classical interpretations lies in their ahistorical reading, often detaching the verse from its specific context of revelation, which demonstrates that *qiwāmah* functions to prevent harm and maintain family integrity.

The Prophetic ḥadīth, “*Kullukum rā‘in wa kullukum mas‘ūl ‘an ra‘yyatihī*”, reinforces the principle that leadership in Islam is grounded in responsibility and justice rather than domination. Al-Ghazālī interprets this ḥadīth as establishing the ethical foundation for

leadership (*al-mas'ūliyyah*) and justice (*al-'adālah*), highlighting accountability as a central moral principle (Al-Ghazālī, n.d.).

Qiwāmah is also closely linked to broader ethical principles in Islam, such as *al-amānah* (trust) and *al-mas'ūliyyah* (responsibility), which are essential for nurturing moral character and preventing misuse of authority (Ahmad & Rasheed, 2018; Shuhari et al., 2019).

Contemporary studies show that qiwāmah extends beyond the domestic sphere, encompassing leadership roles in community settings. For example, female Muslim school principals in the UK conceptualize their leadership through *imāmah*, qiwāmah, and *amānah*, emphasizing ethical responsibility and service-oriented leadership (Lahmar, 2024).

Therefore, understanding qiwāmah as an ethical and social responsibility reframes male authority within Islam as a moral obligation to ensure the welfare, protection, and dignity of family members. This interpretation aligns with social welfare approaches to qiwāmah (Hasan, 1989) and demonstrates that qiwāmah functions as a mechanism for relational justice and ethical accountability rather than patriarchal dominance.

## E. Legal, Policy, and Social Education Implications

Comparative analysis indicates that the Qur'anic principles of justice and family protection align closely with modern legal instruments, such as Indonesia's Law No. 23 of 2004 on the Elimination of Domestic Violence and international frameworks like CEDAW. This normative convergence strengthens the moral legitimacy of protecting women within both religious and state legal contexts (Rofiah, 2023; Zuhdi et al., 2019; Sumanto et al., 2021). The alignment demonstrates that Qur'anic ethics, particularly the principles of *rahmah*, *'adl*, and protection of human dignity, can provide a moral and theological foundation for contemporary legal frameworks addressing domestic violence.

Ibrahim et al. (2021) show that applying *maqāṣid al-shārī'ah* in public policy enhances the effectiveness of legal protection for vulnerable groups in Muslim-majority countries. By viewing law as an ethical instrument rather than merely a formal set of rules, the *maqāṣid*-based approach encourages reinterpretation of Qur'anic verses on family and domestic relations from a "command–prohibition" paradigm to a "goal–welfare" paradigm, emphasizing the ultimate purposes of justice, mercy, and social well-being.

Religious education grounded in *rahmah* has been shown to reduce domestic violence by fostering awareness of moral obligations within family relations. Teaching principles such as mutual respect, emotional security (*sakinah*), affection (*mawaddah*), and compassion (*rahmah*) enables families to internalize Qur'anic ethics into daily practice, bridging the gap

between normative ideals and lived realities (Fauzan & Amroni, 2020; Rasyid & Siregar, 2025).

Epistemologically, this study affirms that domestic violence violates not only law and ethics but also the ontological order of human relationships in Islam. Marriage, structured as a partnership based on mutual care and responsibility, reflects divine intent to realize social harmony and protect human dignity (Mulia, 2020; Auda, 2021). Therefore, the prohibition of domestic violence in Islam is not a modern invention but a theological implication of Qur'anic values, including *rahmah* and *'adl*, which underpin both the ethical and legal dimensions of family life.

In conclusion, integrating Qur'anic ethics, *maqāṣid*-oriented legal interpretation, and educational strategies provides a coherent framework for preventing domestic violence. Legal reforms, policy implementation, and social education should collectively aim to ensure that the normative ideals of justice, compassion, and protection are realized within the daily practices of Muslim families.

## Conclusion

This study demonstrates that domestic violence is fundamentally incompatible with the Qur'an's ethical vision of family relations. Through a *maqāṣid al-shari'ah*-based hermeneutical reading, the Qur'an consistently frames the family as an ethical space grounded in justice (*'adl*), compassion (*rahmah*), human dignity (*karāmah*), and mutual responsibility. Key concepts often invoked to justify male authority, such as *qiwāmah*, are shown to function as moral responsibility and social trust rather than as legitimations of domination or violence. From this perspective, domestic violence constitutes a direct violation of the higher objectives of Islamic law, particularly the protection of life, dignity, and family integrity. The central wisdom emerging from this study is that violence within the family is not a peripheral moral failure but a structural contradiction of Qur'anic ethics.

Scientifically, this article contributes to Qur'anic studies and Islamic legal theory by offering an integrative *maqāṣid* hermeneutical framework that bridges ethical interpretation, gender-sensitive exegesis, and contemporary legal discourse. Unlike approaches that remain confined to either feminist moral critique or abstract *maqāṣid* theory, this study demonstrates how Qur'anic ethics can function as a normative foundation for legal advocacy and public policy on family protection. By situating domestic violence within the internal moral logic of the Qur'an, the study strengthens the theological legitimacy of efforts to prevent violence and advances a more coherent model of family justice within Islamic scholarship.

This study is limited by its normative and textual orientation, as it does not empirically examine lived experiences of domestic violence or the practical implementation of legal frameworks in specific social contexts. Future research may extend this framework through interdisciplinary approaches that combine Qur'anic hermeneutics with socio-legal, anthropological, or empirical studies on family dynamics in Muslim societies. Further exploration of how *maqāṣid al-shārī‘ah*-based interpretations can inform religious education, judicial practice, and policy implementation would also enrich the application of Qur'anic ethics in advancing sustainable family justice.

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