



HADITH REVIEW ON DOMESTIC VIOLENCE IN MARRIAGE

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Abstract

In essence, Islam teaches to treat women in a good way . However, it cannot be denied that there are several factors that cause domestic violence. This type of research uses the sharia juridical approach method. This approach is defined as an approach that leads to the question of whether or not something can be used according to Islamic law . The data used in compiling this research is using references from journals, books and other articles related to the topic discussed. Domestic violence is an act that is not permitted to occur in building a household. Whatever form of domestic violence there is, a husband must not do anything that could hurt his wife.

Keywords: Violence, domestic, hadith

1. INTRODUCTION

One of the problems or conflicts that often occur in households is domestic violence. Domestic violence is often committed by husbands against wives, either physically, psychologically or through neglect. Domestic violence is no longer something new in society, it is also not only a problem that only exists in the national scope but has become an international problem.

Islam wants peace and tranquility in running a household life. Islam prohibits domestic violence, especially when the victim of the violence is a wife or child.

However, it cannot be denied that if domestic violence occurs continuously, it is possible that disputes will occur and that this could lead to the dissolution of the marriage.

Therefore, it is necessary to provide an explanation regarding the review of the hadith prohibiting domestic violence.



2. RESEARCH METHOD

This type of research uses a sharia-based legal approach method. This approach is defined as an approach that leads to the question of whether or not something can be used according to Islamic law. The data used in compiling this research is using references from journals, books and other articles related to the topic discussed.

3. RESULTS AND DISCUSSION

Prohibition of Domestic Violence from the Perspective of Hadith

Domestic violence is an act that is not justified and is not permitted. This act, which often occurs in the household, becomes a problem in establishing and fostering a marriage. In the context of a household, domestic violence often affects wives and even children. All forms of domestic violence are criminal acts that require sanctions. Regarding this, there are several hadiths of the Prophet regarding domestic violence, including:

Physical Violence

عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا قَالَتْ : مَا ضَرَبَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ شَيْئًا قَطُّ بِيَدِهِ
وَلَا امْرَأَةً وَلَا خَادِمًا أَنْ يُجَاهِدَ فِي سَبِيلِ اللَّهِ وَمَانِلَ مِنْهُ شَيْءٌ قَطُّ فَيَنْتَقِمَ مِنْ صَاحِبِهِ إِلَّا أَنْ
يُنْتَهَكَ شَيْءٌ مِنْ مَحَارِمِ اللَّهِ فَيَنْتَقِمَ اللَّهُ عَزَّ وَجَلَّ. رَوَاهُ مُسْلِمٌ

It means:

Aisyah Ra. said: The Messenger of Allah never hit anyone with his hands, not women (wives) nor servants except in fighting in the way of Allah. He also, when his friends treated him badly, never retaliated, unless there was a violation of Allah's honor, then he would retaliate in the name of Allah SWT. (HR. Muslim No. 6195)

This hadith is often referred to as an exemplary hadith, namely a hadith that is used as a rejection of all forms of violence, because it is explained that the Prophet Muhammad in his household life avoided beating women or wives. So the Prophet forbade violence in any form, especially beating women. This hadith shows that the Messenger of Allah was a loving and gentle person. The Prophet never used violence, even against people under his responsibility, such as his wife, children and daily servants. Therefore, in living a married life, a husband should be a protector of his family, namely his wife and children, not a figure who hurts them.

عَنْ عَبْدِ اللَّهِ بْنِ زَمْعَةَ رَضِيَ اللَّهُ عَنْهُ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : لَا يَجْلِدُ أَحَدُكُمْ
امْرَأَتَهُ جَلْدَ الْعَبْدِ، ثُمَّ يُجَامِعُهَا فِي آخِرِ الْيَوْمِ. (رواه البخاري)

It means:



From Abdullah bin Zam'ah Ra, the Prophet Muhammad SAW said: Don't let anyone among you beat his slave, even though he has sex with him at the end of the day. (HR. Imam Bukhari).

This hadith explains that the Prophet Muhammad SAW gave a dig at a man who still liked to beat his wife, even though after that he had intercourse with her. This is certainly an act that is not justified. A man or in this case a husband should not do that. A household life is expected to be a family full of happiness, not the other way around.

عَنْ فَاطِمَةَ بِنْتِ قَيْسٍ رَضِيَ اللَّهُ عَنْهَا قَالَتْ : خَطَبَنِي خُطَّابٌ مِنْهُمْ مُعَاوِيَةُ وَأَبُو الْجَهْمِ. فَقَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : إِنَّ مُعَاوِيَةَ تَرَبُّ خَفِيفُ الْحَالِ وَأَبُو الْجَهْمِ مِنْهُ شِدَّةٌ عَلَى النِّسَاءِ أَوْ تَحْوُ يَضْرِبُ النِّسَاءَ أَوْ تَحْوُ هَذَا وَلَكِنْ عَلَيْكَ بِأَسَمَةِ بْنِ زَيْدٍ. (رواه مسلم)

It means:

Fatimah bint Qois Ra, said, when several people proposed to me, among them were Mu'awiyah and Abu Jahm. The Prophet Muhammad, peace be upon him, advised that Mu'awiyah had no wealth at all . Meanwhile, Abu Jahm was very harsh towards women, likes hitting them. Choose Usamah bin Zaid. (HR. Muslim).

If the previous hadith explains about the satire towards men who like to hit, this hadith is a firm recommendation from the Prophet to women not to choose a partner who is a hitter. This is emphasized because in a relationship, if one of them likes to hit, let alone makes it a habit, then there is no longer any respect and affection for each other . Before marriage, it is necessary to choose a partner who is not a hitter or someone who often commits acts of violence, because this is likely to happen in carrying out household life.

Psychological Violence

عَنْ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ عَنْهُ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : لَيْسَ الْمُؤْمِنُ بَاطِعًا وَلَا اللَّعَّانَ وَلَا الْفَاجِسَ وَلَا الْبَذِيَّ (رَوَاهُ التِّرْمِذِيُّ وَقَالَ حَدِيثٌ حَسَنٌ)

It means:

From Ibn Mas'ud Ra, he said: Rasulullah saw said: It is not a believer who likes to criticize, curse, do evil things and say dirty things. (HR. Tirmidhi, he said: this is Hasan's Hadith).



This hadith explains the prohibition of saying bad things or things that insult women to the point of hurting their hearts, dignity and honor, because in Islam it is forbidden to insult Muslims . Therefore, the Prophet Muhammad SAW strictly forbade such insults.

عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : بِحَسْبِ امْرِئٍ مِنَ الشَّرِّ أَنْ يَحْقِرَ أَخَاهُ الْمُسْلِمَ (رَوَاهُ مُسْلِمٌ, وَقَدْ سَبَقَ قَرِيبًا بِطَوِيلِهِ)

It means:

From Abu Hurairah Ra, the Messenger of Allah said: It is enough for someone to be said to be evil (bad in character) if he insults his Muslim brother. (HR. Muslim) .

This hadith explains and confirms that it is forbidden to criticize or insult Muslims, especially women, because this can result in dangerous mental health, psychological violence has serious impacts, so Islam asks us to stay away from psychological violence from husbands to wives and does not justify it.

Sexual Violence

عَنْ بَهْزِ بْنِ حَكِيمٍ عَنْ أَبِيهِ عَنْ جَدِّهِ قَالَ : قُلْتُ يَا رَسُولَ اللَّهِ نَسَاؤُنَا مَا نَأْتِي مِنْهُنَّ وَمَا نَذَرُ، قَالَ أَنْتَ حَرِّثَكَ أَتَى شَيْتَ وَأَطْعَمَهَا إِذَا طَعِمَتْ وَاكْسَهَا إِذَا اكْتَسَيْتَ وَلَا تُقَبِّحَ الْوَجْهَ وَلَا تَضْرِبْ. رَوَاهُ أَبُو دَاوُدَ

It means:

From Bahz bin Hakim from his father to his grandfather who said: I once asked the Messenger of Allah, O Messenger of Allah regarding our wives, what should we do and what should we leave behind? The Prophet answered, you can have sexual intercourse with him according to your taste. (Narrated by Abu Dawud).

This hadith explains that it is not permissible to force women to have sexual intercourse, because it is called harassment and is also called sexual violence. So in this case, a good husband is a husband who does not insult or harass his wife, he has sex with her according to his taste and with his wife's permission. So in this case, there is the following hadith .



أَخْبَرَنَا مُسْلِمٌ بْنُ أَبِرْهِيمَ حَدَّثَنَا وَهَيْبٌ حَدَّثَنَا عَبْدُ اللَّهِ بْنُ عُثْمَانَ بْنِ خُثَيْمٍ عَنْ ابْنِ سَابِطٍ قَالَ :
 سَأَلْتُ حَفْصَةَ بِنْتَ عَبْدِ الرَّحْمَنِ هُوَ ابْنُ أَبِي بَكْرٍ، قُلْتُ لَهَا : إِنِّي أُرِيدُ أَنْ أَسْأَلَكَ عَنْ شَيْءٍ
 وَأَنَا أَسْتَحْيِي أَنْ أَسْأَلَكَ عَنْهُ قَالَتْ : سَلْ يَا ابْنَ أَخِي عَمَّا بَدَّلَكَ، قَالَ : أَسْأَلَكَ عَنْ إِنِّانِ
 النِّسَاءِ فِي أَذْبَا رِهِنًا، فَقَالَتْ حَدَّثَنِي أُمُّ سَلَمَةَ قَالَتْ : كَانَتِ النَّصَارُ يُحْيِي ، وَكَانَتِ
 الْمُهَاجِرُونَ يُحْيِي، فَتَجَوَّجَ رَجُلٌ مِنَ الْمُهَاجِرِينَ امْرَأَةً مِنَ الْأَنْصَارِ فَحَبَّاهَا، فَأَبَتِ الْأَنْصَارِيَّةُ
 فَإِنَّتْ أُمُّ سَلَمَةَ فَذَكَرْتُ ذَلِكَ لَهَا، فَلَمَّا أَنْ جَاءَنِي صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، اسْتَحْيَتِ الْأَنْصَارِيَّةُ
 وَخَرَجْتُ، فَذَكَرْتُ ذَلِكَ أُمُّ سَلَمَةَ لِنَبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ: ادْعُوهُمَا لِي، فِدَعَيْتُ لَهُ،
 فَقَالَ لَهَا (نَسَاؤُكُمْ حَرُّتُكُمْ أَتَى شِقْمَتُمْ) سِمَامًا وَاحِدًا، وَالسِّمَامُ السَّبِيلُ الْوَاحِدُ

It means:

From Ibn Sabit said: I asked Hafsa bint Abd Al Rahman son of Abu Bakr son of Abu Bakr, I wanted to ask about something but I was embarrassed to ask it. Hafsa said: tell my nephew what you want to ask. He said: I asked about husbands who sexualize their wives through the anus. Hafsa said: she narrated to me Umm Salamah and said: Ansar people do not have sexual relations behind their backs while Muhajirin people married Ansar women and had sexual relations with her behind their backs but she refused, she then came to Umm Salamah and told her about the situation. When the Prophet came, the Ansar women were embarrassed and came out, Umm Salamah told this to the Prophet saw, and he said, Nisahaku hars lakum (your wife is a rice field and come from the direction you like) namely on the one road. (HR. Bukhari).

This hadith confirms the previous hadith, that in having a husband and wife relationship, the wife's permission is needed, and the husband may have intercourse with her in any way with the wife's permission as long as the wife likes it. Based on several hadiths, it is not permissible to force a husband and wife relationship without the wife's permission, and there should be no coercion in any form, let alone violence.

Economic Abuse or Neglect

عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا قَالَتْ : دَخَلَتْ هِنْدُ بِنْتُ عُتْبَةَ امْرَأَةً أَبِي سُفْيَانَ عَلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَتْ : يَا رَسُولَ اللَّهِ إِنَّ أَبَا سُفْيَانَ رَجُلٌ شَحِيحٌ لَا يُعْطِينِي مِنَ الثَّقَقَةِ مَا يَكْفِيَنِي بَنِيَّ إِلَّا مَا أَخَذْتُ مِنْ مَالِهِ بِغَيْرِ عِلْمِهِ ، فَهَلْ عَلَيَّ فِي ذَلِكَ مِنْ جُنَاحٍ ؟ فَقَالَ : (خَذِي مِنْ مَالِهِ بِالْمَعْرُوفِ مَا يَكْفِيَنَّكَ وَمَا يَكْفِيَنَّ بَنِيَّكَ) مُتَّفَقٌ عَلَيْهِ

It means:

From Aisyah said: Hindun bint Utbah, Abu Sufyan's wife, met the Messenger of Allah, and said: O Rasulullah, indeed, Abu Sufyan is a stingy person, he does not provide sufficient support for me and my children unless I take property without his knowledge. Is this sinful?



He said: take enough wealth for you and your children well, Muttafaq alaihi. (HR. Bukhari-Muslim)

This hadith explains that economic violence occurs if you only get half your salary or even nothing at all, this will result in your wife and children being neglected and their living needs not being met.

وَعَنْ جَابِرٍ رَضِيَ اللَّهُ عَنْهُ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي حَدِيثِ الْحَجِّ بِطَوِيلِهِ قَالَ فِي ذِكْرِ النِّسَاءِ (وَلَهُنَّ عَلَيْكُمْ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ) أَخْرَجَهُ مُسْلِمٌ.

It means:

From Jabi Ra, from the Prophet Muhammad SAW, in the hadith about the long Hajj (you must give your wife support and good clothing). (HR. Muslim).

The above hadith emphasizes again that it is obligatory to provide sustenance to the wife in the form of clothing and shelter. So that the two hadiths above provide confirmation that it is obligatory to provide sustenance for the wife and children and there should be no act of neglect or failure to fulfill the obligation to provide sustenance.

The affirmation of the prohibition of domestic violence is also found in the Qur'an, namely in QS. Ali-Imran :3 /159:

فَبِمَا رَحْمَةٍ مِّنَ اللَّهِ لِنْتَ لَهُمْ ۖ وَلَوْ كُنْتَ فَظًّا غَلِيظَ الْقَلْبِ لَانْفَضُّوا مِنْ حَوْلِكَ ۚ فَاعْفُ عَنْهُمْ وَاسْتَغْفِرْ لَهُمْ وَشَاوِرْهُمْ فِي الْأَمْرِ ۚ فَإِذَا عَزَمْتَ فَتَوَكَّلْ عَلَى اللَّهِ ۚ إِنَّ اللَّهَ يُحِبُّ الْمُتَوَكِّلِينَ

Translation:

"So, thanks to Allah's grace, Muhammad was gentle with them. If you act tough and hard-hearted, they will certainly distance themselves from those around you. Therefore, forgive them and ask for forgiveness for them, and consult with them in this matter. Then, when you have made up your mind, then fear Allah. Indeed, Allah loves those who put their trust in him."

Problems of Domestic Violence

In essence, Islam teaches to treat women in a good way. However, it cannot be denied that there are several factors that cause domestic violence. In fact, in Islam, the rights and dignity of women in the household and in social life have a large place in efforts to prevent



domestic violence. Through the understanding of a true sakinah family, every family will fight for a peaceful household life without violence.

The household should be a place of interaction between husband and wife and children cheerfully and happily, that is what is mentioned in the Qur'an, *Mawaddah wa Rohmah*. However, the reality cannot be denied that the truth is that in the household life there are still many quarrels, blaming each other which leads to domestic violence. That violence committed by a husband against his wife, in turn causes the most private area in a society to have an impact on the growth and harm the mental development of children. This phenomenon is one of the images of domestic violence. This phenomenon can almost be found in every household with varying intensity and levels. There are households that rarely experience domestic violence, but there are also households that are colored by domestic violence every day. Some experienced verbal violence such as shouting and unpleasant words, and some even experienced physical violence.

Islam emphasizes that the purpose of marriage is to establish a sense of affection and to achieve peace (*sakinah*) in the household. Therefore, Islam firmly rejects domestic violence.

Most victims of domestic violence are women and the effects can be long-lasting. While the reasons for each person committing this act vary, here are some causes of domestic violence, namely:

1. Unbalanced power. The husband's power as head of the household is formed because of cultural elements where there are norms in certain cultures that benefit the husband. For example, there is the idea that the husband has more power than the wife.
2. Financial dependence of wife on husband. The wife's finances are usually dependent on her husband because the wife who does not work is one of the factors that triggers the husband to act arbitrarily, even committing violence against his wife. Sometimes the wife's financial independence can also be a cause of domestic violence because of the emergence of jealousy and suspicion from the husband to his wife.
3. Problem-solving methods, a prime example of how power dynamics work in domestic violence is the thought process that violence and abuse can help save a relationship. Although very wrong, perpetrators of domestic violence think that violence is the only way to keep their partners. This is a factor that causes domestic violence that may often occur.
4. Low self-esteem, there are internal and external factors that cause domestic violence. There may be a relationship between low self-esteem and the risk of becoming a perpetrator of domestic violence or someone who is affected by this behavior. A person who experiences abuse usually believes that he or she is unworthy of love. Therefore, victims are more likely to try to endure abuse in the hope that the perpetrator of domestic violence will change. Abusers, on the other hand, usually try to cover up their low self-esteem by putting others down.
5. Mental illness. Mental illness plays a role in the cycle of domestic violence. Someone who has been diagnosed with a mental illness, such as bipolar disorder or schizophrenia, may have an inability to control their anger. This makes them more likely to become a



perpetrator of domestic violence. Meanwhile, someone with depression or another mood disorder is often the victim.

Domestic Violence Against Marriage

Domestic violence is an act that is not justified in building a household. Whatever form of domestic violence, a husband should not do anything that can hurt his wife. Domestic violence that occurs in the household will create discomfort and disharmony between husband and wife, so that the purpose of marriage will certainly not be fully achieved. Basically, marriage aims to form a happy eternal family based on the Almighty God, but this goal is sometimes not achieved and ends in a divorce that is actually not desired, but when there is no longer any way to maintain the marriage, divorce is the final path taken.

Marriage is recommended and regulated in Islam because it has a noble purpose. In general, marriage between a man and a woman is intended as an effort to maintain self-respect (hifz al 'irdh) so that they do not fall into forbidden acts, maintain the continuity of human life and healthy offspring (hifz an nasl) to establish a household life filled with love between husband and wife and mutual assistance between the two for the common good. Islam has provided provisions on the limits of rights and responsibilities for husband and wife so that the marriage that has been built runs as expected with the full consent of Allah SWT. If one of the husband and wife acts outside of their rights and obligations, then Islam provides guidance on how to overcome it and return it to its rightful place. However, if a crisis has occurred in a household that can no longer be resolved, then Islam provides a way out in the form of divorce. Even though divorce is a permissible act, Allah SWT really hates divorce.

Domestic violence is a form of violence that threatens the life and existence of human souls, because Allah SWT highly protects the dignity and honor of His servants. Domestic violence usually occurs because there is a party who is more dominant and one who is dominated, even though in a household relationship the positions of the wife and husband are balanced. Domestic violence is also a social phenomenon that is currently a concern.

Domestic or family violence is often committed by a husband. The forms of violence committed by husbands against wives include:

1. Physical Violence

Physical violence is an act of violence (such as hitting, kicking, etc.) that results in injury, pain, or disability to the wife's body, even leading to death.

2. Psychological Violence

Psychological violence is an act of verbal torture (such as: insulting, saying rude and dirty words) that results in decreased self-confidence, increased fear, loss of ability to act and helplessness. This psychological violence, if it occurs frequently, can cause the wife to become more dependent on her husband even though her husband has made her suffer. On the other hand, psychological violence can also trigger resentment in the wife's heart.

3. Sexual Violence



Sexual violence is an act that involves forcing a wife to have sexual relations in an unnatural way or even in a way that does not fulfill the wife's sexual needs.

4. Economic Violence

Economic violence is an act that limits a wife from working inside or outside the home to earn money and goods, including allowing a working wife to be exploited, while the husband does not meet the family's economic needs. Some husbands also do not give their wives their salaries because their wives earn, the husband hides his salary, takes his wife's assets, does not give enough money for spending, or does not give money for spending at all, demands that the wife earn more, and does not allow the wife to advance her career. Everyone is prohibited from neglecting people in the scope of their household, even though according to the law that applies to him or because of an agreement or contract he is obliged to provide life, care, or maintenance to that person.

4. CONCLUSION

Domestic violence is an act that is not permitted to occur in building a household. Whatever form of domestic violence there is, a husband must not do anything that could hurt his wife.

Islam teaches peace and tranquility in living a household life, not violence. A husband should be able to guard and protect his family, be a figure or the front guard for his family, not be a perpetrator of domestic violence.

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