

Study of Ahkam's Hadith on the Protection of Women in Cases of Domestic Violence

Ahsan Abdillah Wahid¹, Ahmad Taufiq Hidayatur Rohman²,

¹ Ma'had Aly Zainul Hasan Genggong, Indonesia; adiel.hasan771@gmail.com

² Universitas Islam Malang, Indonesia; taufiqhidayat580@gmail.com

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ABSTRACT

This study aims to analyze Ahkam's Hadith related to the protection of women in cases of Domestic Violence (KDRT) with a focus on the definition of domestic violence in the perspective of Islamic law, the Concept of Women's Protection in Islam, the Analysis of Ahkam's Hadith on the Protection of Women from Domestic Violence, and the Relevance of Ahkam Hadith in the Modern Context. The research method used is a literature study with a qualitative-descriptive approach, where primary and secondary sources, including hadith books, classical Islamic literature, and domestic violence laws in Indonesia, are then critically analyzed. The results of the study show that Hadith Ahkam expressly prohibits all forms of violence against women and supports women's rights to be protected in the household, which is in line with the principles of positive law in Indonesia. Ahkam's hadith has strong relevance in the modern context and can serve as a moral and legal foundation in protecting women from domestic violence. The implication of this study is the need to strengthen education and legal awareness among Muslims regarding women's rights, as well as the integration of Islamic principles in broader public policy. Recommendations for further research are to examine the role of Islamic institutions in the prevention of domestic violence and conduct comparative studies on the application of Islamic law in various Muslim-majority countries to identify best practices that can be adopted in the Indonesian context.

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Corresponding Author:

Ahsan Abdillah Wahid

Ma'had Aly Zainul Hasan Genggong, Indonesia; adiel.hasan771@gmail.com

1. INTRODUCTION

The topic of domestic violence has become a global issue that affects various aspects of life, including in the Muslim community (Saepi et al., 2023). Domestic violence not only has an impact on the physical and psychological well-being of the victim, but also undermines the harmony of the family, which should be the main foundation in Islam (Ramadhan, 2021). In the context of Islamic law, the protection of women from domestic violence is crucial, given the Islamic teachings that emphasize justice, compassion, and

protection for all family members. Examining the hadith of ahkam that is directly related to this issue is an important step in clarifying the Islamic view of domestic violence and providing practical guidance for Muslims. Although there have been many studies that discuss domestic violence from the perspective of Islamic law, there is still a gap in terms of specific analysis of the hadith of ahkam related to the protection of women. Some studies focus more on the aspects of fiqh or the interpretation of the Qur'an, while in-depth studies of hadith as a secondary source of law are still limited. In addition, in the context of the application of ahkam hadith in the modern era, there is still little research that links the relevance of the hadith to the positive law that applies today, especially in the legal system in Indonesia.

As done by (Wontin & Janah, 2022), emphasizing the importance of Islamic law in providing protection to women from domestic violence through the analysis of Qur'anic verses. Meanwhile, research conducted by (Hazar & Ramadani, 2024) focuses more on the application of classical fiqh in handling domestic violence cases. Moreover (Anggiani & Arifin, 2024) in her study, she explained that the hadiths related to domestic violence show Islam's commitment to the protection of women's rights.

However, these studies have not specifically highlighted how ahkam hadith can be a reference in the resolution of domestic violence cases today. Although previous research has made significant contributions, there are some drawbacks to be aware of. One of them is the lack of contextual analysis of ahkam hadith that is relevant to domestic violence in the modern social and legal environment. In addition, previous research also tends to be less exploratory in connecting hadith with its application in current positive law. As a result, there is a gap in understanding how Islamic teachings through hadith can be effectively implemented in efforts to prevent and handle domestic violence.

This research offers a novelty by conducting a comprehensive analysis of the ahkam hadith related to domestic violence, as well as relating it to the application of the law in the modern context. This research will not only examine hadith texts, but will also explore how these teachings can be adapted and implemented in the existing legal system, especially in Indonesia. Thus, this research makes a new contribution to the discourse of Islamic law regarding the protection of women from domestic violence.

The main purpose of this study is to study and analyze ahkam hadiths related to the protection of women in domestic violence cases. This research also aims to explore the relevance and application of these hadiths in the current positive legal context, especially in efforts to prevent and handle domestic violence in Indonesia. Thus, this research is expected to provide a clearer and more practical guide for policymakers and society in an effort to protect women from domestic violence, in accordance with Islamic teachings.

2. METHODS

This study uses a qualitative method with a library research and content analysis approach. The qualitative method was chosen because it allows researchers to explore and understand the meaning behind social phenomena in depth (Nartin et al., 2024). Library research is conducted to collect secondary data from various relevant literature (Subagiya, 2023), such as books, scientific journals, articles, and other documents that discuss the Ahkam Hadith on Women's Protection and Domestic Violence. The main data sources are derived from literature published between 2020 and 2024 to ensure the relevance and novelty of the information.

The data collection technique in this study involves searching literature from academic databases such as Google Scholar, Accredited National Journal Portal, and other Scientific Publication Media. The data collected included theories, concepts, and research findings related to the value of sociology in Islamic education, as well as studies on adolescent character. The data collection process is carried out by reading, selecting, and recording information that is relevant and supports the research objectives.

The data that has been collected is analyzed using content analysis techniques. Content analysis is a systematic method of identifying, analyzing, and interpreting patterns or themes in textual data. (Abdillah et al., 2021). The analysis was carried out by categorizing relevant information into main themes related to the sociological value of Islamic education, the religious character of adolescents, and the role

of these values in the formation of adolescent character. The results of the analysis are then interpreted to provide in-depth insights into the research topic.

3. FINDINGS AND DISCUSSION

Domestic Violence in the Perspective of Islamic Law

In the perspective of Islamic law, Domestic Violence (KDRT) refers to any form of behavior or action that causes physical, psychological, sexual, or economic harm to family members, especially wives (Syahfitri & Arifin, 2024). The Qur'an and Hadith emphasize the importance of a harmonious and respectful domestic life, where husband and wife have a responsibility to protect each other and treat each other with affection. In this context, domestic violence is considered a serious violation of Islamic teachings that require good treatment of spouses and families (Kadir, 2023).

The types of domestic violence in Islam can be categorized as follows:

- Physical Violence: Actions that cause physical injury or loss, such as hitting or physically harming (Hasan et al., 2023). This includes actions such as beating or other forms of violence that cause damage to the body.
- Psychological Violence: Actions that degrade the dignity or self-esteem of a partner, such as insults, threats, or intimidation (Simamora et al., 2022). Psychological abuse can adversely affect the mental health of the victim and create an unsafe home environment.
- Sexual Violence: The act of forcing a partner to have sexual intercourse without consent or in an unnatural situation (Safrudin, 2020). This includes all forms of sexual abuse in the household, which is clearly prohibited in Islam.
- Economic Violence: Actions that restrict a couple's access to economic resources, including withholding alimony or excessive control over household finances. In Islam, the husband is obliged to provide for his wife and children, and the act of detention or abuse of family finances is considered a form of domestic violence.

Islamic law pays special attention to the protection of women in the family, on the basis that women have rights that must be respected and protected. The Qur'an outlines the principles of justice and affection in the relationship between husband and wife, where the husband is commanded to treat his wife well (*mu'asyarah bil ma'ruf*) and not to do wrong to her as in the following Qur'an:

بِفَاحِشَةِ يَأْتِينَ أَنْ إِلَّا اتَّهِمُوهُنَّ مَا بَيْعَضُ لِتَدْهِبُوا تَعْضُلُوهُنَّ وَلَا كَرْهَهُنَّ النِّسَاءَ تَرْثِيُوا أَنْ لَكُمْ يَحْلُّ لَا أَمْتُوا الَّذِينَ أَيَّهَا
كَثِيرًا حَيْرًا فِيهِ اللَّهُ وَيَجْعَلُ شَيْئًا تَكْرُهُوا أَنْ فَعَسَى كَرْهُهُنَّ هُنَّ فَإِنْ بِالْمَعْرُوفِ وَعَاسِرُوهُنَّ مُّبَيِّنَةٌ

Meaning: "O you who believe, it is not lawful for you to inherit a woman by force. Do not trouble them because they want to take back some of what you have given them, unless they commit a real heinous act. Appropriately treat them. If you don't like them, be patient, because you may not like something, but Allah has done a lot of good in it." QS. An Nisa : 19

Islamic law emphasizes the protection of women through various legal instruments, such as the wife's right to be protected from acts of domestic violence (Nasrudiansyah & Aljaya, 2023). For example, in cases of severe physical violence, the wife has the right to file for divorce (*khul'*) as a form of self-protection. In addition, Islamic law also provides a mechanism for reconciliation (*islah*) that allows mediation between husband and wife to prevent or resolve conflicts peacefully. However, if the violence continues and threatens the wife's safety, Islamic law gives the wife the right to seek protection from the competent legal authority or judge (*qadi*).

In the modern context, many Muslim-majority countries, including Indonesia, have adopted these principles into their positive legal systems by enacting laws prohibiting domestic violence and providing special protections for women (Hamidah, 2021). For example, Law No. 23 of 2004 on the Elimination of Domestic Violence in Indonesia is one concrete example of how the principles of Islamic law are translated into legal regulations that protect women from domestic violence.

Overall, the role of Islamic law in protecting women from domestic violence is strong and structured, with theological foundations that support women's rights and prevent acts of domestic violence. Islam as a religion that upholds justice and compassion, provides a clear legal framework to protect women from all forms of violence in the family (Alfariszi & Ahsan, 2024).

The Concept of Women's Protection in Islam

In Islamic teachings, women have rights that are protected expressly and clearly, both in personal and social life (Siswadi & Yuliadi, 2023). The Qur'an, as the primary source of Islamic law, provides a solid foundation for the protection and respect of women. Among the fundamental rights that Islam gives to women are the right to live in peace and dignity, the right to education, the right to choose a spouse, the right to marriage, the right to maintenance, and the right to inheritance (Marwing, 2021). Islam views women as equal beings to men in terms of spirituality and responsibility before Allah SWT, as affirmed in the Qur'an as follows:

أَنَّ الْمُسْلِمِينَ وَالْمُسْلِمَاتِ وَالْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ وَالْفَتَنَّ وَالْفَتَنَّ وَالصَّدَقَاتِ وَالصَّدَقَاتِ وَالصَّبَرَاتِ وَالْخَشِعَاتِ
وَالْخَشِعَاتِ وَالْمُنَصَّدِقَاتِ وَالْمُنَصَّدِقَاتِ وَالصَّابِرَاتِ وَالصَّابِرَاتِ وَالْحَفِظَاتِ وَالْحَفِظَاتِ وَالذِّكْرِيَّاتِ وَالذِّكْرِيَّاتِ
أَعْدَ اللَّهُ لَهُمْ مَغْفِرَةً وَأَجْرًا عَظِيمًا

It means: "Indeed, Muslims and Muslims, believers and believers, obedient men and women, righteous men and women, patient men and women, solemn men and women, men and women who give alms, men and women who fast, men and women who keep their genitals, men and women who call on Allah a lot, for whom Allah has prepared forgiveness and great rewards.". (QS. Al-Ahzab : 35)

The verse explains that men and women have the same potential to get rewards from Allah for their good deeds.

Women's rights in Islam also include protection from all forms of oppression and violence. Women have the right to be treated with respect and fairness in all aspects of life, especially in the family. Islam affirms that good treatment of the wife is a sign of the perfection of a husband's faith (Ahmad, 2023). In the context of the family, women have the right to receive good treatment from their husbands, and this includes protection from all forms of violence, both physical and psychological. Islam also stipulates that women have the right to make decisions in matters concerning their own lives, including the right to maintain or terminate a marriage in the event of injustice or violence (Rusman et al., 2022).

In addition to the Qur'an, the hadith of the Prophet Muhammad PBUH plays a very important second legal source in Islam. The hadith provides details and concrete examples of how the teachings of the Qur'an should be applied in daily life, including in terms of protection for women. Many hadiths explicitly mention the importance of treating women with respect and affection. One of the famous hadiths states:

خَيْرُكُمْ خَيْرُكُمْ لِأَهْلِهِ وَأَنَا خَيْرُكُمْ لِأَهْلِي

Meaning: "The best of you are the best to his family, and I am the best to my family." (HR. Tirmidzi). This hadith emphasizes that a man's goodness is measured by how he treats his family, especially his wife.

However, in other histories there is a more complete redaction. As narrated by Ibn 'Asakir as follows:

خَيْرُكُمْ خَيْرُكُمْ لِأَهْلِهِ وَأَنَا خَيْرُكُمْ لِأَهْلِي مَا أَكْرَمَ النِّسَاءَ إِلَّا كَرِيمٌ وَلَا أَهَانَهُنَّ إِلَّا لَثِيمٌ

Meaning: "You are the best to his family, and I am the best to my family. Do not honor a woman except a noble man, and will not persecute a woman except a despised man."

The hadiths of the Prophet PBUH have provided practical guidance on women's rights in the family, including the right not to be coerced into marriage, the right to be treated fairly, and the right to be protected from violence (Kurniawan, 2021). In another hadith, the Prophet Muhammad PBUH warned that men who commit violence or mistreat women will face severe consequences in the hereafter. In addition, the hadith also explains that women who experience injustice or violence have the right to seek justice through the courts or legal authorities. This shows that Islam provides clear legal instruments to protect women from all forms of oppression.

The role of hadith in protecting women is not only limited to moral statements, but also includes binding laws. In some cases, hadith has become the basis for the establishment of laws that prohibit violence against women and give women the right to legal protection (Wardhani, 2021). For example, in the case of khulu', the hadith gives a woman the right to file for divorce if she feels no longer safe or comfortable in her marriage. This confirms that Islam not only recognizes women's rights theoretically, but also provides a mechanism to protect those rights through the application of real law.

Thus, hadith plays an important role in strengthening and complementing the teachings of the Qur'an on the protection of women. The hadith not only regulates women's rights in a spiritual context, but also provides practical guidance and concrete laws to protect women from all forms of violence and oppression in Islamic society.

Analysis of Ahkam's Hadith on the Protection of Women from Domestic Violence

حَدَّثَنَا مُحَمَّدُ بْنُ يُوسُفَ حَدَّثَنَا سُفِيَّاً عَنْ هَشَّامٍ عَنْ أَبِيهِ عَنْ زَمْعَةَ عَنْ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ لَا يَجُلُّ أَحَدُكُمْ أَمْرَاتُهُ جَلَّ الْعَبْدُ ثُمَّ يُجَامِعُهَا فِي أَخِرِ الْيَوْمِ

الله عَبْدُ بْنُ اللَّهِ عَبْدُ عَنْ ، الرَّهْرَيِّ عَنْ ، سُفِيَّاً ثَنَا : قَالَا ، السَّرْحُ بْنُ عَمْرُو بْنُ وَاحْمَدُ ، خَلَفُ أَبِي بْنِ أَحْمَدَ حَدَّثَنَا - ٢١٤٦
الله إِمَاءَ تَضَرِّبُوا لَا» : ﷺ رَسُولُ قَالَ : قَالَ نَبِّابُ أَبِي بْنِ اللَّهِ عَبْدِ بْنِ إِيَّاسِ عَنْ ، اللَّهُ عَبْدُ بْنُ إِيَّاسِ عَنْ ، اللَّهُ عَبْدُ السَّرْحِ السَّرْحَ بْنَ قَالَ نِسَاءً ﷺ رَسُولُ بَالْفَاطِفَ ضَرَبَهُنَّ فِي فَرَخْصَ أَزْوَاجَهُنَّ عَلَى النِّسَاءِ ثَنِرْ : قَالَ ﷺ رَسُولُ إِلَى عُمَرَ فَجَاءَ «بِخَيَارِكُمْ أُولَئِكَ لَيْسَ أَزْوَاجَهُنَّ يَشْكُونَ كَثِيرٌ نِسَاءٌ مُحَمَّدٌ بَالْطَافِ لَقَدْ : ﷺ النَّبِيُّ قَالَ أَزْوَاجَهُنَّ يَشْكُونَ كَثِيرٌ ٢٧٥ ت) داود أبو — ٢/٢١١ المعبد عنون مع دهلي ط - داود أبي سنن

ما ذلك من له وَنَخْتَارُ يُضْرِبُنَّ أَنْ فَرِضَ لَا مُبَاخْ ضَرَبُهُنَّ أَنَّ عَلَى دَلَالَةَ خِيَارِكُمْ يَضْرِبَ لَنْ قَوْلِهِ وَفِي : الشَّافِعِيُّ قَالَ ذَلِكَ أَشْبَهَ وَمَا عَلَيْهِ لِسَانِهَا أَنْبِسَاطٌ فِي أَمْرَاتِهِ يَضْرِبَ لَا أَنْ لِلرَّجُلِ فَنْجَبُ وَسَلَمَ عَلَيْهِ اللَّهُ صَلَّى اللَّهُ رَسُولُ اخْتَارَ الْوَجْهَ وَلِيَقِنَ ، بَدَنَهَا مِنْ وَاحِدِ مَوْضِعٍ عَلَى بِالضَّرْبِ يَوْالِي فَلَا احْتَاجَ فَإِنَّ النِّسَاءَ الضَّرْبَ تَرَكَ الْأَوَّلِيَّ أَنْ عَلَى دَلِيلٍ هَذَا فِي بِالسُّوْطِ يَضْرِبُ لَا ، وَالْيَدُ بِالْمَنْدِيلِ الضَّرْبَ يَكُونُ أَنْ يَنْبَغِي وَقِيلُ أَسْوَاطُ عَشَرَةَ بِالضَّرْبِ يَبْلُغُ لَا ، الْمَحَاسِنِ مَجْمَعُ لَاهَ الْبَابُ هَذَا فِي أَوْلَى شَيْءٍ بِأَبْلَغِ فَالْتَّخِيفِ وَبِالْجَمْلَةِ وَالْعَصَابِ (المهذب شرح مجموع)

النَّبِيُّ كَانَ مَا ، عَائِشَةَ سَأَلَتْ : قَالَ الْأَسْوَدُ عَنْ ، إِبْرَاهِيمَ عَنْ ، الْحَكْمَ عَنْ ، شَعْبَةَ حَدَّثَنَا : عُمَرَ بْنُ حَفْصَ حَدَّثَنَا - ٩
«الصَّلَاةُ إِلَى قَامِ الصَّلَاةِ حَضَرَتِ فَإِذَا ، أَهْلُهُ مَهْنَةٌ فِي كَانَ : قَالَ أَهْلُهُ فِي يَصْنَعُ ٢٥٦ ت) البخاري — ٨/١٤ السلطانية ط - البخاري صحيح

[الأحزاب] مِبِينًا وَإِثْمًا بِهَتَانِ احْتَمَلُوا فَقَدْ اكْتَسَبُوا مَا بَغَى وَالْمُؤْمِنَاتُ الْمُؤْمِنَاتُ يَوْذَنُونَ وَالَّذِينَ ﷺ رَسُولُ ضَرَبَ مَا» : قَالَتْ عَائِشَةَ عَنْ ، أَبِيهِ عَنْ ، هَشَّامٍ عَنْ ، أَسَامَةَ أَبُو حَدَّثَنَا ، كُرَيْبُ أَبُو حَدَّثَنَا (٢٣٢٨)
يَنْتَهِي أَنَّ إِلَّا صَاحِبِهِ مِنْ فَيَنْتَقِمَ قَطْ شَيْءٌ مِثْلُ نَيْلٍ وَمَا ، اللَّهُ سَيِّلٌ فِي يُجَاهِدُ أَنَّ إِلَّا ، خَادِمًا وَلَا امْرَأَةً وَلَا ، بِيَدِهِ قَطْ شَيْئًا
«. □ لِلَّهِ فَيَنْتَقِمُ اللَّهُ مَحَارِمٌ مِنْ شَيْئٌ ٢٦١ ت) مسلم — ٧/٨٠ الترکية ط - مسلم صحيح

ذَوْدَ عَنْ، حُسَيْنِ بْنُ سُفْيَانَ تَأَ، رَزِينِ بْنُ الْأَبِي عَبْدٍ بْنُ عَمْرٍ حَدَّثَنَا، النَّسَائِيُّورِيُّ الْمَهْلَبِيُّ يُوْسَفَ بْنَ أَحْمَدَ حَدَّثَنَا - ٢١٤٤
 مَا: قَقْلُتْ: بِقَالَ اللَّهُ رَسُولُ أَتَيْتُ: قَالَ الْقُشَيْرِيُّ مُعَاوِيَةَ جَدَهُ عَنْ أَبِيهِ عَنْ، مُعَاوِيَةَ بْنَ حَكِيمَ بْنَ سَعِيدَ عَنْ، الْوَرَاقِ
 «ثَقَّوْهُنَّ وَلَا، تَضَرِّبُوهُنَّ وَلَا، تَكْسُوْهُنَّ مَمَّا أَطْعَمُوهُنَّ: قَالَ نِسَائِنَا فِي تَقْوُلُ
 (٢٧٥) دَادِ أَبُو — ٢/٢١٠ الْمَعْبُودُ عَوْنَ مَعْ دَهْلِي طَ - دَادِ أَبِي سَنْ

- a. Selection of Relevant Hadiths
- b. Takhrij and verification of the authenticity of hadiths related to domestic violence.
- c. Interpretation of the hadiths
- d. Explanation of the context and meaning of each hadith is discussed.
- e. Interpretations from scholars regarding these hadiths.
- f. Legal and Social Implications
- g. The impact of the application of these hadiths in daily life.
- h. Legal protection for women who experience domestic violence in the context of ahkam hadith.

The Relevance of Ahkam Hadith in the Modern Context

As one of the sources of Islamic law that contains legal rules (ahkam), it has significant relevance in the modern context, especially when applied in positive laws such as those in Indonesia. In terms of the protection of women from domestic violence (KDRT), the hadiths that emphasize the good treatment of wives and the strict prohibition of violence are a strong moral and legal foundation. For example, the hadith that condemns the act of beating the wife above serves as a guide for Muslims to stay away from all forms of domestic violence.

A comparison between the hadith of ahkam and the law on domestic violence in Indonesia, as stated in Law Number 23 of 2004 concerning the Elimination of Domestic Violence, shows that the Islamic principles reflected in the hadith are very much in line with the existing positive legal norms (Ambarita et al., 2023). The law recognizes various forms of violence, including physical, psychological, sexual, and economic violence, and provides legal mechanisms to protect victims and punish perpetrators. This is in line with the teachings of the hadith, which emphasize the protection of the wife and prohibit all forms of violence. However, the law also goes further by offering concrete legal protections, such as legal protection, rehabilitation, and support services for victims, which allow the application of hadith values within the legal framework applicable in Indonesia (Indah Parinda, 2020).

Although the ahkam hadith provides clear guidance on women's protection from domestic violence, the application of these teachings in modern society does not always go smoothly. For example, some people may interpret a hadith that allows the act of lightly beating a wife in certain situations as a justification for violence, when the context and purpose of the hadith is to avoid harmful actions.

In addition, other challenges come from the lack of awareness and education regarding women's rights in Islam and the legal protections available. Many women, especially in rural areas, do not have adequate access to the legal information and support they need to protect themselves from domestic violence. In addition, patriarchal cultural and social norms often hinder efforts to enforce the law and the application of hadiths that support women's protection.

To address these challenges, practical solutions that can be implemented include increased education and legal awareness among Muslim communities regarding women's rights and Islamic teachings prohibiting domestic violence. Training programs for scholars, community leaders, and law enforcement officials on the proper interpretation and application of the ahkam hadith are also essential to ensure that the teachings of Islam are applied correctly and fairly.

In addition, the government and relevant institutions need to strengthen the existing legal and policy framework by incorporating the principles of the ahkam hadith more explicitly in laws and regulations on domestic violence. Policy recommendations include additional support services for victims of domestic violence, such as crisis centers, health services, and legal aid, as well as increased law enforcement against perpetrators of violence. Thus, the Islamic values contained in the hadith of

ahkam can be effectively integrated into positive law, creating stronger and more comprehensive protection for women in Indonesia.

The implementation of inclusive policies based on the true teachings of Islam, with support from various parties, can help improve the protection of women and reduce the number of cases of domestic violence in modern Muslim societies.

4. CONCLUSION

This study successfully examines the role of ahkam hadith in the protection of women from Domestic Violence (KDRT) by highlighting how Islam, through its laws and teachings, offers a comprehensive and relevant concept of protection in the modern context. Ahkam hadith affirms women's rights and rejects all forms of domestic violence, showing alignment with positive laws such as the Domestic Violence Law in Indonesia. The implication of this study is the importance of strengthening the application of Islamic values that support women's protection through education, strict law enforcement, and the integration of Islamic principles in public policy. Recommendations for further research include a more in-depth exploration of the role of Islamic institutions in preventing domestic violence and a comparative study of the application of Islamic law in various Muslim-majority countries.

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