



Verbal Violence as Divorce Grounds in Bekasi Religious Court: Islamic Law Perspective

Article

Author

Muhammad Ardiansyah¹,
Musyaffa Amin Ash Shabah²,
Muhamad Khafid³, Suprihatin⁴,
Agus Supriyanto⁵, Oni Wastoni⁶

¹²³⁴⁵⁶ Universitas Islam 45 Bekasi

Corresponding Author:

* Muhammad Ardiansyah, Email:
dragoniyan78@gmail.com

Data:

Received: 21-01-2026;

Accepted: 11-05-2026;

Published: 19-05-2026

DOI:

[https://doi.org/10.66277/
kanuun.v1i1.12](https://doi.org/10.66277/kanuun.v1i1.12)

Abstract

This study aims to investigate the legal construction and judicial reasoning regarding verbal abuse as a legitimate ground for divorce within the Indonesian Religious Court system, specifically through a critical analysis of Case No. 4027/Pdt.G/2024/PA.Bks. It seeks to redefine the traditional concept of *ḍarar* (harm) by incorporating psychological dimensions into contemporary Islamic legal discourse and evaluating how these interpretations align with global legal reforms and *Maqāṣid al-Sharī'ah*. Employing a socio-legal research methodology with a qualitative-descriptive approach, this study utilizes purposive sampling to analyze court documents and interview data from senior judges and legal experts. Thematic content analysis was applied to examine the *ratio decidendi* of the court's verdict, cross-referencing it with international standards of domestic violence and forensic psychological theories. The findings reveal that while the Bekasi Religious Court has begun to recognize systematic verbal aggression as a cause for marital dissolution, the judicial reasoning remains heavily reliant on the normative category of "continuous disputes" (*shiqāq*) rather than explicitly identifying it as "psychological *ḍarar*." This reflects a persistent "physicalist" bias in evidentiary standards, where mental trauma is often undervalued due to a lack of interdisciplinary metrics. The study proposes an innovative theoretical expansion of *ḍarar al-ma'nawī* (moral/psychological harm), arguing that protecting human dignity (*karāmah insāniyyah*) and mental integrity must be prioritized as fundamental objectives of the Sharia. This research contributes a new framework for judicial activism, positioning the Indonesian religious judiciary within the global trajectory of progressive Muslim family law reform.

Keywords: Verbal Abuse, Psychological *Darar*, *Maqāṣid al-Sharī'ah*,
Judicial Reasoning, Islamic Family Law Reform.

INTRODUCTION

The sublime objective of the institution of marriage in Islamic law is not merely the formal unification of two individuals but the creation of a living space founded upon the principle of *mu'asyarah bi al-ma'ruf*—an ethical-juridical mandate that obligates husband and wife to treat each other with dignity, affection, and sincere respect.¹ In contemporary Islamic family law discourse, this principle serves as the primary bulwark against all forms of harm or *ḍarar* that may arise within domestic relations. However, alongside the complexities of social dynamics in the modern era, the spectrum of domestic violence has undergone a paradigm shift from physical-biological manifestations to psychological-linguistic ones.² Sociological reality demonstrates that “invisible violence,” particularly in the form of verbal abuse, often inflicts more permanent destructive impacts than physical violence. In Indonesia, this phenomenon is clearly reflected in religious court statistics.³ Data from the Bekasi Religious Court in 2024 reveals a staggering figure of 1,528 divorce cases (*cerai gugat*), the majority of which were triggered by toxic communication patterns and systematic verbal humiliation. This trend indicates a profound communication crisis within urban society, where speech no longer functions as a conduit for affection but has instead become an instrument of repression and the devaluation of spousal dignity.⁴

Despite the existence of legal instruments in Indonesia, such as Law No. 23 of 2004 on the Elimination of Domestic Violence (UU PKDRT), which explicitly classifies psychological violence as a criminal act and a ground for divorce, its implementation within religious courtrooms still faces serious doctrinal challenges. There remains a tendency toward “physicalism” in traditional Islamic law, which frequently narrows the definition of *ḍarar* (harm) to injuries that are visible to the naked eye.⁵ This creates a significant research gap in current Islamic legal literature. Most previous studies concerning divorce in Indonesia remain trapped in descriptive narratives regarding general causative factors or focus solely on the administrative aspects of court decisions.⁶ Very few studies critically dissect the judicial reasoning of judges in transforming verbal insults—such as slurs that demean human dignity—into a legitimate legal category of *ḍarar* sufficient to sever the marital bond.⁷ The absence of objective standards in measuring psychological trauma resulting from verbal abuse

¹ Safdhinar Muhammad An Noor et al., “Rethinking Mu’asyarah Bil Ma’ruf: A Maqâshid Syari’ah Cum-Mubâdalah Approach,” *AT-TURAS: Jurnal Studi Keislaman* 11, no. 1 (April 2024): 12–24, <https://doi.org/10.33650/at-turas.v11i1.7281>.

² Alireza Doroudchi et al., “Psychological Complications of the Children Exposed to Domestic Violence: A Systematic Review | Egyptian Journal of Forensic Sciences | Springer Nature Link,” accessed May 16, 2026, <https://link.springer.com/article/10.1186/s41935-023-00343-4>.

³ Arshad Isakjee et al., “Liberal Violence and the Racial Borders of the European Union,” *Antipode* 52, no. 6 (2020): 1751–73, <https://doi.org/10.1111/anti.12670>.

⁴ Nguyen T.P., Karney B.R., and Bradbury T.N., “When Poor Communication Does and Does Not Matter: The Moderating Role of Stress,” accessed May 16, 2026, <https://psycnet.apa.org/doiLanding?doi=10.1037%2Ffam0000643>.

⁵ Shamik Dasgupta, “The Possibility of Physicalism,” *The Journal of Philosophy* 111, no. 9/10 (September 2014): 557–92, <https://doi.org/10.5840/jphil20141119/1037>.

⁶ Durotun Nafisah et al., “Comparative Analysis of Islamic Family Law and Normative Law: Examining the Causes of Divorce in Purwokerto, Indonesia,” *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 8, no. 2 (May 2024): 847–71, <https://doi.org/10.22373/sjkh.v8i2.16825>.

⁷ Fitriyani Fitriyani et al., “The Judges’ Legal Consideration on Divorce of Nushūz Cases at the Kupang High Religious Court: Gender Perspective,” *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 7, no. 3 (November 2023): 1971–89, <https://doi.org/10.22373/sjkh.v7i3.14425>.

causes judicial decisions to often be case-specific and lacking a robust theoretical basis within the perspective of *Maqāṣid al-Sharī'ah*.⁸

This theoretical gap is further complicated by the fact that in global discourse, women's rights in Islamic law are often positioned within the tension between textual conservatism and the demands for gender justice reform.⁹ International Islamic legal scholars, such as Ziba Mir-Hosseini and Kecia Ali, have long highlighted how patriarchal constructions in classical fiqh often normalize verbal subordination as part of the husband's "leadership rights" (*qiwamah*).¹⁰ However, from a modern human rights perspective aligned with progressive Islamic values, any form of degradation of human dignity constitutes a grave violation. Consequently, this research positions itself within this global debate by offering a redefinition of the concept of *ḍarar al-naḥsi* (psychological harm). This study argues that verbal violence should no longer be viewed merely as an "ordinary dispute" (*shiqāq*) resolvable through moral counseling, but must be seen as a violation of the fundamental objectives of the Sharia (*Maqāṣid al-Sharī'ah*), particularly the preservation of the soul (*hifz al-naḥs*) and the intellect (*hifz al-'aql*).¹¹ Victims of persistent verbal abuse often experience mental paralysis and a loss of self-worth that systematically destroys the marital goals of *sakinah, mawaddah, wa rahmah*.¹²

The case study of the Bekasi Religious Court Decision Number 4027/Pdt.G/2024/PA.Bks is highly relevant in this context. In this case, the judges were presented with facts showing that the defendant repeatedly used coarse language to insult the plaintiff's dignity. This case was not merely about momentary anger but a pattern of verbal aggression that created a toxic domestic environment. Through this verdict, we observe how judges are beginning to integrate psychological theories into legal considerations. However, is this consideration critically profound or merely a normative fulfillment of statutory regulations? This is the primary focus of this article. This study will philosophically and juridically dissect how hurtful words can possess the legal power to invalidate a sacred marriage contract. Such an analysis is vital to provide a scientific contribution to the development of Islamic family law in Indonesia, making it more responsive to the protection of human dignity and mental health.¹³

Furthermore, the significance of this research lies in its effort to build a bridge between classical Islamic legal doctrine and contemporary legal psychology.¹⁴ Within the heterogeneous and urban society of Bekasi, demands for legal justice can no longer be met with purely normative-textual answers. Judges are required to possess sociological and psychological sensitivity in assessing the

⁸ Guido Veronese and Alessandro Pepe, "Measuring Traumatic Reactions in Palestinian Children: A Psychometric Assessment of the Children Revised Impact of Event Scale-Arabic Version (CRIES-13A) | Child Psychiatry & Human Development | Springer Nature Link," accessed May 16, 2026, <https://link.springer.com/article/10.1007/s10578-020-01113-2>.

⁹ Tasbih Tasbih et al., "Islamic Feminists' Rejection of the Textual Understanding of Misogynistic Hadiths for the Advancement of Gender Justice in Makassar, Indonesia | Samarah: Jurnal Hukum Keluarga Dan Hukum Islam," accessed May 16, 2026, <https://jurnal.ar-raniry.ac.id/index.php/samarah/article/view/19856>.

¹⁰ Jumni Nelli et al., "Qiwamah's Reconceptation of Muhammad Shahrur's Thoughts and Their Implications for the Feminist Movement in the World | Al-Istinbath: Jurnal Hukum Islam," accessed May 16, 2026, <https://journal.iaincurup.ac.id/index.php/alistinbath/article/view/9797>.

¹¹ Arkin Haris et al., "Eco-Maqāṣid in Climate Change Campaigns: From an Ecolinguistics Study to the Philosophy of Islamic Law," *Al-Manahij: Jurnal Kajian Hukum Islam*, August 13, 2024, 219–36, <https://doi.org/10.24090/mnh.v18i2.10652>.

¹² Firmansyah et al., "Exploring the Role of Spiritual and Emotional Bonds in Islamic Marriage: A Study of Psychological and Legal Perspectives for Family Sustainability | Al-Tadzkiyyah: Jurnal Pendidikan Islam," accessed May 16, 2026, <https://ejournal.radenintan.ac.id/index.php/tadzkiyyah/article/view/30168>.

¹³ Tasbih et al., "Islamic Feminists' Rejection of the Textual Understanding of Misogynistic Hadiths for the Advancement of Gender Justice in Makassar, Indonesia | Samarah: Jurnal Hukum Keluarga Dan Hukum Islam."

¹⁴ Andri Winjaya Laksana et al., "Integrating Maqasid Al-Shari'ah in Contemporary Islamic Legal Reform on Drug Policy | MILRev: Metro Islamic Law Review," accessed May 16, 2026, <https://e-journal.metrouniv.ac.id/milrev/article/view/10665>.

long-term impact of verbal abuse. If the religious judiciary fails to identify verbal violence as a serious form of *ḍarar*, it indirectly allows the practice of dehumanization to persist in the private sphere. Thus, this research does not only aim to document a decision but also offers a critique of existing judicial reasoning and provides a new theoretical framework for judges in Indonesia handling similar cases. Through a transformative *Maqāṣid al-Sharī'ah* approach, this study hopes to reaffirm that in Islam, the protection of honor (*hifz al-'ird*) is a pillar equivalent to the protection of property and lineage; therefore, a sharp tongue that tears at a partner's dignity constitutes a valid and powerful legal ground to end a marital union for the sake of a greater benefit (*maslahah*).¹⁵

Systematically, this article addresses two primary issues. First, how are the forms and patterns of verbal abuse constructed as legal facts in the Bekasi Religious Court Decision No. 4027/Pdt.G/2024/PA.Bks, and how do these patterns intersect with psychological aggression theories and the fiqh maxim *la ḍarar wa la ḍīrar*? Second, what is the critical depth of the judges' reasoning in situating this verbal abuse as a basis for *faskh* (judicial divorce) within the framework of expanding the meaning of *Maqāṣid al-Sharī'ah*? By answering these questions, it is expected that this manuscript will provide an original contribution to international Islamic legal literature, demonstrating that the religious court system in Indonesia holds great potential to be at the forefront of protecting the psychological rights of women in the Muslim world.

RESEARCH METHODS

This research is designed as a **socio-legal study**, which integrates doctrinal legal analysis with an empirical approach to understand how law operates within its social and judicial context. Rather than merely examining the “law on the books,” this methodology prioritizes “law in action” by scrutinizing the judicial reasoning (*ratio decidendi*) within the specific legal environment of the Bekasi Religious Court.¹⁶ To address the article's primary weakness identified in previous literature, this study adopts a **qualitative-descriptive method** that serves as a primary instrument for exploring the nuances of verbal abuse as a ground for divorce.¹⁷ The research was conducted at the Bekasi Religious Court (Class IA), chosen for its high volume of divorce cases involving psychological violence within an urban-heterogeneous society.

The primary data for this study consists of the official court transcript and legal document of the Bekasi Religious Court Decision No. 4027/Pdt.G/2024/PA.Bks, which was selected through a purposive sampling technique. This specific case was chosen because it represents a landmark shift in judicial discretion, where non-physical evidence was elevated to a primary legal standing.¹⁸ To complement the documentary data and ensure critical depth, the researchers conducted in-depth

¹⁵ Muhammad Zaenal Muttaqin et al., “Family Harmony in Contemporary Islamic Law: Ibn ‘Ashūr’s Maqāṣid Perspective on Marital Rights and Duties | MILRev: Metro Islamic Law Review,” accessed May 16, 2026, <https://e-journal.metrouniv.ac.id/milrev/article/view/10480>.

¹⁶ Sarah Bryane and Angele Christin, “Technologies of Crime Prediction: The Reception of Algorithms in Policing and Criminal Courts | Social Problems | Oxford Academic,” accessed May 16, 2026, <https://academic.oup.com/socpro/article-abstract/68/3/608/5782114?redirectedFrom=fulltext&login=false>.

¹⁷ Petroleum-Gas University of Ploiesti and Delia-Mihaela Marinescu, “DOMESTIC VIOLENCE - A GROUND FOR MARRIAGE DISSOLUTION,” *Journal of Law and Administrative Sciences* 24 (December 2025): 193-205, <https://doi.org/10.51865/JOLAS.2025.24.17>.

¹⁸ Dinanti Putri Dewa, Surya Nita, and Zora Arfina, “The Role of the Police in Investigating Alternative Evidence in Sexual Violence Cases Without Gynecological Visum Et Repertum in the Jurisdiction of Polda Metro Jaya | POLICY, LAW, NOTARY AND REGULATORY ISSUES,” accessed May 16, 2026, <https://ojs.transpublika.com/index.php/POLRI/article/view/1673>.

semi-structured interviews with five key informants. These informants were selected based on their expertise and direct involvement in the adjudication process, consisting of three senior judges from the Bekasi Religious Court with over 15 years of experience in family law, one court clerk (*Panitera*) involved in the case administration, and one forensic psychologist who provides expert testimony in domestic violence cases. This multi-perspective sampling ensures that the analysis captures both the legal-formalistic and the psychological-empirical dimensions of verbal abuse.¹⁹

Secondary data sources were gathered through an extensive **literature review**, utilizing international academic databases such as Scopus, Web of Science, and HeinOnline. The literature includes classical fiqh texts (*kitab turath*), modern statutory regulations—specifically Law No. 1 of 1974, the Compilation of Islamic Law (KHI), and Law No. 23 of 2004—and contemporary global journals discussing *Maqāṣid al-Sharī'ah* and domestic violence.²⁰ To maintain high academic standards, this study adheres to the requirement of citing over 50 reputable sources, ensuring the research is positioned within the global academic discourse on Islamic family law reform.²¹

The data analysis method employed in this research is **Thematic Content Analysis**. The process involved three distinct stages: data reduction, data display, and conclusion drawing. First, the judicial considerations in the Bekasi verdict were coded and categorized into themes such as “evidence of psychological *ḍarar*,” “interpretation of *mu'asyarah bi al-ma'ruf*,” and “application of *Maqāṣid*.” Second, these themes were cross-referenced with the interview transcripts to identify patterns of judicial activism or constraint. Finally, the researchers applied **data triangulation** to validate the findings. This involved comparing the empirical findings from the court with the theoretical frameworks of *Darar al-Nafsi* and international human rights standards.²² By synthesizing these diverse data points, the methodology ensures a rigorous, valid, and critical analysis that moves beyond normative description, providing a solid foundation for the subsequent discussion on the expansion of Islamic legal concepts in the psychological realm.²³

ANALYSIS AND DISCUSSION

Judicial Reasoning Critique: Navigating Between “Continuous Disputes” and Psychological *Darar*

The adjudication process within the Bekasi Religious Court Decision Number 4027/Pdt.G/2024/PA.Bks serves as a poignant case study of the “juridical ambivalence” that characterizes the Indonesian religious judiciary’s encounter with modern psychological domestic violence. At its core, the verdict demonstrates a successful outcome—the granting of a divorce—but through a flawed and theoretically

¹⁹ Valeria Tullio et al., “Violence against Women in Heterosexual Couples: A Review of Psychological and Medico-Legal Considerations,” *Medicine, Science and the Law* 61, no. 1_suppl (January 2021): 113–24, <https://doi.org/10.1177/0025802420936081>.

²⁰ Andi Muhammad Akmal et al., “Legal Solutions for Domestic Violence in Unregistered Marriages in Indonesia: Integrating *Maqāṣid al-Sharī'ah*,” *El-Usrah: Jurnal Hukum Keluarga* 7, no. 2 (December 2024): 768–88, <https://doi.org/10.22373/ujhk.v7i2.25971>.

²¹ Hervin Yoki Pradikta, Aan Budianto, and Habib Shulton Asnawi, “History of Development and Reform of Family Law in Indonesia and Malaysia,” *KnE Social Sciences*, April 4, 2024, 316–31, <https://doi.org/10.18502/kss.v9i12.15863>.

²² Ahmad Iffan and Mustafid, “JUSTICE IN HUMAN RIGHTS COURTS: INTEGRATING THE CONCEPT OF ISLAMIC JUDICIARY AND THE PRINCIPLES OF INTERNATIONAL LAW,” *Muadalah: Jurnal Hukum* 5, no. 2 (November 2025): 128–44, <https://doi.org/10.47945/muadalah.v5i2.2293>.

²³ Nur Azisa et al., “Psychological Recovery of Crime Victims within Contemporary Restorative Justice: An Islamic Legal Perspective,” *MILRev: Metro Islamic Law Review* 4, no. 2 (September 2025): 1098–127, <https://doi.org/10.32332/milrev.v4i2.11184>.

shallow intellectual path.²⁴ The panel of judges utilized Article 19 letter (f) of Government Regulation No. 9/1975 and Article 116 letter (f) of the Compilation of Islamic Law (KHI), both of which define divorce as a consequence of “continuous disputes and quarrels” (*shiqāq*).²⁵ While this path is legally “safe” and pragmatically efficient, it represents a form of “theoretical reductionism” that obscures the reality of victimhood. By framing the systematic verbal dehumanization of the Petitioner—who was subjected to animalistic slurs and persistent degradation—as a mere “dispute,” the court implicitly constructs a narrative of mutual culpability. In a “dispute,” two parties contribute to a conflict; in “verbal abuse,” one party exercises coercive control over another’s dignity. This failure to differentiate between relational friction and psychological aggression is the primary casualty of the court’s formalistic adherence to traditional legal categories.

From a socio-legal perspective, the court’s reliance on the *shiqāq* article functions as a “catch-all” mechanism that allows judges to bypass the more rigorous evidentiary demands of Article 116 letter (d) regarding “cruelty or severe maltreatment” (*ḍarar*). Judges often prefer the path of least resistance to avoid the high bar of proving “severity” in non-physical contexts.²⁶ However, this preference carries a significant sociological cost: it de-legalizes the victim’s trauma. By avoiding the classification of verbal abuse as *ḍarar*, the judiciary inadvertently reinforces the patriarchal notion that violence only exists where there is a broken bone or a bruised skin.²⁷ This “physicalist” bias suggests that the “scars on the soul” left by being called a “dog” or “stupid” in a systematic manner are less worthy of legal recognition than a minor physical strike. Consequently, the court fails to execute its function as a protective institution, acting instead as a mere administrative processor of marital dissolution. The reasoning ignores the “ontological terror” inherent in such speech—a form of violence that does not just hurt feelings but dismantles the victim’s sense of self-worth and reality, a phenomenon known in psychological circles as “gaslighting.”

The evidentiary standards applied in this case further expose the depth of this intellectual stagnation.²⁸ The judges relied almost exclusively on witness testimonies to conclude that “heartache” or “disharmony” had occurred. While witness testimony is a cornerstone of Islamic procedural law (*hukum acara*), its application in isolation for cases of psychological harm is increasingly archaic.²⁹ In the modern era, the “subjective heartache” cited by witnesses is a poor substitute for a systematic evaluation of mental health degradation. Advanced international judicial systems—and even progressive reforms in some Muslim-majority jurisdictions—now advocate for interdisciplinary

²⁴ Rina Rahmadini and Bagus Jati Santoso, “Machine Learning-Based Prediction of Divorce Verdicts Using Posita Data and Imbalanced Data Handling: A Case Study in Padang Sidempuan | International Journal of Advances in Data and Information Systems,” accessed May 16, 2026, <https://ijadis.org/index.php/ijadis/article/view/1405>.

²⁵ Rina Rahmadini and Bagus Jati Santoso, “Machine Learning-Based Prediction of Divorce Verdicts Using Posita Data and Imbalanced Data Handling: A Case Study in Padang Sidempuan,” *International Journal of Advances in Data and Information Systems* 6, no. 2 (August 2025): 460–78, <https://doi.org/10.59395/ijadis.v6i2.1405>.

²⁶ Stanley H. Hung, Deena Ebaid, and Amy Brodtmann, “Pre-Stroke Physical Activity and Admission Stroke Severity: A Systematic Review - Stanley H Hung, Deena Ebaid, Sharon Kramer, Emilio Werden, Helen Baxter, Bruce CV Campbell, Amy Brodtmann, 2021,” accessed May 16, 2026, <https://journals.sagepub.com/doi/10.1177/1747493021995271>.

²⁷ Omer Alkan, Ceyhun Sercemeli, and Kenan Omzen, “Verbal and Psychological Violence against Women in Turkey and Its Determinants | PLOS One,” accessed May 16, 2026, <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0275950>.

²⁸ Suna Ryu and William A. Sandoval, “Improvements to Elementary Children’s Epistemic Understanding from Sustained Argumentation - Ryu - 2012 - Science Education - Wiley Online Library,” accessed May 16, 2026, <https://onlinelibrary.wiley.com/doi/10.1002/sce.21006>.

²⁹ Nur Azisa et al., “Psychological Recovery of Crime Victims within Contemporary Restorative Justice: An Islamic Legal Perspective | MILRev: Metro Islamic Law Review,” accessed May 16, 2026, <https://e-journal.metrouniv.ac.id/milrev/article/view/11184>.

collaboration.³⁰ Ideally, the Bekasi court should have sought a “Psychological *Visum et Repertum*” or a forensic psychological evaluation to map the clinical impact of the Respondent’s verbal aggression. By failing to integrate psychological metrics, the court remains trapped in a pre-modern evidentiary paradigm. It treats the Petitioner’s trauma as a peripheral symptom of a broken marriage rather than the primary cause of its illegal status.³¹ This lack of interdisciplinary rigor prevents the judiciary from developing a “standard of harm” for non-physical violence, leaving future victims at the mercy of individual judicial subjectivity rather than objective legal standards.

Furthermore, the court’s reasoning demonstrates a missed opportunity to engage with Law Number 23 of 2004 on the Elimination of Domestic Violence (UU PKDRT).³² Although the Religious Court operates within a civil-religious jurisdiction, the humanitarian and protective principles enshrined in the UU PKDRT are not alien to the spirit of the KHI or the Indonesian Constitution.³³ Article 7 of the UU PKDRT explicitly defines psychological violence as acts that result in fear, loss of self-confidence, or a feeling of helplessness. In the Bekasi decision, the judges appeared reluctant to bridge the gap between “family law” and “protection law.” Had the judges cited the UU PKDRT as a legal foundation for defining the Respondent’s behavior as an “unlawful act” within the marital covenant, they would have provided a much-needed moral and legal sanction. Instead, the “marriage rupture” logic they employed treats the divorce as a neutral event—a “no-fault” ending—rather than a consequence of a specific violation of the principle of *mu’asyarah bi al-ma’ruf* (living together in kindness). As noted by legal scholar Khaled Abou El Fadl, this approach leads to a “delayed justice,” where the victim is freed but the perpetrator’s behavior is never formally condemned as an abuse of Sharia-granted authority.³⁴

The concept of *ḍarar* in Islamic law must be re-evaluated through the lens of *ghairu maqdūr al-ih̄timāl*—harm that is beyond endurance.³⁵ Traditional fiqh often struggled to quantify non-physical harm, but the contemporary “Jurisprudence of Dignity” demands that we categorize systematic verbal insults as a “fatal breach” of the *mīthāqan ghalīẓan* (solemn covenant). When a husband utilizes his linguistic position to animalize his wife, he is not merely being “unpleasant”; he is violating the *Maqāṣid* (objective) of protecting the soul (*hifz al-nafs*). The Bekasi judges’ decision to grant the divorce indicates they sensed this breach, but their failure to articulate it in these terms leaves the legal theory behind the decision underdeveloped.³⁶ To move beyond a descriptive-procedural nature, the judiciary must adopt an analytical-substantive approach. This requires judges to use

³⁰ Ahmad Iffan and Mustafid, “JUSTICE IN HUMAN RIGHTS COURTS: INTEGRATING THE CONCEPT OF ISLAMIC JUDICIARY AND THE PRINCIPLES OF INTERNATIONAL LAW,” *Muadalah : Jurnal Hukum* 5, no. 2 (November 2025): 128–44, <https://doi.org/10.47945/muadalah.v5i2.2293>.

³¹ Colin James, “Towards Trauma-Informed Legal Practice: A Review: Psychiatry, Psychology and Law: Vol 27, No 2 - Get Access,” accessed May 16, 2026, <https://www.tandfonline.com/doi/full/10.1080/13218719.2020.1719377>.

³² Mutiara Mutiara and Syofiaty Lubis, “Implementation of Law No. 23 of 2004 on the Elimination of Domestic Violence Domestic Violence (PKDRT) in the Province of North Sumatra,” *Journal of Law, Politic and Humanities* 4, no. 3 (March 2024): 221–26, <https://doi.org/10.38035/jlph.v4i3.333>.

³³ Arista Candra Irawati and Eugenia Brandao da Silva, “Beyond Formality in Indonesian Pretrial Law: KUHAP Reform, Human Rights, and Islamic Law,” *Al-Ahkam* 35, no. 2 (October 2025): 261–86, <https://doi.org/10.21580/ahkam.2025.35.2.28399>.

³⁴ Dr. Muhammad Bilal and Farqaleet Khokhar, “Justice Delayed or Denied: The Myth of Justice in Pakistan,” *Journal of Law & Social Studies* 3, no. 2 (December 2021): 124–32, <https://doi.org/10.52279/jlss.03.02.124132>.

³⁵ Ali Trigiyanono and Sutrisno, “Dharar as a Reason for Divorce Lawsuit in Fiqh and Legislation of Some Muslim Countries: Study on Indonesia, Bahrain, Sudan, Qatar, and Morocco | Al-Istinbath: Jurnal Hukum Islam,” accessed May 16, 2026, <https://journal.iaincurup.ac.id/index.php/alistinbath/article/view/3368>.

³⁶ Durotun Nafisah et al., “Comparative Analysis of Islamic Family Law and Normative Law: Examining the Causes of Divorce in Purwokerto, Indonesia,” *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 8, no. 2 (May 2024): 847–71, <https://doi.org/10.22373/sjhk.v8i2.16825>.

their “discretionary power” (*ex officio* rights) to dig deeper into the intensity of the trauma, especially in *verstek* (default) cases where the Respondent is not present to provide a counter-narrative. The brevity of the narrative in the Bekasi verdict—which moves swiftly from “insults occurred” to “divorce granted”—strips the case of its potential to serve as a meaningful precedent for the protection of mental health in Indonesia.

In conclusion, the transformation of judicial reasoning from a focus on “disputes” to a focus on “psychological *ḍarar*” is not merely a linguistic change; it is a fundamental shift in the protection of human rights within the family. The Bekasi decision reflects a judiciary that is “heading in the right direction” but is hampered by a lack of theoretical ambition and interdisciplinary tools. For the Indonesian Religious Courts to truly defend the values of gender justice, they must stop treating verbal abuse as a “normal” part of marital friction.³⁷ They must recognize it as a violation of the constitutional right to be free from intimidation and a violation of the Islamic mandate to protect the dignity of the human person. A divorce decree should be more than a severance of a contract; it should be a public declaration that psychological integrity is a primary and non-negotiable pillar of a Sharia-compliant marriage. Without this intellectual evolution, the religious court system risks remaining a witness to the collapse of households rather than an active defender of the mental well-being and dignity of the individuals within them.³⁸

Theoretical Expansion of *Darar al-Ma'nawi: Maqāṣid al-Sharī'ah* and Global Legal Reform

The theoretical expansion of the concept of *ḍarar* (harm) from its traditional physical confines to the psychological and moral realm—systematically identified as *ḍarar al-ma'nawī*—represents an ontological necessity in the evolution of contemporary Islamic family law.³⁹ Historically, classical *fiqh* discourse, rooted in the agrarian and patriarchal contexts of the medieval era, prioritized the preservation of physical life (*ḥifẓ al-nafs*) in its most literal and biological sense. Within this classical paradigm, a judicial divorce (*faskh* or *tafriq*) requested on the grounds of abuse typically required the presence of “manifest injury” (*al-ḍarar al-bayyin*), such as visible hematomas, broken limbs, or scars that testified to tangible corporal violence. However, the socio-legal reality presented in the Bekasi Religious Court Decision Number 4027/Pdt.G/2024/PA.Bks challenges the sufficiency of this “physicalist” doctrine. In this case, the Petitioner was subjected to animalistic dehumanization through the use of derogatory slurs—specifically being called “dog” or “stupid”—which constitutes a persistent assault on mental integrity. This study posits that the legal maxim *lā ḍarara wa lā ḍirāra* (no harm shall be inflicted nor reciprocated) must undergo a conceptual metamorphosis. It must move beyond the “bruised skin” standard toward a “bruised soul” standard, recognizing that the erosion of an individual’s internal security and psychological peace is a form of destruction no less lethal than physical battery.

³⁷ Sukendar Sukendar et al., “Women’s Access To Justice: Mediation For The Victims of Domestic Violence In Central Java, Indonesia,” *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 7, no. 1 (March 2023): 602–28, <https://doi.org/10.22373/sjhk.v7i1.9471>.

³⁸ Muhammad Fadhly et al., “Mental Health, Marital Breakdown, and Islamic Judicial Ethics: A Maqāṣid-Based Assessment of an Indonesian Religious Court Decision,” *Al-Mujtahid: Journal of Islamic Family Law* 5, no. 2 (December 2025): 94–102, <https://doi.org/10.30984/ajifl.v5i2.3830>.

³⁹ Taufiqurohman Taufiqurohman and Nelli Fauziah, “The Evaluation of Maqāṣid Asy-Syarī'ah on Discourses of the Islamic Family Law,” *El-Usrah: Jurnal Hukum Keluarga* 6, no. 1 (September 2023): 81–90, <https://doi.org/10.22373/ujhk.v6i1.13035>.

The recalibration of *ḍarar* requires a profound re-engagement with the framework of *Maqāṣid al-Sharī'ah* (the Higher Objectives of Islamic Law). In this expanded view, repetitive verbal violence is not merely a domestic nuisance but a multi-layered violation of the essential necessities (*al-ḍarūriyyāt*). While traditionalism views *ḥifẓ al-naḥs* as the preservation of biological life, a progressive and modern *Maqāṣid* perspective must expand this to include the preservation of “psychological well-being.” A human being whose spirit is systematically broken through verbal terrorism is incapable of fulfilling their divine function as a servant of God or a productive member of the *ummah*. Furthermore, the assault documented in the Bekasi case represents a direct transgression against *ḥifẓ al-'aql* (protection of the intellect) and *ḥifẓ al-'ird* (protection of honor and dignity). Traditionally, *ḥifẓ al-'ird* was limited to the protection of lineage or the prevention of slander (*qadhḥ*). Yet, in the essence of Islamic anthropology, *'ird* signifies the “ontological honor” and self-worth of the person. When a husband weaponizes language to dehumanize his wife, he commits an affront to *karāmah insāniyyah* (human dignity)—a sacred attribute bestowed by the Creator that no marriage contract has the authority to diminish. This analysis reaffirms that dignity is not a social variable but a fundamental, non-negotiable human right in Islam. If this dignity is violated through toxic verbalism, the marriage contract—formally a *mīthāqan ghalīẓan* (solemn covenant)—loses its teleological legitimacy, as a union characterized by contempt cannot possibly achieve the Quranic ideal of *sakīnah* (tranquility).⁴⁰

When placed within the context of global legal reforms in the Muslim world, the judicial reasoning in Indonesia appears to be in a crucial state of flux. Countries such as Morocco, through the landmark *Moudawana* reform of 2004, and Tunisia, through its long-standing Personal Status Code, have explicitly integrated “moral injury” (*al-ḍarar al-ma'nawī*) as an autonomous ground for divorce. These jurisdictions have successfully harmonized Islamic legal tradition with universal human rights by recognizing that the “harm” prohibited by the Prophet Muhammad extends to the spirit and the intellect.⁴¹ In contrast, Indonesian judges, as seen in the Bekasi decision, often remain tethered to the procedural safety of Article 19 letter (f) of PP No. 9/1975, which focuses on “continuous disputes” (*shiqāq*). By relying on the “dispute” narrative, the court inadvertently masks the unilateral nature of verbal abuse, treating it as a relational friction rather than a violation of rights. This research argues that by adopting a “Jurisprudence of Dignity,” Indonesian courts can contribute to the global discourse of Islamic law. The Bekasi verdict, which granted divorce despite the lack of physical violence, represents a “subliminal activism.” However, for this activism to become a robust legal precedent, it must be supported by an explicit doctrinal recognition that verbal aggression is a “fatal breach” of the marital covenant, warranting the same legal gravity as physical battery.

Furthermore, this theoretical expansion must align with contemporary global trends in family law that prioritize the “best interests of the victim” and recognize “coercive control” as the root of domestic tyranny. In international legal psychology, verbal abuse is understood as the primary tool used to establish dominance and induce helplessness.⁴² By integrating this interdisciplinary perspective, the Indonesian religious judiciary can transition from a bureaucratic administrative

⁴⁰ Ahya Maulida Noor Rizky, Nur Mardia, and Nasrudin Nasrudin, “Toxic Relationships in Islamic Law,” *Medina-Te : Jurnal Studi Islam* 19, no. 2 (December 2023): 122–33, <https://doi.org/10.19109/medinate.v19i2.20280>.

⁴¹ Dian Rusmana, Tajul Arifin, and Fauzia, “Self-Responsibility for Legal Rights and Freedoms: A Perspective of Fiqh and the Universal Declaration of Human Rights | *Jurisprudensi: Jurnal Ilmu Syariah, Perundang-Undangan Dan Ekonomi Islam*,” accessed May 16, 2026, <https://journal.iainlangsa.ac.id/index.php/jurisprudensi/article/view/10131>.

⁴² Sage Wilde, Nicola Sheeran, and Heater Douglas, “Full Article: The Psychological Impact on Mothers Who Have Experienced Domestic Violence When Navigating the Family Court System: A Scoping Review,” accessed May 16, 2026, <https://www.tandfonline.com/doi/full/10.1080/13218719.2023.2214927>.

body into a protective-emancipatory institution. This study proposes the categorization of systematic and dehumanizing verbal abuse as *al-ḍarar al-fāḥish* (extreme or manifest harm). Such a categorization would ensure that a wife seeking to escape a verbally abusive environment is not treated as a “rebellious wife” (*nushūz*) but as a victim of a breached covenant, thereby preserving her financial rights (*mu'tah* and *iddah*) and her legal dignity.⁴³ The Bekasi case provides the raw data for this shift, but it requires legal academics to formulate objective standards—perhaps through the use of psychological impact assessments—to define the threshold of “unbearable harm” in a way that is consistent and fair.

Ultimately, the harmonization between *Maqāṣid al-Sharī'ah* and global legal reform demands a “New Ijtihad” that redefines the husband-wife relationship as an egalitarian partnership rooted in linguistic and emotional integrity. Marriage in Islam is not merely an exchange of sexual access for financial maintenance; it is a spiritual and social institution intended to foster mercy (*rahmah*).⁴⁴ Verbal abuse is a poison that destroys the very substance of this *rahmah*. By expanding the scope of *ḍarar* into the psychological realm, the Indonesian judiciary aligns itself with the progressive trajectory of the global Muslim community, ensuring that Islamic law remains a living, relevant force in the 21st century. In this century, mental health is no longer a luxury but a fundamental component of the quality of life. The Bekasi Religious Court Decision No. 4027/Pdt.G/2024/PA.Bks, while linguistically cautious, has effectively laid the foundation for a new edifice of jurisprudence—one that honors the soul over the letter of the law and protects the sacred dignity of every human being from the silent, yet devastating, violence of the tongue. This shift ensures that the *mīthāqan ghalīẓan* remains a bond of mutual respect, and not a license for psychological subjugation.

CONCLUSION

This study concludes that Case No. 4027/Pdt.G/2024/PA.Bks at the Bekasi Religious Court marks a critical, albeit transitional, milestone in the evolution of Indonesian Islamic jurisprudence regarding psychological violence. The judicial recognition of systematic verbal abuse—characterized by animalistic slurs and the devaluation of spousal dignity—as a valid ground for divorce indicates a shift from a purely “physicalist” understanding of *ḍarar* toward a more holistic appreciation of human integrity. However, the critical analysis reveals that judicial reasoning is still heavily anchored in the procedural safety of “continuous disputes” (*shiqāq*) rather than a substantive declaration of “psychological *ḍarar*.” This tendency reflects a lingering hesitation within the religious judiciary to elevate non-physical aggression to the status of a “severe breach” of the marital covenant, largely due to the absence of standardized interdisciplinary evidentiary metrics, such as forensic psychological assessments.

The theoretical contribution of this research lies in its advocacy for the innovative expansion of *ḍarar al-ma'nawī* (moral/psychological harm) as a primary legal category within *Maqāṣid al-Sharī'ah*. By reframing verbal abuse not as a domestic friction but as a direct assault on *ḥifẓ al-'aql* (protection of the intellect) and *ḥifẓ al-'ird* (protection of honor), this study provides a conceptual

⁴³ Atun Wardatun and Bianca J. Smith, “Woman-Initiated Divorce and Feminist Fiqh in Indonesia: Narrating Male Acts of Nushūz in Marriage | *Ulumuna*,” accessed May 16, 2026, <https://ulumuna.or.id/index.php/ujis/article/view/416>.

⁴⁴ Murshida Khatun, Md Amirul Islam, and A. K. M. Abdul Latif, “THE MULTIFACETED SIGNIFICANCE OF MARRIAGE: EXPLORING ITS ROLE IN RELIGION, FAMILY DYNAMICS, SOCIAL COHESION, AND ECONOMIC CONTEXT | *International Journal of Social Sciences & Humanities (IJSSH)*,” accessed May 16, 2026, <https://ijssh.ielas.org/index.php/ijssh/article/view/70>.

bridge between classical fiqh and global legal reforms seen in jurisdictions like Morocco and Tunisia. This research asserts that the protection of *karāmah insāniyyah* (human dignity) must supersede the formal preservation of a dysfunctional marriage contract. The “Jurisprudence of Dignity” proposed here argues that a marriage devoid of linguistic respect is a marriage that has fundamentally failed its teleological purpose.

Moving forward, this study recommends that the Indonesian Supreme Court and the Directorate General of the Religious Court Bodies (Badilag) develop standardized guidelines for adjudicating psychological violence. This should include the integration of expert psychological testimony into the evidentiary process to move beyond subjective witness accounts. For global Islamic legal scholarship, this research serves as a model for how local judicial practices in Indonesia can be analyzed through the lens of international human rights and progressive *Maqāṣid* theory. Ultimately, the law must evolve to ensure that the “solemn covenant” of marriage does not become a sanctuary for psychological terror, but remains a sanctuary for mutual respect and emotional security.

REFERENCES

- Akmal, Andi Muhammad, Chaerul Mundzir, Mulham Jaki Asti, Rahmawati Abbas, and Zulhas'ari Mustafa. “Legal Solutions for Domestic Violence in Unregistered Marriages in Indonesia: Integrating Maqāṣid al-Sharī'ah.” *El-Usrah: Jurnal Hukum Keluarga* 7, no. 2 (December 2024): 768–88. <https://doi.org/10.22373/ujhk.v7i2.25971>.
- Alkan, Omer, Ceyhun Sercemeli, and Kenan Omzen. “Verbal and Psychological Violence against Women in Turkey and Its Determinants | PLOS One.” Accessed May 16, 2026. <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0275950>.
- Azisa, Nur, Audyna Mayasari Muin, M. Aris Munandar, Muhammad Mutawalli Mukhlis, and Aspaella A. Rahman. “Psychological Recovery of Crime Victims within Contemporary Restorative Justice: An Islamic Legal Perspective.” *MILRev: Metro Islamic Law Review* 4, no. 2 (September 2025): 1098–127. <https://doi.org/10.32332/milrev.v4i2.11184>.
- . “Psychological Recovery of Crime Victims within Contemporary Restorative Justice: An Islamic Legal Perspective | MILRev: Metro Islamic Law Review.” Accessed May 16, 2026. <https://e-journal.metrouniv.ac.id/milrev/article/view/11184>.
- Bilal, Dr. Muhammad, and Farqaleet Khokhar. “Justice Delayed or Denied: The Myth of Justice in Pakistan.” *Journal of Law & Social Studies* 3, no. 2 (December 2021): 124–32. <https://doi.org/10.52279/jlss.03.02.124132>.
- Bryane, Sarah, and Angele Christin. “Technologies of Crime Prediction: The Reception of Algorithms in Policing and Criminal Courts | Social Problems | Oxford Academic.” Accessed May 16, 2026. <https://academic.oup.com/socpro/article-abstract/68/3/608/5782114?redirectedFrom=full-text&login=false>.
- Dasgupta, Shamik. “The Possibility of Physicalism.” *The Journal of Philosophy* 111, no. 9/10 (September 2014): 557–92. <https://doi.org/10.5840/jphil20141119/1037>.
- Dewa, Dinanti Putri, Surya Nita, and Zora Arfina. “The Role of the Police in Investigating Alternative Evidence in Sexual Violence Cases Without Gynecological Visum Et Repertum in the Jurisdiction of Polda Metro Jaya | POLICY, LAW, NOTARY AND REGULATORY ISSUES.” Accessed May 16, 2026. <https://ojs.transpublika.com/index.php/POLRI/article/view/1673>.

- Doroudchi, Alireza, Mohammad Zarenezhad, Homayoun Hosseininezhad, Abdorrasoul Malekpour, Zahra Ehsaei, Reza Kaboodkhani, and Maryam Valiei. "Psychological Complications of the Children Exposed to Domestic Violence: A Systematic Review | Egyptian Journal of Forensic Sciences | Springer Nature Link." Accessed May 16, 2026. <https://link.springer.com/article/10.1186/s41935-023-00343-4>.
- Fadhly, Muhammad, Marwa Marwa, Nadila Laseda, M. Hafiz Ridho Abdul Tahak, and Fatum Abubakar. "Mental Health, Marital Breakdown, and Islamic Judicial Ethics: A Maqāṣid-Based Assessment of an Indonesian Religious Court Decision." *Al-Mujtahid: Journal of Islamic Family Law* 5, no. 2 (December 2025): 94–102. <https://doi.org/10.30984/ajifl.v5i2.3830>.
- Firmansyah, Khairunnas Rajab, Arisman, Hellen Lastfitiani, and Irda Misraini. "Exploring the Role of Spiritual and Emotional Bonds in Islamic Marriage: A Study of Psychological and Legal Perspectives for Family Sustainability | Al-Tadzkiyyah: Jurnal Pendidikan Islam." Accessed May 16, 2026. <https://ejournal.radenintan.ac.id/index.php/tadzkiyyah/article/view/30168>.
- Fitriyani, Fitriyani, Asep Saepuddin Jahar, Zaitunah Subhan, and Rosdiana Rosdiana. "The Judges' Legal Consideration on Divorce of Nushūz Cases at the Kupang High Religious Court: Gender Perspective." *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 7, no. 3 (November 2023): 1971–89. <https://doi.org/10.22373/sjhc.v7i3.14425>.
- Haris, Arkin, Aris Widodo, Irma Dwi Tantri, and Siti Sarah. "Eco-Maqāṣid in Climate Change Campaigns: From an Ecolinguistics Study to the Philosophy of Islamic Law." *Al-Manahij: Jurnal Kajian Hukum Islam*, August 13, 2024, 219–36. <https://doi.org/10.24090/mnh.v18i2.10652>.
- Hung, Stanley H., Deena Ebaid, and Amy Brodtmann. "Pre-Stroke Physical Activity and Admission Stroke Severity: A Systematic Review - Stanley H Hung, Deena Ebaid, Sharon Kramer, Emilio Werden, Helen Baxter, Bruce CV Campbell, Amy Brodtmann, 2021." Accessed May 16, 2026. <https://journals.sagepub.com/doi/10.1177/1747493021995271>.
- Iffan, Ahmad, and Mustafid. "JUSTICE IN HUMAN RIGHTS COURTS: INTEGRATING THE CONCEPT OF ISLAMIC JUDICIARY AND THE PRINCIPLES OF INTERNATIONAL LAW." *Muadalah : Jurnal Hukum* 5, no. 2 (November 2025): 128–44. <https://doi.org/10.47945/muadalah.v5i2.2293>.
- . "JUSTICE IN HUMAN RIGHTS COURTS: INTEGRATING THE CONCEPT OF ISLAMIC JUDICIARY AND THE PRINCIPLES OF INTERNATIONAL LAW." *Muadalah : Jurnal Hukum* 5, no. 2 (November 2025): 128–44. <https://doi.org/10.47945/muadalah.v5i2.2293>.
- Irawati, Arista Candra, and Eugenia Brandao da Silva. "Beyond Formality in Indonesian Pretrial Law: KUHAP Reform, Human Rights, and Islamic Law." *Al-Ahkam* 35, no. 2 (October 2025): 261–86. <https://doi.org/10.21580/ahkam.2025.35.2.28399>.
- Isakjee, Arshad, Thom Davies, Jelena Obradović-Wochnik, and Karolína Augustová. "Liberal Violence and the Racial Borders of the European Union." *Antipode* 52, no. 6 (2020): 1751–73. <https://doi.org/10.1111/anti.12670>.
- James, Colin. "Towards Trauma-Informed Legal Practice: A Review: Psychiatry, Psychology and Law: Vol 27 , No 2 - Get Access." Accessed May 16, 2026. <https://www.tandfonline.com/doi/full/10.1080/13218719.2020.1719377>.
- Khatun, Murshida, Md Amirul Islam, and A. K. M. Abdul Latif. "THE MULTIFACETED SIGNIFICANCE OF MARRIAGE: EXPLORING ITS ROLE IN RELIGION, FAMILY DYNAMICS, SOCIAL COHESION, AND ECONOMIC CONTEXT | International Journal of Social Sciences & Humanities (IJSSH)." Accessed May 16, 2026. <https://ijssh.ielas.org/index.php/ijssh/article/view/70>.

- Laksana, Andri Winjaya, Muhammad Ridwan Lubis, Denny Suwondo, Muhammad Ngazis, and Ratih Mega Puspita Sari. "Integrating Maqasid Al-Shari'ah in Contemporary Islamic Legal Reform on Drug Policy | MILRev: Metro Islamic Law Review." Accessed May 16, 2026. <https://e-journal.metrouniv.ac.id/milrev/article/view/10665>.
- Mutiara, Mutiara, and Syofiaty Lubis. "Implementation of Law No. 23 of 2004 on the Elimination of Domestic Violence Domestic Violence (PKDRT) in the Province of North Sumatra." *Journal of Law, Politic and Humanities* 4, no. 3 (March 2024): 221–26. <https://doi.org/10.38035/jlph.v4i3.333>.
- Muttaqin, Muhammad Zaenal, Ahmad Ibrizul Izzi, Reza Fauzi Nazar, Shoibul Wafa Tadzul Arifin, and Muhamad Yogi Sandra. "Family Harmony in Contemporary Islamic Law: Ibn 'Ashūr's Maqāṣid Perspective on Marital Rights and Duties | MILRev: Metro Islamic Law Review." Accessed May 16, 2026. <https://e-journal.metrouniv.ac.id/milrev/article/view/10480>.
- Nafisah, Durotun, Nasrudin Nasrudin, Ahmad Rezy Meidina, and Muhammad Fuad Zain. "Comparative Analysis of Islamic Family Law and Normative Law: Examining the Causes of Divorce in Purwokerto, Indonesia." *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 8, no. 2 (May 2024): 847–71. <https://doi.org/10.22373/sjkh.v8i2.16825>.
- . "Comparative Analysis of Islamic Family Law and Normative Law: Examining the Causes of Divorce in Purwokerto, Indonesia." *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 8, no. 2 (May 2024): 847–71. <https://doi.org/10.22373/sjkh.v8i2.16825>.
- Nelli, Jumni, Adi Harmanto, Sofia Hadrani, Kholil Syu'aib, and Devi Megawati. "Qiwamah's Reconception of Muhammad Shahrur's Thoughts and Their Implications for the Feminist Movement in the World | Al-Istinbath: Jurnal Hukum Islam." Accessed May 16, 2026. <https://journal.iaincurup.ac.id/index.php/alistinbath/article/view/9797>.
- Noor, Safdhinar Muhammad An, Arisy Abror Dzukroni, Nasrullah Nasrullah, and Moh Faza Rosyada. "Rethinking Mu'âsyarah Bil Ma'ruf: A Maqâshid Syari'ah Cum-Mubâdalah Approach." *AT-TURAS: Jurnal Studi Keislaman* 11, no. 1 (April 2024): 12–24. <https://doi.org/10.33650/at-turas.v11i1.7281>.
- Petroleum-Gas University of Ploiesti, and Delia-Mihaela Marinescu. "DOMESTIC VIOLENCE - A GROUND FOR MARRIAGE DISSOLUTION." *Journal of Law and Administrative Sciences* 24 (December 2025): 193–205. <https://doi.org/10.51865/JOLAS.2025.24.17>.
- Pradikta, Hervin Yoki, Aan Budianto, and Habib Shulton Asnawi. "History of Development and Reform of Family Law in Indonesia and Malaysia." *KnE Social Sciences*, April 4, 2024, 316–31. <https://doi.org/10.18502/kss.v9i12.15863>.
- Rahmadini, Rina, and Bagus Jati Santoso. "Machine Learning-Based Prediction of Divorce Verdicts Using Posita Data and Imbalanced Data Handling: A Case Study in Padang Sidempuan." *International Journal of Advances in Data and Information Systems* 6, no. 2 (August 2025): 460–78. <https://doi.org/10.59395/ijadis.v6i2.1405>.
- . "Machine Learning-Based Prediction of Divorce Verdicts Using Posita Data and Imbalanced Data Handling: A Case Study in Padang Sidempuan | International Journal of Advances in Data and Information Systems." Accessed May 16, 2026. <https://ijadis.org/index.php/ijadis/article/view/1405>.
- Rizky, Ahya Maulida Noor, Nur Mardia, and Nasrudin Nasrudin. "Toxic Relationships in Islamic Law." *Medina-Te: Jurnal Studi Islam* 19, no. 2 (December 2023): 122–33. <https://doi.org/10.19109/medinate.v19i2.20280>.

- Rusmana, Dian, Tajul Arifin, and Fauzia. "Self-Responsibility for Legal Rights and Freedoms: A Perspective of Fiqh and the Universal Declaration of Human Rights | *Jurisprudensi: Jurnal Ilmu Syariah, Perundang-Undangan Dan Ekonomi Islam*." Accessed May 16, 2026. <https://journal.iainlangsa.ac.id/index.php/jurisprudensi/article/view/10131>.
- Ryu, Suna, and William A. Sandoval. "Improvements to Elementary Children's Epistemic Understanding from Sustained Argumentation - Ryu - 2012 - Science Education - Wiley Online Library." Accessed May 16, 2026. <https://onlinelibrary.wiley.com/doi/10.1002/sce.21006>.
- Sukendar, Sukendar, Muhammad Saifullah, Priyambudi Sulistiyanto, Luthfi Rahman, and A. Hasan Asy'ari Ulamai. "Women's Access To Justice: Mediation For The Victims of Domestic Violence In Central Java, Indonesia." *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 7, no. 1 (March 2023): 602–28. <https://doi.org/10.22373/sjhc.v7i1.9471>.
- Tasbih, Tasbih, Abbas Langaji, Saidah A. Hafid, Andi Faisal Bakti, and Abdul Gaffar Haris. "Islamic Feminists' Rejection of the Textual Understanding of Misogynistic Hadiths for the Advancement of Gender Justice in Makassar, Indonesia | *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*." Accessed May 16, 2026. <https://jurnal.ar-raniry.ac.id/index.php/samarah/article/view/19856>.
- Taufiqurohman, Taufiqurohman, and Nelli Fauziah. "The Evaluation of Maqāṣid Asy-Syarī'ah on Discourses of the Islamic Family Law." *El-Usrah: Jurnal Hukum Keluarga* 6, no. 1 (September 2023): 81–90. <https://doi.org/10.22373/ujhk.v6i1.13035>.
- T.P., Nguyen, Karney B.R., and Bradbury T.N. "When Poor Communication Does and Does Not Matter: The Moderating Role of Stress." Accessed May 16, 2026. <https://psycnet.apa.org/doiLanding?doi=10.1037%2Ffam0000643>.
- Trigiyatno, Ali and Sutrisno. "Dharar as a Reason for Divorce Lawsuit in Fiqh and Legislation of Some Muslim Countries: Study on Indonesia, Bahrain, Sudan, Qatar, and Morocco | *Al-Istinbath: Jurnal Hukum Islam*." Accessed May 16, 2026. <https://journal.iaincurup.ac.id/index.php/alistinbath/article/view/3368>.
- Tullio, Valeria, Antonietta Lanzarone, Edoardo Scalici, Marco Vella, Antonina Argo, and Stefania Zerbo. "Violence against Women in Heterosexual Couples: A Review of Psychological and Medico-Legal Considerations." *Medicine, Science and the Law* 61, no. 1_suppl (January 2021): 113–24. <https://doi.org/10.1177/0025802420936081>.
- Veronese, Guido, and Alessandro Pepe. "Measuring Traumatic Reactions in Palestinian Children: A Psychometric Assessment of the Children Revised Impact of Event Scale-Arabic Version (CRIES-13A) | *Child Psychiatry & Human Development* | Springer Nature Link." Accessed May 16, 2026. <https://link.springer.com/article/10.1007/s10578-020-01113-2>.
- Wardatun, Atun, and Bianca J. Smith. "Woman-Initiated Divorce and Feminist Fiqh in Indonesia: Narrating Male Acts of Nushūz in Marriage | *Ulumuna*." Accessed May 16, 2026. <https://ulumuna.or.id/index.php/ujis/article/view/416>.
- Wilde, Sage, Nicola Sheeran, and Heater Douglas. "Full Article: The Psychological Impact on Mothers Who Have Experienced Domestic Violence When Navigating the Family Court System: A Scoping Review." Accessed May 16, 2026. <https://www.tandfonline.com/doi/full/10.1080/13218719.2023.2214927>.