



جمعية العلماء ومدرسي الإسلام في سنغافورة  
Persatuan Ulama dan Guru-Guru Agama Islam (Singapura)  
Singapore Islamic Scholars & Religious Teachers Association

RELIGIOUS GUIDANCE:

# Domestic Violence from The Islamic Perspective

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Published by



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# Summary

## 1. Introduction

## 2. Background

## 3. Domestic Violence in Singapore

## 4. A Muslim Perspective on Marriage

### 4.1 Meaning and Purpose of Marriage in Islam

- Spouses and children are entrusted to us from Allah.
- Marriage between two persons leads to peace not violence. Through marriage, two people who were previously strangers love and care for each other .

### 4.2 Roles and Responsibilities in Marriage

- The husband is appointed as a caretaker who is responsible for the well-being of the family members. At the same time, the wife is tasked with helping and supporting the husband in navigating life.
- Husbands are required to serve his wife well. Husbands are forbidden from hurting their wives physically or verbally.
- Wives are required to respect and obey their husbands in matters of goodness (*makruf*).
- We must be considerate towards the legitimate physical, emotional, and spiritual needs of our partner and not just our own gratifications.
- Among the tips that can be practised to ensure the harmony of the marriage include respecting, dedicating and being considerate towards the feelings of both parents.

## **5. What is domestic violence?**

### **5.1 Meaning of domestic violence**

- Refers to the definition listed in the Women's Charter.
- Violence that occurs to family members in a legal relationship. It could therefore happen to the husband, wife, children or even the elderly.

### **5.2 Types of Abuse**

There are many types of abuse that can occur to husband, wife, children and elderly, among them:

#### **5.2.1 Physical Abuse**

#### **5.2.2 Emotional and Psychological Abuse**

#### **5.2.3 Financial Abuse**

#### **5.2.4 Neglect**

### **5.3 What to look out for or how to tell if myself or someone is involved in an abusive relationship?**

Apart from physical marks, there are other signs that may signal abuse, such as:

- Your spouse is often obsessively jealous and possessive of you.
- Your actions and movements are often controlled.
- You are not allowed to use your bank account without any valid reason.
- You often feel anxious and scared because your spouse or caregiver often experiences excessive anger and has trouble controlling emotions.
- Lack of basic necessities.

## 5.4 What needs to be done

### 5.4.1 The abused victim

- Identify the type of abuse
- To realise that abuse is not something to be taken lightly
- Gather evidence
- Seek help through:
  - Parent or family member
  - NAVH helpline at 1800 777 0000
  - Police
  - See a doctor
  - Obtain counselling session and advice from certified *asatizah*
  - Personal Protection Order

### 5.4.2 The abuser

- Leave the place to calm down and sooth anger through guidance provided by Rasulullah s.a.w.
- Seek counselling and professional help to manage their anger, mend relationships and improve communication between husband and wife.
- Get closer to religion through acts of worship as well as attending religious classes with accredited *asatizah*.

### 5.4.3 Observers who suspect abuse

- Helping, rescuing abused victims and preventing tyranny is a religious responsibility.
- Parents and family members are advised to always ask about the welfare of their children and siblings as they play an important role in preventing as well as helping the child involved in domestic abuse.

- Children are also advised to frequently visit their parents so that they would be aware of any problems or difficulties faced by them.
- Before extending a helping hand, the witness is advised to ensure his or her own safety as well as the victim's.
- Contact NAVH or make a police report.

## 6. Correcting the Community's misconceptions on Domestic Violence in Islam

### 6.1 Understanding of *Nusyuz* (disobedience) and *Dharb*

#### 6.1.1 Disobedient (*Nusyuz*) According to the Scholars' Perspectives

- *Nusyuz* is divided into two: *nusyuz* of a wife and also *nusyuz* of the husband.
- *Nusyuz* of wife means disobeying the obligatory commands of Allah the Most Exalted, the Most High or not performing their responsibilities as wives.
- *Nusyuz* of husband is when a husband fails to perform his duty and responsibility to fulfil the needs of his wife.

#### 6.1.2 *Dharb* According to the Scholars' Perspectives

- Scholars differ in interpreting the meaning of *dharb* in surah al-Nisa' verse 34.
- Some scholars interpret it as a blow that does not cause any injury.
- While other Islamic scholars disagree with the interpretation of *dharb* with the meaning of hitting.
- Instead some view that *dharb* here means is to sever ties, separate, leave and keep away.
- Without denying the views of the majority of scholars who are more inclined to the necessity of beating a *nusyuz* wife as a means to educate, advice not to hit is more appropriate.
- Domestic violence though, is strictly forbidden in Islam. There is no permission to cause any injurious beating, slap on the face, kicking and so on. This is the view agreed upon by all Islamic scholars.



## 6.2 Misunderstood *Hadith*

Some hadith are often used to justify violence or discourage the victims from fighting for their rights. Below are some examples:

### 6.2.1 Prostrating before the Husband

- With this *hadith*, Rasulullah s.a.w. seems to educate both couples to appreciate their partner.
- The wife must show respect to her husband as he must provide for all her necessities.
- This *hadith* must be accompanied by various other *hadith* that contain reminders about the various responsibilities that must be shouldered by the husband and wife, such as the husband and wife should complement each other and the husband as a leader who ensures the well-being of the family.

### 6.2.2 The Angel curses the wife who refuses the husband's invitation

- The authenticity of both the *hadith* have been verified by scholars of *hadith*.
- The *hadith* also does not mean that the wife has to obey her husband unconditionally.
- It needs to be understood with the principles of the Qur'an as well as other marital-related hadith.
- For example, the Prophet s.a.w. prohibited the husband from abusing his wife physically, or emotionally and mentally, and then invite the wife. The husband needs to take care of his wife's well-being so that she will be ready to be with him.
- Husbands and wives need to strengthen the understanding between them. Wives need to understand their responsibilities to satisfy their husbands' needs. At the same time, husbands need to be sensitive and understand the needs and conditions of their wives.

### 6.2.3 Divorce leads to Allah's Wrath

- Some victims of domestic violence refuse to fight for their rights because they do not want to be the cause of divorce. Moreover, there is a hadith narrated by Muharib bin Dithar that condemns divorce.
- Indeed divorce is unpopular as it has heavy implications on the husband, wife and children.
- A married couple, therefore, should avoid divorce as much as they can.
- However, when there is no other alternative to improve the situation, then divorce is the best solution so that both parties can get out of the problems they faced and continue to lead better lives.
- A wife may no longer be able to live with her husband for various reasons relating to his physic, behavior and lifestyle. Islam provides an avenue for the wife to break free from the marriage bond through *khulu'* to ward off harm from herself.

### 6.3 What does Islam say on obeying husband?

- One of the keys to a successful and harmonious marriage is for both spouses to understand their roles and responsibilities.
- The Quran explains that men and women have shortcomings and therefore it is a shared responsibility to complement each other.
- Prophet s.a.w. emphasized respect and empathy between spouses.
- Revisiting Cultural Expectations and Roles of Wife:
  - o The husband plays the role of a protector and should not misuse this position to abuse his wife.
  - o The community may expect wives to be responsible for household matters.
  - o However, some scholars are of the opinion that wives are not obliged to perform household chores including tasks such as cleaning, cooking, and sewing. Should the wives choose to do so, these tasks are carried out of their own free will.

- o The traditional view gives the task of major decision making to the husband.
- o Whereas in Islam, we are encouraged to practice *syura* which is discussion or negotiation. The Prophet s.a.w., as the leader of the Muslims and a husband, practiced this not only with his companions but also his wives.

**6.4 A Muslim is required to be patient in the face of trials and tribulations. A married couple is also responsible to conceal their spouses' shortcomings. Should victims of domestic violence remain patient, accept (their situations) and practice *tawakkul* (trust in Allah) in facing the trials?**

**6.4.1 Patience and *tawakkul* for the abused victims**

- Patience and trust are praiseworthy attitudes in Islam.
- Patience and trust in Islam has to be accompanied with effort and sincerity.

**6.4.2 Defending oneself from Tyranny and Finding Solution is a Religious Obligation**

- Defending and protecting oneself from the threat of danger and harm is demanded in Islam.
- Although a married couple has the responsibility to protect and not disclose their spouses' shortcomings, it does not mean that they should keep the problems to themselves without seeking help.
- It is permissible in Islam for a married couple to find resolutions.

**6.4.3 Holding on to a violent marriage has a lasting effect on the children**

- Some victims of domestic violence may choose to remain patient because of the children's welfare.
- Children silently witness the ongoing violence and abuse that takes place.
- This leaves an emotional and psychological impact on the children.

RELIGIOUS GUIDANCE:

# Domestic Violence from The Islamic Perspective

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# Religious Guidance: Domestic Violence From The Islamic Perspective

## 1. Introduction

Domestic violence is one of the social challenges in Singapore. It is increasingly worrying because domestic violent cases increased and soared when movement restrictions were ordered to contain the spread of Covid-19.<sup>1</sup> This issue is also plaguing the Singapore Muslim community and even more worrying is the existence of misunderstanding of religious texts and concepts related to rebellion, or *nusyuz*, and obedience in the marriage. As such, this guide hopes to correct the misunderstanding and provide enlightenment to the following issues:

- i. The purpose of marriage in Islam and the responsibilities of the husband and wife (in brief)
- ii. Meaning of domestic violence including types of abuse and signs to identify domestic violence
- iii. Measures that can be taken
- iv. Correcting misunderstandings of some religious texts and teachings:
  - a. *Nusyuz* and *dharb* in the Quran
  - b. *Hadith* that can cause confusion
  - c. Concept of obedience
  - d. Concept of patience

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<sup>1</sup> Theresa Tan, "Family Violence Cases on The Rise in S'pore amid Covid-19 Pandemic", The Straits Time. Accessed 22 February 2022. <https://www.straitstimes.com/singapore/community/family-violence-cases-on-the-rise-in-spore-amid-covid-19-pandemic>

## 2. Background

On 20 March 2021, Pergas organised *Muktamar Ulama 2021* which gathered 61 *asatizah*, researchers and activists to discuss approaches and solutions to some current issues through the *Wasatiyyah* framework.

Two working papers were presented to complete and refresh the participants' understanding of '*Wasatiyyah* and Absolutism' before they discussed the four current issues that had been identified. This presentation was done so that participants could refer to and apply the *Wasatiyyah* framework when giving proposals in addressing the current issues.

The first paper, '*Al-Wasatiyah* and the Meaning of *Ummah Wasat*' presented by Professor Emeritus Tan Sri Dr Kamal Hassan, explored the meaning of *wasat* as well as its differences from translations such as moderation. It also explains the characteristics of *Ummah Wasat* as well as the conditions that need to be met to form *Ummah Wasat*. The second paper, '*A Wasatiyah Approach to Understanding Theological Absolutism*' presented by Ustaz Dr Muhammad Haniff Bin Hassan, analyzed the understanding of absolutism in religion.

After the presentations, participants discussed the best way to deal with some current issues including domestic violence among the Muslim community in Singapore.

## 3. Domestic Violence in Singapore

Cases of family violence, which includes domestic violence, are on the rise in Singapore. The offences include causing hurt, using criminal force, assault and criminal intimidation. On 21 January 2021, *The Straits Times* published that 5,135 family violence cases were reported in 2020. Centres specializing in family violence also reported receiving 57% more enquiries in 2020 compared to 2018.<sup>2</sup>

Minister of State for Home Affairs Muhammad Faishal Ibrahim highlighted that there was a 10% increase in family violence cases every month between April and December 2020. This was attributed to the fact that families are spending longer hours together in their residences due to regulations implemented to curb the pandemic.

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<sup>2</sup> Theresa Tan, "Taskforce calls for stronger protection for victims of family violence, beefing up rehab for offenders", *The Straits Times*. Accessed 28 October 2021. <https://www.straitstimes.com/singapore/community/task-force-calls-for-stronger-protection-for-victims-of-family-violence-beefing>

In 2019, a study conducted by IPSOS, a global market agency, and United Women Singapore, a non-profit organization, found that 3 in 10 Singaporeans claim that they or someone close to them have experienced domestic abuse. The study, titled '*Perceptions of Singaporeans on Domestic Abuse*' also found that 40% of Singaporeans are apathetic, thinking that domestic abuse is not prevalent in Singapore. More alarmingly, despite various efforts to protect victims and curb family violence, 41% of the respondents are still unclear on the next course of action should they or someone close to them experience domestic abuse.<sup>3</sup>

Men are not spared from the ordeal either. It is estimated that 1 in 4 men in Singapore face domestic abuse. Often, these men are less willing to disclose the abuse due to social stigmas surrounding the issues of masculinity. They tend to not seek help until the problem becomes a crisis.

In a round table discussion on domestic violence conducted by Pergas on 13<sup>th</sup> October 2017, participants who were mainly *asatizah*, activists working on this issue, and researchers emphasized that society looks up to religious guidelines given by *asatizah*. Some cited cases where the perpetrators used religious narrative and evidence to justify their violent acts. This was also echoed during a Focus Group Discussion conducted by Pergas with (a group of) activists on 10<sup>th</sup> October 2020. The reliance on religion as a form of justification is prevalent in the Malay Muslim community. It is therefore necessary to correct these misunderstandings.

#### **4. A Muslim Perspective on Marriage**

##### **4.1 Meaning and Purpose of Marriage in Islam**

Before we look into the types of conflicts surrounding a marriage, such as violence and oppression, it is important to understand and revisit the meaning and purpose of marriage.

Marriage is not simply a destination, but a journey that requires tremendous work, commitment, understanding, respect, and love. A sacred vow, and an institution whereby one can deepen the relationship not only with another human being, but also with Allah The Most Exalted, The Most High.

Many of us today are caught up with distorted portrayals and definitions of marriage. Thus, it is essential to revisit what the Beloved s.a.w. taught us about marriage, how to manage it, and attain the blessings that marriage brings as promised by Allah The Most Exalted, The Most High.

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<sup>3</sup> Ipsos, "Perception of Singaporeans on Domestic Abuse". Accessed 17 February 2022. <https://www.ipsos.com/en-sg/perceptions-singaporeans-domestic-abuse>.

It is important to understand that spouses and children are entrusted to us from Allah The Most Exalted, The Most High and we need to protect them. Allah The Most Exalted, The Most High affirms this in the Qur'an:

يَا أَيُّهَا الَّذِينَ ءَامَنُوا لَا تَخُونُوا اللَّهَ وَالرَّسُولَ وَتَخُونُوا ءَمَنَتِكُمْ وَأَنْتُمْ تَعْلَمُونَ ﴿٢٧﴾

*Meaning: "O believers! Do not betray Allah and the Messenger, nor betray your trusts knowingly." (Al-Anfal 8:27)*

However, without realizing it, many of us are betraying this trust from Allah The Most Exalted, the Most High and His Messenger s.a.w. Allah The Most Exalted, The Most High also mentions in the Qur'an:

وَمِنْ ءَايَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً إِنَّ فِي ذَلِكَ لَآيَاتٍ لِقَوْمٍ يَتَفَكَّرُونَ ﴿٢١﴾

*Meaning: "And one of His signs is that He created for you spouses from among yourselves so that you may find comfort in them. And He has placed between you compassion and mercy. Surely in this are signs for people who reflect." (Ar-Rum 30:21)*

Imam al-Baghawi<sup>4</sup> said that one of the signs of Allah The Most Exalted, The Most High is how He places love and mercy between spouses; loving and showing each other mercy, and nothing is more beloved to each than the other. This is despite there having been no relations between them previously, but it happens with the will and greatness of Allah The Most Exalted, The Most High.

According to ibn 'Ashur, this verse is a reminder of Allah's mercy in the preservation of the human species through the instinct of being attracted to the opposite sex. Marriage between two persons leads to peace not violence. Through marriage, two people who were previously strangers love and care for each other. The love that arises between them even exceeds the love that parents have for their own children.<sup>5</sup>

<sup>4</sup> Ma'alim al-Tanzil; al-Tahrir wa al-Tanwir; Adwa' al-Bayan.

<sup>5</sup> Muhammad Tahir bin 'Ashur, *al-Tahrir wa al-Tanwir* (Beirut: Mu'assasah al-Tarikh al-'Arabi, 2000), 21:32.



## 4.2 Roles and Responsibilities in Marriage

To ensure that peace is achieved and love established, the Qur'an has established the rights and responsibilities of the husband and wife. The husband is appointed as a caretaker who is responsible for the well-being of the family members. At the same time, the wife is tasked with helping and supporting the husband in navigating life. Allah The Most Exalted, The Most High explains:

الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَى بَعْضٍ وَبِمَا أَنْفَقُوا مِنْ أَمْوَالِهِمْ  
فَالصَّالِحَاتُ قَانِتَاتٌ حَافِظَاتٌ لِّلْغَيْبِ بِمَا حَفِظَ اللَّهُ ﴿٣٤﴾

*Meaning: "Men are the caretakers of women, as men have been provisioned by Allah over women and tasked with supporting them financially. And righteous women are devoutly obedient and, when alone, protective of what Allah has entrusted them with." (An-Nisa' 4:34)*

The position given to a husband comes with great responsibilities and not merely rights. A man must carry out his true responsibilities as a husband instead of being fixated on what are his rights. Likewise, it is also necessary for the woman to be aware and act on her responsibilities as a wife.

Husbands are also forbidden from hurting their wives physically or verbally. On the contrary, a husband is required to serve his wife well in their daily interactions and treat her with respect even though he may no longer love her. Allah The Most Exalted, The Most High said:

وَعَاشِرُوهُنَّ بِالْمَعْرُوفِ فَإِنْ كَرِهْتُمُوهُنَّ فَعَسَى أَنْ تَكْرَهُوا شَيْئًا  
وَيَجْعَلَ اللَّهُ فِيهِ خَيْرًا كَثِيرًا ﴿١٩﴾

*Meaning: "Treat them fairly. If you happen to dislike them, you may hate something which Allah turns into a great blessing." (An-Nisa' 4:19)*

Wives are also required to respect and obey their husbands in matters of goodness (*makruf*) that is, as long as the husband does not tell them to commit immorality or anything forbidden according to the *syara'*.

Rasulullah s.a.w. said:<sup>6</sup>

إِذَا صَلَّتِ الْمَرْأَةُ حَمْسَهَا وَصَامَتْ شَهْرَهَا وَحَصَّنَتْ فَرْجَهَا وَأَطَاعَتْ زَوْجَهَا قَبِيلَ لَهَا ادْخُلِي  
الْجَنَّةَ مِنْ أَيِّ أَبْوَابِ الْجَنَّةِ شِئْتَ

Meaning: “If a woman performs her 5 (daily) prayers, fasts her month (of Ramadan), guards her chastity and obeys her husband, it will be said to her: “enter Paradise from any of the doors of Paradise that you wish.”

For a marriage to be successful, we must be considerate towards the legitimate physical, emotional, and spiritual needs of our partner and not just our own gratifications.

Emotional needs include showing understanding, kindness, and compassion and being a person with whom we can share our intimate thoughts and still feel secure; someone whom we know is not going to laugh at us or mock us but is going to care about us. We need to feel that we are building something and accomplishing something good together.<sup>7</sup>

Then, we have the spiritual need for inner peace and contentment. We need to feel at home with a partner whose way of life is compatible with our sense of morality, and our desire to live in such a way that is pleasing to our Creator and not the creation. Telling and showing our potential partner that religion means everything to us, and is not simply lip service.

This is a huge difference from our perspective of modern-day marriage and relationships, demanding to be served and treated with the highest respect. Rasulallah s.a.w. was the kindest and most humble amongst the people and what more with his blessed household. It was mentioned that none of the blessed households noticed when he entered the house. This demonstrates the humbled, poised, soft, affectionate and calming nature of the Propher s.a.w.

Among the tips that can be practised to ensure the harmony of the marriage include respecting, dedicating and being considerate towards the feelings of both parents. This is because the parents’ prayers bring blessings and happiness to the couple. The dignified position held by parents removed the veil between their prayers and Allah The Most Exalted, The Most High. The glory and importance of devotion to them is mentioned after the command of worshiping Allah The Most Exalted, The Most High and glorifying Him:

<sup>6</sup> Hadith narrated by Ibn Hibban, no. 4163.

<sup>7</sup> Ar-Rum 30:21.

﴿ وَقَضَىٰ رَبُّكَ أَلَّا تَعْبُدُوا إِلَّا إِيَّاهُ وَبِالْوَالِدَيْنِ إِحْسَانًا ۖ إِمَّا يَبُلُغَنَّ عِنْدَكَ الْكِبَرَ أَحَدُهُمَا أَوْ كِلَاهُمَا فَلَا تَقُلْ لَهُمَا أُفٍّ وَلَا تَنْهَرْهُمَا وَقُلْ لَهُمَا قَوْلًا كَرِيمًا ﴿١٣﴾

*Meaning: “For your Lord has decreed that you worship none but Him. And honour your parents. If one or both of them reach old age in your care, never say to them even ‘ugh’ nor yell at them. Rather, address them respectfully.” (Al-Isra’ 17:23)*

A marriage requires a lot of hard work. It is not simply living idly and lounging every day ‘watching the flowers grow’. Even in growing flowers, we need to have the right knowledge and action. In order to cultivate those seeds into beautiful flowers, we need knowledge such as the appropriate type of soil, manure (fertilizers), the correct amount of sunlight and water. Only then, can they bloom into flowers and fill our lives with their beauty and fragrance.

## 5. What is domestic violence?

### 5.1 Meaning of Domestic Violence

Many are unaware that they are the victims or the abusers. They think that the situation they are experiencing is part and parcel of quarrel and conflict in a marriage.<sup>8</sup> It is important therefore to understand the meaning of domestic violence.

The definition of violence differs from one country to another. This guide refers to the definition used in the Singapore context as listed in the Women’s Charter as follows<sup>9</sup>:

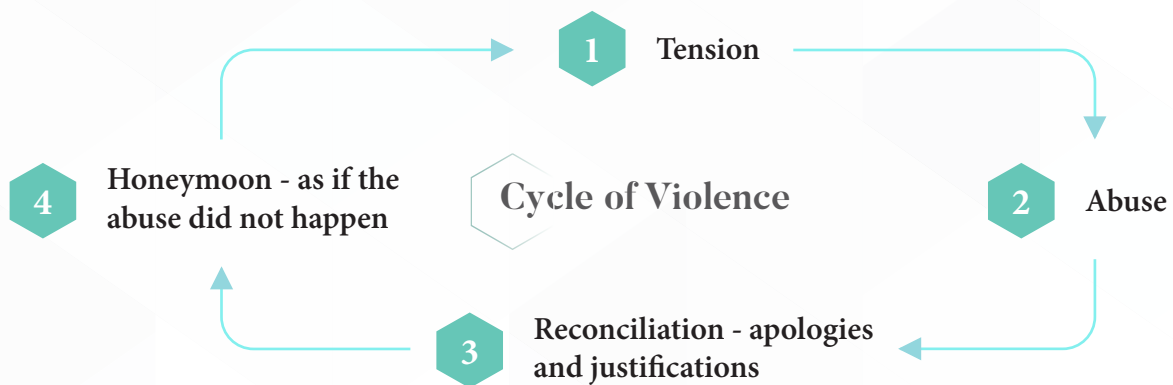
- Willfully or knowingly placing or attempting to place a family member in fear or hurt.
- Causing hurt to a family member by an act which he or she ought to know would cause and result in hurt.
- Wrongful confinement or restraining a family member against their will.
- Causing continual harassment with intent to cause anguish to a family member, including verbal, psychological or emotional abuse.

<sup>8</sup> Halket, Megan Mcpherson; Gormley, Katelyn; Mello, Nicole; Rosenthal, Lori; Mirkin, Marsha Pravder. “Stay or Leave the Abuser? The Effects of Domestic Violence Victim’s Decision on Attributions Made by Young Adults”, *Journal of Family Violence*. 29 (2013) 35-49.

<sup>9</sup> “Family Violence Bill”, *Singapore Statutes online*, 14 October 2021, <https://sso.agc.gov.sg/Bills-Supp/36-1995/Published/19951006?DocDate=19951006>.

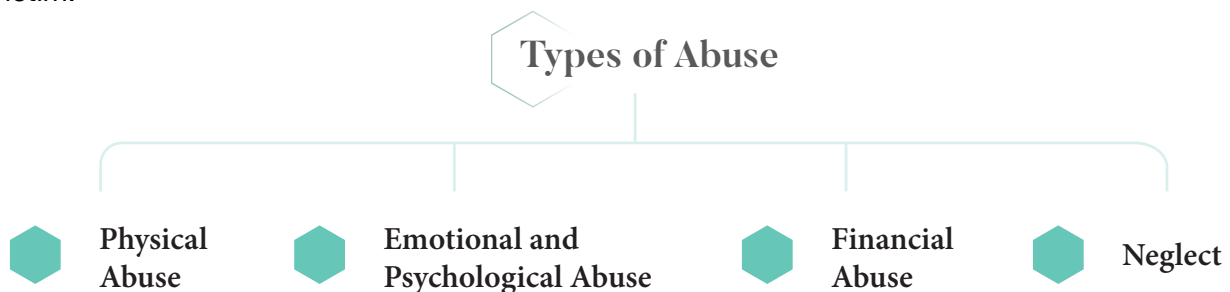
This definition shows that domestic violence is violence that occurs to family members in a legal relationship. It could therefore happen to the husband, wife, children or even the elderly. However, this guide focuses on violence between husband and wife only, that is, whether the husband abuses the wife or vice versa. This guide is not intended to touch on violence that occurs to children or the elderly.

Domestic violence is also cyclical. Lenore E. Walker conducted a study of 1,500 women and found that abuse can be repeated in a cycle called the 'cycle of violence.'<sup>10</sup> It begins with tension and the abuser will begin to get angry until he cannot control his emotions. These uncontrolled emotional outbursts then lead to abuse. During this phase, the abuser wants to show his power. Once this phase is over, the abuser will begin to apologize as well as make justifications and blame the victim, and promise that it will not happen again.



## 5.2 Types of Abuse

Abuse is not only limited to physical abuse that leaves a visible mark or which can be seen by the naked eye, but it also includes emotional and mental abuse. It can occur in a variety of ways including verbal, behavioral as well as intimidation and sexual assault by people known to the victim.



<sup>10</sup> Bonnie S. Fisher; Steven P. Lab, *Encyclopedia of Victimology and Crime Prevention*. (SAGE Publication, 2020), 257.

### 5.2.1 Physical Abuse

When we speak of violence, we often imagine beatings, bruises, swelling and scars on the body and face. Examples of physical abuse are slapping, punching, shoving, strangling, kicking and hitting. These forms of physical violence are forbidden and prohibited in the teachings of Islam. Apart from the command to serve one's spouse well as stated in the earlier *hadith*, Islam also commands the believers to love and not to hurt others. For example, Allah The Most Exalted, The Most High said:

وَأَبْتِغِ فِي مَا آتَاكَ اللَّهُ الدَّارَ الْآخِرَةَ ۖ وَلَا تَنْسَ نَصِيبَكَ مِنَ الدُّنْيَا ۚ وَأَحْسِنَ كَمَا أَحْسَنَ اللَّهُ إِلَيْكَ ۖ وَلَا تَبْغِ الْفُسَادَ فِي الْأَرْضِ ۚ إِنَّ اللَّهَ لَا يُحِبُّ الْمُفْسِدِينَ ﴿٧٧﴾

*Meaning: "Rather, seek the reward of the Hereafter by means of what Allah has granted you, without forgetting your share of this world. And be good to others as Allah has been good to you. Do not seek to spread corruption in the land, for Allah certainly does not like the corruptors." (Al-Qasas 28:77)*

### 5.2.2 Emotional and Psychological Abuse

Emotional and psychological abuse also forms one of the domestic violence that should not happen. This form of abuse can take many forms including verbal abuse (such as insulting and hurling abusive words at the partner, children or elderly parents so as to reduce their self-esteem), threats, or constant surveillance. This surveillance can lead to locking them at home and forbidding them to leave.

Although this type of abuse is difficult to identify and prove, nevertheless it has a profound effect on the victim. Abusive words and incessant swearing, for example, not only erodes one's self-esteem, in some cases, can lead to stress and affect one's mental health.<sup>11</sup>

### 5.2.3 Financial Abuse

This form of abuse is also not easy to detect and prove. Even so, it leads to mental, emotional or financial stress. One example of financial abuse is controlling and preventing the victim from accessing his/her own finances such as keeping the spouse's ATM card. There are also those who are often in debt such that their spouses or parents have to bear the debt. Another example is forcing the victim to give or lend money (in large amounts) unwillingly or using money, taking

<sup>11</sup> Charles P. Mouton, Rebecca J. Rodabough, Susan L. D. Rovi, Robert G. Brzyski and David A. Katerndahl, "Psychological Effects of Physical and Verbal Abuse in Postmenopausal Women" *The Annals of Family Medicine* 8 (May 2010), 206-213.

out a loan through the victim's bank without the victim's knowledge. This can cause the victim to face debt problems or 'coerced debt'. A study conducted by Michigan State University on 1,823 women who made calls to the National Domestic Violence line showed that 52% of respondents experienced 'coerced debt'.<sup>12</sup>

#### 5.2.4 Neglect

Neglect is also a form of abuse. Neglect of spouses, parents and children can occur if their basic needs such as food, shelter and medical attention are not provided (for).<sup>13</sup>

### 5.3 What to look out for or how to tell if myself or someone is involved in an abusive relationship?

As mentioned earlier, it may be easy to identify physical abuse as it might leave bruises, wounds, sprains or other physical marks. Other types of abuse however may be more difficult to identify.

It is also important to note that someone involved in an abusive relationship might be experiencing one or more signs of abuse. While this can be just symptoms and may not necessarily indicate abuse, it is important to recognize the signs to enable us to act accordingly.

These signs may also vary as domestic abuse affects each person differently. Below are some examples from the United Nations and Pave<sup>14</sup>:

- Your spouse is often obsessively jealous and possessive of you.
- Your actions and movements are often controlled such as tracking of phone calls and monitoring of whereabouts.
- You are not allowed to use your bank account without any valid reason.

<sup>12</sup> Adrienne E. Adams, Angela K. Littwin, McKenzie Javorka, "The Frequency, Nature, and Effects of Coerced Debt Among a National Sample of Women Seeking Help for Intimate Partner Violence", *Violence Against Women* 26, 11 (2019), 1324-1342.

<sup>13</sup> Goh Lee Gan, "Spousal Violence and Child Witnesses", "Management of Child Abuse in Singapore", Pang Jonathan, "Management of Elder Abuse and Neglect", *The Singapore Family Physician* 37 (January – March 2011).

<sup>14</sup> UN Women, "Frequently Asked Questions: The Signs of Relationship Abuse and How to Help", *UNWOMEN*. Accessed 28 October 2021, <https://www.unwomen.org/en/what-we-do/ending-violence-against-women/faqs/signs-of-abuse>, Pave, "How do I know if I am in an Abusive Relationship", *PAVE*. Accessed 28 October 2021, <https://www.pave.org.sg/> and United Nations, "What is Domestic Abuse?" *United Nations*. Accessed 28 October 2021, <https://www.un.org/en/coronavirus/what-is-domestic-abuse>.

- You often feel anxious and scared because your spouse or caregiver often experiences excessive anger and has trouble controlling emotions. You may feel like walking on eggshells.
- You are often blamed.
- You may have low self-esteem in the relationship. This is due to your partner or caregiver often demeaning you by frequently criticizing, insulting, mocking and embarrassing you.
- You isolate yourself from others.
- Lack of basic necessities such as hygiene, food and drink. A potentially harmful environment. Some senior citizens may experience wounds and ulcers due to frequent neglect.

#### **5.4 What needs to be done?**

This issue can be addressed and curbed together. The victims do not need to feel alone in facing the violence as there are many help available today apart from seeking help from Allah The Most Exalted, The Most High.

##### **5.4.1 The Abused victim**

For the victim, the first thing is to realise that abuse is not something to be taken lightly. It needs to be addressed immediately before it happens again or worsens.

Abuse victims are advised not to shoulder this hardship alone. They can seek help from trusted parties especially parents or other family members.

Following that, the victim should gather evidence and seek help by reporting the matter to the police or seek help from the National Anti-Violence Helpline at 1800 777 0000; see a doctor and obtain counselling session and advice from certified asatizah under the ARS scheme. Besides this, the victim can also request for protection such as the 'Personal Protection Order.'<sup>15</sup> (Refer to Annex A for a list of contact details.)

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<sup>15</sup> Personal Protection Order (PPO) is an order issued by the Court to protect the victim. It restrains the abuser from committing violence. The victim or family members must provide proof of the violence or the abuse that took place and explain why the PPO is needed. Singaporeans can apply for a PPO to protect themselves, children under the age of 21 or family members with disabilities.

### 5.4.2 The Abuser

When you realize that you have been too angry or have abused a partner, you need to leave the place to calm down. You should not turn to forbidden substances in search of solace.

In Islam, we are taught to control our anger and the Prophet s.a.w. has provided some guidance that we can practice in order to sooth our anger.

Firstly, Rasulallah s.a.w. taught us to change our position - sit if we were standing; and lie down if we were sitting. Rasulallah s.a.w. said<sup>16</sup>:

إِذَا غَضِبَ أَحَدُكُمْ وَهُوَ قَائِمٌ فَلْيَجْلِسْ فَإِنْ ذَهَبَ عَنْهُ الْعَضْبُ وَإِلَّا فَلْيَضْطَجِعْ

Meaning: When one of you is angry and he is standing, then let him sit (down). If his anger is gone then that is fine. If not, let him lie down.

Secondly, we are encouraged to take ablution. Rasulallah s.a.w.<sup>17</sup> said:

إِنَّ الْعُضْبَ مِنَ الشَّيْطَانِ وَإِنَّ الشَّيْطَانَ خُلِقَ مِنَ النَّارِ وَإِنَّمَا تُطْفَأُ النَّارُ بِالْمَاءِ فَإِذَا غَضِبَ أَحَدُكُمْ فَلْيَتَوَضَّأْ

Meaning: Verily, anger comes from the devil and verily, the devil was created from fire and fire can only be extinguished by water. So if one of you is angry, let him perform ablution.

Thirdly, it is better and safer to stay silent when one is angry. This will prevent us from uttering words that may cause remorse. Rasulallah s.a.w. said<sup>18</sup>:

وَإِذَا غَضِبَ أَحَدُكُمْ فَلْيَسْكُتْ

Meaning: And if one of you is angry, then be silent.

Besides this, in order to prevent or stop this cycle of violence, the abusers are advised to seek counselling and professional help to manage their anger, mend relationships and improve communication between husband and wife. Abusers also need to get closer to religion through acts of worship as well as attending religious classes with accredited *asatizah*.

<sup>16</sup> Hadith narrated by Abu Daud, Kitab al-Adab, no. 4782.

<sup>17</sup> Hadith narrated by Abu Daud, Kitab al-Adab, no. 4784.

<sup>18</sup> Hadith narrated by al-Bukhari, Al-Adab Al-Mufrad, Kitab al-Inbisat ila al-Nas, no. 245.



### 5.4.3 Observers who suspect abuse

Witnesses of abuse cases or those who suspect any abuse cases are responsible to help and not shy away. Helping, rescuing abused victims and preventing tyranny is a religious responsibility. The abused victims may not seek help and this may worsen the situation. The Prophet s.a.w. said:<sup>19</sup>

انصُرْ أَخَاكَ ظَالِمًا أَوْ مَظْلُومًا. قَالُوا يَا رَسُولَ اللَّهِ هَذَا نَنْصُرُهُ مَظْلُومًا فَكَيْفَ نَنْصُرُهُ ظَالِمًا  
قَالَ. تَأْخُذُ فَوْقَ يَدَيْهِ

Meaning: Help your brother whether he is the oppressor or the oppressed. The companions asked ‘Oh Prophet, we help the oppressed, how can we help the oppressor?’ The Prophet s.a.w. answered: You prevent him from oppressing others.

Firstly, the family, especially parents, play an important role in preventing as well as helping the child involved in domestic abuse. The father is the guardian who is still responsible for ensuring the safety and well-being of his children. Therefore, parents and family members are advised to always ask about the welfare of their children and siblings. Children are also advised to frequently visit their parents so that they would be aware of any problems or difficulties faced by them. If there are signs of abuse, the family members can work to improve the situation through discussion and expression concern.

We can contact NAVH or make a police report while at the same time show concern to the victim such as sincerely providing a listening ear to the victim’s concerns and emotions. We can also accompany the victim to the doctor or to make a police report, in addition to sharing with him or her helpline information.

Before extending a helping hand, the witness is advised to ensure his or her own safety as well as the victim’s.

## 6. Correcting the Community’s misconceptions on Domestic Violence in Islam

### 6.1 Understanding of *Nusyuz (disobedience)* and *Dharb*

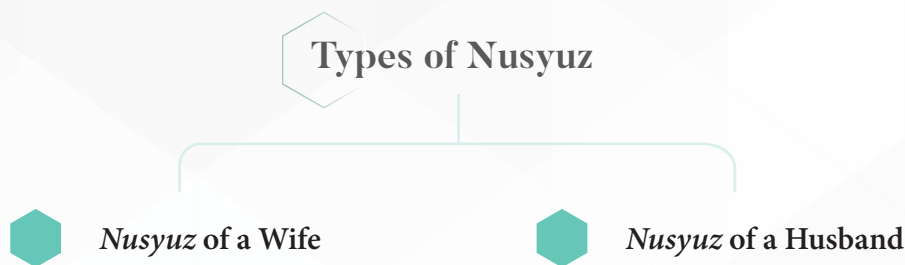
The situation is further complicated when there is a misunderstanding among Muslims regarding the validity for a husband to beat his disobedient (*nusyuz*) wife. In fact there is a small minority among *asatizah* who preach a Qur’an-recommended narrative that teaches the husband to educate

<sup>19</sup> Hadis riwayat al-Bukhari, Kitab al-Mazalim, no. 2444.

a disobedient wife by beating (her).<sup>20</sup> Although the message is an opinion acknowledged by the scholars, when presented to someone less knowledgeable, it can lead to the misconception that Islam encourages domestic violence.

### 6.1.1 Disobedient (Nusyuz) According to the Scholars' Perspectives

Contrary to popular belief, according to Islam, *nusyuz* is actually divided into two: *nusyuz* of a wife and also *nusyuz* of the husband.



The interpretation of *nusyuz* of the wife from the point of view of scholars means the wife disobeying the commands of Allah The Most Exalted, The Most High; and being disobedient and rebellious to the husband. These opinions are in reference to the words of Allah The Most Exalted, The Most High:

وَالَّتِي تَخَافُونَ ذُشُورَهُنَّ فَعِظُوهُنَّ وَأَهْجُرُوهُنَّ فِي الْمَضَاجِعِ وَأَضْرِبُوهُنَّ

Meaning: “And if you sense ill-conduct from your women, advise them first, if they persist, do not share their beds, but if they still persist, then discipline them gently.” (An-Nisa’ 4:34)

Most scholars of *tafsir* such as Al-Tabari, Al-Qurtubi, Ibn Kathir as well as Al-Zuhayli and others understood *nusyuz* to mean disobedience of the wives to the husbands. This includes disobeying the obligatory commands of Allah the Most Exalted, the Most High or not performing their responsibilities as wives. It also includes being rude to the husband or withholding intimacy to him.<sup>21</sup>

<sup>20</sup> Mohd Zaid Isahak, “Cara Urus Isteri Degil”, Berita Harian. Accessed 12 October 2021, <https://www.beritaharian.sg/hidayah/cara-urus-isteri-degil>.

<sup>21</sup> Muhammad Ibn Ahmad Al-Qurtubi, *Al-Jami’ Li Ahkam Al-Quran*, ed. Dr. `Abd Allah bin `Abd Al-Muhsin Al-Turki et al, (Damascus: Muassasah Al-Risalah, 2006), 6:285. Ismail Ibn Umar Ibn Kathir, *Tafsir Al-Qur’an Al-`Azim*, Muhammad Husayn Sham Al-Din (ed.), (Beirut: Dar Al-Kutub Al-`Ilmiyyah, 1998), 2:492. Wahbah Al-Zuhayli, *Al-Fiqh Al-Islami Wa Adillatuh*, (Beirut: Dar Al-Fikr, 1989), 7:338.

Contrary to popular believe, *nusyuz* in the Qur'an is not only exclusive to the wife. It also applies to the husband. This is mentioned in the Qur'an:

وَإِنْ أَمْرَأَةٌ خَافَتْ مِنْ بَعْلِهَا نُشُوزًا أَوْ إِعْرَاضًا  
فَلَا جُنَاحَ عَلَيْهِمَا أَنْ يُصْلِحَا بَيْنَهُمَا صُلْحًا وَالصُّلْحُ خَيْرٌ

*Meaning: "If a woman fears indifference or neglect from her husband, there is no blame on either of them if they seek fair settlement, which is best." (An-Nisa' 4:128)*

According to the scholars, *nusyuz* of the husband is failing to perform his duty and responsibilities in fulfilling her sexual needs, providing religious education and not insulting and abusing her. In addition, depriving her of alimony, verbally abusing her, or hitting/beatng her is also included in the husband's *nusyuz*.<sup>22</sup>

The *nusyuz* of the husband and wife, therefore, as defined by Al-Zuhayli, is the disobedience of either spouse to what is supposed to be observed. Similarly, in the matter of the husband and wife disobeying the rules that they have been bound by according to the marriage agreement without any reason allowed by *syara'*.<sup>23</sup>

### 6.1.2 *Dharb* According to the Scholars' Perspectives

According to scholars of Tafsir like Ibn Kathir and Al-Qurtubi, the translation/interpretation of *dharb* in verse 34 of surah An-Nisa' refers to a blow that does not cause any injury after steps taken by the husband to discipline his wife have failed.<sup>24</sup> In this case, the scholars have put in some additional conditions such as that the blow is not injurious, does not leave any scar, and should not hit the face or other sensitive and soft areas of the body such as the face.<sup>25</sup> Darul Ifta', Egypt, also stresses that the beatings should not be for the purpose of insulting or humiliating the spouse.<sup>26</sup> This differs from domestic violence where the spouse is beaten to the point of injury and the violence occurs as a result of the abuser not able to control his emotions and anger.

<sup>22</sup> Ibid., 5:422.

<sup>23</sup> Al-Zuhayli.

<sup>24</sup> Al-Qurtubi, Ibn Kathir.

<sup>25</sup> Muhammad 'Imarah, *Haqaiq Wa Shubhat Hawla Makanat al-Mar'ah Fi al-Islam*, (Kaherah: Dar al-Salam, 2010),171.

<sup>26</sup> Dar Al-Ifta' Al-Misriyyah, "I am Pregnant and My Husband Beats Me Up. Is He Allowed to Hurt Me?" *Dar Al-Ifta' Al-Misriyyah*. Accessed 17 October 2021. <https://www.dar-alifta.org/Foreign/ViewFatwa.aspx?ID=6834>.

At the same time, there are also the opinions of Islamic scholars who disagree with the interpretation of *dharb* with the meaning of hitting. Instead, they reinterpreted the verse with a fairer and balanced interpretation in line with the recommendations of the Prophet s.a.w.

The scholars have established that any reinterpretation of the verses of the Qur'an must be an interpretation that reconciles the context of logic and *syara'*. It takes into account the re-examination of the wisdom behind the *syara'*, the context and values contained in the Qur'an. In this matter, the reinterpretation takes into account the values and teachings in the Qur'an that tell husbands to serve their wives with *makruf* or good and forbid them from hurting and harming others. It is therefore necessary to understand the reinterpretation in accordance with the principles of *shariah* based on the Qur'an and the sunnah of the Prophet s.a.w., prophetic biography and the life history of the companions. In fact, the best understanding of the Qur'an is to reflect on the morals of the Prophet s.a.w. alone with his wives.<sup>27</sup>

There are also contemporary Islamic scholars who are of the view that *dharb* here does not mean a blow but carries a general meaning for the word *dharb* according to the *siyaq* of the Qur'an<sup>28</sup> which is to sever ties, separate, leave and keep away.<sup>29</sup> It takes into account the advice from the sunnah where the Prophet s.a.w. separated himself from the residence of his wives. This was the most extreme but wisest choice made by the Prophet s.a.w., and not by means of beatings or by anything that physically hurt his wives.<sup>30</sup>

The meaning of this separation is more important and appropriate than the interpretation of the meaning of a blow/beatings which would lead to pain, physical injury and violence. All these meanings are far from the meaning of a friendly relationship between the husband and wife or the bond of love between them.<sup>31</sup>

<sup>27</sup> Ibid.

<sup>28</sup> *Siyaq* is an indicator used to determine the intended meaning of the speaker or the word order. It is a frame in which the elements of the text and the linguistic unit function to connect, not only the words but also the series of sentences and the situations and conditions that accompany them. Then, the reader and listener of the text would be able to find its meaning and idea from the whole set of elements. Please refer to M. Quraish Shihab, *Kaidah Tafsir: Syarat, Ketentuan dan Aturan Yang Patut Anda Ketahui Dalam Memahami Al-Quran*. (Jakarta: Lentera Hati, 2013), 253-254.

<sup>29</sup> Dr 'Abd al-Hamid Abu Sulayman, *Dharb al-Mar'ah: Wasilah Khilafat al-Zawjyyah*, (Virginia: International Institute of Islamic Thought, 2002), 26.

<sup>30</sup> Ibid, 29.

<sup>31</sup> Ibid, 30.

### 6.1.3 Advice not to hit is more appropriate

Without denying the views of the majority of scholars who are more inclined to the permissibility of beating a *nusyuz* wife as a means to educate, it is important for us to understand this view while appreciating the teachings of the Prophet s.a.w. as well as his conduct with his wives.

The Prophet s.a.w. never educated his wives by beating except that it was sufficient to simply separate himself from the residence of his wives. Unless engaged in religiously driven warfare, the Prophet s.a.w. himself had never resorted to violence. It was reported from Aisha r.a.: “The Prophet of God, may peace and blessings be upon him, never hit anyone with his hand, neither a woman nor a servant, except when struggling in the path of God.”<sup>32</sup>

Such is the conduct of the Prophet s.a.w. towards his wives which is the best interpretation of the context of the hit in the Qur’an because the conduct of the Prophet s.a.w. is the Qur’an.

On the other hand, in all marital conflicts, it is necessary to re-evaluate everyone’s mistakes and shortcomings as a whole, that is, including both spouses’ responsibilities in the marriage. Any domestic conflict does not simply focus on the issue of the wife’s obedience towards the husband, but also the husband’s responsibilities towards his wife that needs to be obeyed. Couples also need to take into consideration each others’ grievances. Any frequent misunderstandings and disagreements are among the signs of communication problems between the couple. In this case, it is important for every couple to be tolerant and accepting of each others’ differences. If this persists, then the couple should seek immediate help from a third party such as a family counsellor.

Most certainly, domestic violence is strictly forbidden in Islam. There is no permission to cause any injurious beating, slap on the face, kicking and so on. This is the view agreed upon by all Islamic scholars.

## 6.2 Misunderstood *Hadith*

Apart from stemming from aspects of attitude and personality, family violence is often influenced by the confusion in understanding religious texts. Some *hadith* are often used to justify violence or discourage the victims from fighting for their rights. Such confusions usually stem from ignoring the proper methodology in understanding the content of the *hadith*.

In line with the function of the Prophet s.a.w. as the explainer of the Qur’an, *hadith* must always be

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<sup>32</sup> Hadith narrated by Muslim, Riyad al-Salihin, Kitab al-Muqaddimat, no. 643.

understood in line with the principles of the Qur'an.<sup>33</sup> The Qur'an states that the main purpose of marriage is to create tranquility, love and mercy.

Moreover, from the previous explanation, we understand that rude and violent conducts are contrary to the main purpose of marriage which aims to produce tranquility, love and mercy. Thus, all marriage-related *hadith* and interactions between husband and wife must be understood in line with all the principles above.

### 6.2.1 Prostrating before the Husband

Some husbands justify violence with the *hadith* that commanded the wives to prostrate before the husbands. According to some understanding, this *hadith* shows that the husband has the power to do anything to the wife. The *hadith* was narrated through several narrations that contain defects. The strongest chain was narrated by al-Timirdhi through Muhammad bin 'Amr from Abu Salamah from Abu Hurairah where the Prophet s.a.w. said:

لَوْ كُنْتُ أَمِيرًا أَحَدًا أَنْ يَسْجُدَ لِأَحَدٍ لَأَمَرْتُ الْمَرْأَةَ أَنْ تَسْجُدَ لِزَوْجِهَا

Meaning: If I can command a human being to prostrate to another human being, I will surely command a wife to prostrate to her husband.<sup>34</sup> (At-Timirdhi evaluated this *hadith* as '*hasan gharib*')

At a glance, this *hadith* seems to indicate that the wife's status is no more than that of a slave or a mercenary. This view is of course incorrect and is not in line with the principles of the Qur'an which state that the husband and wife complement each other,<sup>35</sup> the husband as a leader who ensures the well-being of the family<sup>36</sup> while the wife helps and supports the husband in navigating life.<sup>37</sup> Therefore, this *hadith* cannot be understood separately from other *hadith* of the same theme.

This *hadith* is actually just one episode from a series of advice from the Prophet s.a.w. to husbands and wives. With this *hadith*, Rasulullah s.a.w. seems to educate both couples to appreciate their partner. The wife must show respect to her husband as he must provide for all her necessities. In this way, the marriage will be filled with love and harmony.<sup>38</sup>

<sup>33</sup> Regarding the importance of comparing the content of the hadith with the Qur'an please refer to Yusuf al-Qaradawi, *Kayfa Nata'amal ma' al-Sunnah al-Nabawiyah* (Kaherah: Dar al-Shuruq, 2002), 113.

<sup>34</sup> Hadith narrated by al-Tirmidhi, *Kitab al-Raḍā'*, no. 1079.

<sup>35</sup> Al-Baqarah 2:187.

<sup>36</sup> Al-Nisaa 4:34.

<sup>37</sup> Ibid.

<sup>38</sup> Said Ramadan al-Buti, *al-Mar'ah bayna Tughyan al-nizam al-gharbi wa lata'if al-tashri' al-rabbani* (Damsyik: Dar al-Fikr al-Mu'asir, 2005), 180.

This *hadith* must be accompanied by various other *hadith* that contain reminders about the various responsibilities that must be shouldered by the husband. In addition to alimony and dowry, a wife's rights are treated with gentleness and respect. Mu'awiyah bin Haydah once asked: O Messenger of Allah s.a.w., what is the right of the wife to us? The Prophet s.a.w. replied: 'You must feed her what you eat. You must dress her when you dress. Do not hit her face, do not tell her that she is ugly; and do not isolate her except in the house.'<sup>39</sup> Besides that, the Prophet s.a.w. also taught the husband to be patient with his wife and always show a gentle attitude towards her. The Prophet s.a.w. said: The best of man is the one with the noblest conduct. And the best among you is the one who is the best to his wife."<sup>40</sup>

Although it is obligatory to obey the husband, the obedience is limited to issues that are permitted by religion. If the husband orders his wife to do something illegal or immoral, then the wife has the right to ignore his order. The Prophet s.a.w. said: "There is no obedience to any creation if it involves disobedience to Allah."<sup>41</sup> Siti Aisyah r.a. narrated that one day an Ansar woman came to the Prophet s.a.w. She said that her husband had asked her to put extensions on her hair. The Prophet s.a.w. said: "Allah curses the person who extends the hair and the one who seeks."<sup>42</sup> Ibn Hajar said: "If the husband invites her to commit immorality, then the wife can refuse. If the husband punishes her for her refusal, then he is sinful."<sup>43</sup>

### 6.2.2 The Angel curses the wife who refuses the husband's invitation

Some husbands use this *hadith* for their personal gain. The *hadith* was narrated by Abu Hurairah that the Prophet s.a.w. said:

إِذَا دَعَا الرَّجُلُ امْرَأَتَهُ إِلَى فِرَاشِهِ فَأَبَتْ فَبَاتَ غَضَبَانَ عَلَيْهِمَا لَعَنَتَهَا الْمَلَائِكَةُ حَتَّى تُصْبِحَ

Meaning: When a husband calls his wife to bed, but she refuses to come until he is angry, the angels curse her until morning.<sup>44</sup>

<sup>39</sup> Hadith narrated by Ibn Majah, Kitab al-Nikah, no. 1850.

<sup>40</sup> Hadith narrated by al-Tirmidhi, Riyad al-Salihin, Kitab al-Muqaddimat, no.627.

<sup>41</sup> Hadith narrated by al-Bukhari, Kitab Akhbar al-Ahad, no.7257. Muslim, Sahih Muslim, Kitab al-Imarah, no. 1840a

<sup>42</sup> Hadith narrated by al-Bukhari, Kitab al-Libas, no.5940. Hadith narrated by Muslim, Kitab al-Libas wa al-Zinah, no.2122a.

<sup>43</sup> Ahmad bin 'Ali bin Hajar al-'Asqalani, *Fath al-Bari bi Sharh Sahih al-Bukhari* (Beirut: Dar al-Ma'rifah, tt.), 9:304.

<sup>44</sup> Hadith narrated by al-Bukhari, Kitab al-Nikah, no.5193. Hadith narrated by Muslim, Kitab al-Nikah, no. 1436d.

According to a narration by Muslim: For the sake of whom my sole is in His hands, it is not a husband who calls his wife to bed but he rejects her except those who are in heaven are angry with her until her husband forgives her.<sup>45</sup>

The authenticity of both the *hadith* above have been verified by scholars of *hadith*. These *hadith* generally emphasized the right of the husband which must be fulfilled by the wife. There is no disagreement among the scholars that the wife is forbidden to refuse her husband's invitation to bed. Ibn Abi Jamrah relates this *hadith* to the reality that, unlike women, men are not able to resist lust. When sexual desire arises, this need will continue to disturb his mind until it is channeled in a *halal* manner.<sup>46</sup>

Regarding this matter, another *hadith* mentions: "Verily, a woman appears in the form of the devil, and turns away in its form. If one of you sees a woman and is attracted to her, then approach your wife. Surely she possesses everything that the woman has."<sup>47</sup> "A woman appearing in the form of the devil" means looking at a beautiful woman can arouse lust in the hearts of men.<sup>48</sup>

However, the rights of the husband mentioned in this *hadith* relate to his obligations in providing dowry and maintenance. The scholars have agreed that a wife has a right to refuse her husband's invitation on the first night when she has not received the promised dowry.<sup>49</sup> Likewise, if the husband fails to provide maintenance, then the wife has the right not to serve him and can even demand *fasakh*. Abu Ishaq al-Shirazi said: 'When a husband fails to provide maintenance, but his wife chooses to remain with him, then she is not obliged to give her body for intercourse. She is also allowed to leave the house (without his permission). This is because the surrender of her body is in return for sustenance. Therefore, this matter is not obligatory when there is no maintenance.'<sup>50</sup>

The *hadith* also does not mean that the wife has to obey her husband unconditionally. It needs to be understood with the principles of the Qur'an as well as other marital-related hadith. As previously mentioned, the Qur'an, together with the *hadith*, teaches couples to be kind to each other. The husband is also instructed to be kind and gentle with his wife. Hence, harshness towards the wife such as forcing her while she is weak and unwell is contrary to the principles and teachings of the Qur'an and the sunnah of the Prophet s.a.w. The Prophet s.a.w. also said:<sup>51</sup>

<sup>45</sup> Hadith narrated by Muslim, Kitab Al-Nikah, no.1436c.

<sup>46</sup> Ahmad bin 'Ali bin Hajar al-'Asqalani, *Fath al-Bari bi Sharh Sahih al-Bukhari*, (Kaherah: Dar al-Rayyan li al-Turath, 1987), 9:205-206.

<sup>47</sup> Hadith narrated by Muslim, Kitab al-Nikah, no. 1403a.

<sup>48</sup> 'Abd al-Ra'uf al-Munawi, *Fayd al-Qadir Sharh al-Jami' al-ṣaghīr*, (Beirut: Dar al-Kutub al-'Ilmiyyah, 1994).

<sup>49</sup> Wahbah al-Zuhayli, *al-Fiqh al-Islami wa Adillatuh* (Damsyik: Dar al-Fikr al-Mu'asir, 1984), 9:6793.

<sup>50</sup> Abu Ishaq Al-Shirazi, *Al-Muhadhab*, (Beirut: Dar al-Kutub al-Islamiyyah), 3:155.

<sup>51</sup> Hadith narrated by al-Bukhari, Kitab al-Nikah, no. 138.



لَا يَجْلِدُ أَحَدُكُمْ امْرَأَتَهُ جَلْدَ الْعَبْدِ ثُمَّ يُجَامِعُهَا فِي آخِرِ الْيَوْمِ

Meaning: Let none of you cane his wife as he canes a slave and then mixes with his wife at night.

In this *hadith*, the Prophet s.a.w. prohibited the husband from abusing his wife physically, or emotionally and mentally, and then invite the wife. The husband needs to take care of his wife's well-being so that she will be ready to be with him.

Similarly, husbands and wives need to strengthen the understanding between them. Wives need to understand their responsibilities to satisfy their husbands' needs. At the same time, husbands need to be sensitive and understand the needs and conditions of their wives. For example, if the wife is burdened with the task of managing the house and the children alone, or she has to manage the children and work at the same time, then the husband needs to understand her physical and emotional exhaustion. In this case, he needs to help her to be physically and emotionally ready to be together. The husband can take care of the children and follow the *sunnah* of the Prophet s.a.w. who helped manage the housework.

### 6.2.3 Divorce leads to Allah's Wrath

Some victims of domestic violence refuse to fight for their rights because they do not want to be the cause of divorce. Moreover, there is a *hadith* narrated by Muharib bin Dithar that condemns divorce where Rasulullah s.a.w. said:

أَبْغَضُ الْحَلَالِ إِلَى اللَّهِ الطَّلَاقُ

Meaning: There is nothing *halal* that Allah hates more than divorce.<sup>52</sup>

Another *hadith* from Thawban mentioned that the Prophet s.a.w. said: "Any wife who asks for a divorce from her husband without a valid reason, then she will not get the fragrance of paradise."<sup>53</sup>

Indeed divorce is unpopular as it has heavy implications on the husband, wife and children. A married couple, therefore, should avoid divorce as much as they can. However, when there is no other alternative to improve the situation, then divorce is the best solution so that both parties can get out of the problems they faced and continue to lead better lives. In fact, when the husband does not fulfill his responsibilities and abuses his wife, Islam allows the wife to seek divorce.

<sup>52</sup> *Hadith* narrated by Abu Daud, Kitab al-Talak, no. 2178.

<sup>53</sup> *Hadith* narrated by Abu Daud, Kitab al-Talak, no. 2226. *Hadith* narrated by al-Tirmidhi, Kitab al-Talak wa al-Li'an 'an Rasulullah s.a.w., no. 1187.

There are those in the community who view wives who seek divorce as *nusyuz* or rebellious. This is despite the fact that in Islam there is a choice of *khulu'* or request for divorce from the wife. The majority of scholars are of the view that the law of *khulu'* should be a solution to disputes that occur between husbands and wives. A wife may no longer be able to live with her husband for various reasons relating to his physic, behavior and lifestyle. Islam provides an avenue for the wife to break free from the marriage bond through *khulu'* to ward off harm from herself by returning the dowry she received from her husband.<sup>54</sup> When a wife asks for a divorce and is willing to return the dowry, the husband is encouraged to grant the request.

The proof for this lies in Allah's words:

الطَّلُقُ مَرَّتَانٍ فَأَمْسَاكُ بِمَعْرُوفٍ أَوْ تَسْرِيحٌ بِإِحْسَنٍ وَلَا يَحِلُّ لَكُمْ أَنْ تَأْخُذُوا مِمَّا  
 آتَيْتُمُوهُنَّ شَيْئًا إِلَّا أَنْ يَخَافَا أَلَّا يُقِيمَا حُدُودَ اللَّهِ فَإِنْ خِفْتُمْ أَلَّا يُقِيمَا حُدُودَ اللَّهِ فَلَا  
 جُنَاحَ عَلَيْهِمَا فِيمَا افْتَدَتْ بِهِ تِلْكَ حُدُودُ اللَّهِ فَلَا تَعْتَدُوهَا وَمَنْ يَتَعَدَّ حُدُودَ اللَّهِ  
 فَأُولَئِكَ هُمُ الظَّالِمُونَ ﴿٢٢٩﴾

*Meaning: "Divorce may be retracted twice, then the husband must retain his wife with honour or separate from her with grace. It is not lawful for husbands to take back anything of the dowry given to their wives, unless the couple fears not being able to keep within the limits of Allah. So if you fear they will not be able to keep within the limits of Allah, there is no blame if the wife compensates the husband to obtain divorce. These are the limits set by Allah, so do not transgress them. And whoever transgresses the limits of Allah, they are the true wrongdoers."*

(Al-Baqarah 2:229)

In addition, there is a *hadith* narrated by Ibn 'Abbas: One day, the wife of Thabit bin Qays came to the Prophet s.a.w. and told him that she did not love her husband. The Prophet s.a.w. granted her wish to part with her husband after she agreed to return her dowry.<sup>55</sup>

Therefore, husbands or wives facing marital problems are advised to refer their issues to experts such as *asatizah* for religious guidance and counsellors to resolve the tension and conflict.

<sup>54</sup> Wahbah Zuhayli, *al-Fiqh al-Islami wa Adillatuh*, 9:7009.

<sup>55</sup> Hadith narrated by al-Bukhari, *Mishkat al-Misbah*, Kitab al-Nikah, no. 3274.

### 6.3 What does Islam say on obeying husband?

One of the keys to a successful and harmonious marriage is for both spouses to understand their roles and responsibilities. Understanding these goes a long way in setting healthy expectations between spouses and establishing a strong foundation in a marriage. It is also essential in preventing misunderstanding that may occur when one spouse feels as if he/she is receiving the shorter end of the stick in a marriage.

These roles and responsibilities, though governed by laws of *Shariah*, are often influenced by local culture and traditions<sup>56</sup> that have certainly evolved over time. The early tradition in Singapore expected wives to play the role of a stay-at-home mother, whose sole responsibility was to care for her husband and children. In a local newspaper article in 1981, the role of the husband was equated to that of an ‘employer’ as he is the financial provider while the wife was an ‘employee’ who had no rights to ask for compensation for all her hard work nor to demand for any rights from him.<sup>57</sup>

This is a problematic principle as it places the role of authority on the financial provider. It also implies that the person who is earning more is superior in the relationship. Today, more women are forced or decided to work in order to contribute to their families’ finances and the country’s need for female manpower. In 2017, 63.3% of married women in Singapore were working full time whilst 63.8% were working part-time.<sup>58</sup> Some of these women earned more than their spouses. Should we apply the earlier principle mentioned in the local article, she would then become superior to her husband. This is certainly not the case and should not be used as a basis for her to treat her husband as inferior.

#### 6.3.1 The Qur’an’s Perspective

The Qur’an encourages husbands and wives to work together as they need each other. Allah The Most Exalted, The Most High also explains that men and women have shortcomings and therefore it is a shared responsibility to complement each other. Allah The Most Exalted, The Most High said:

<sup>56</sup> Putung, S. H., & Ag Basir, D. H., “Penglibatan Suami Dalam Kerja-Kerja Rumah Tangga: Kajian Kes Di Sabah,” *Jurnal Fiqh* 14, (2017), 1–26.

<sup>57</sup> Berita Harian (1981), *Seminggu Sekali Biar Isteri Berihat dari Dapur: Bawalah Mereka ke Tempat-tempat Makan Sesudah Berhari-hari Mengurus R-tangga dan Menjaga Anak-anak*.

<sup>58</sup> Liew, M. (2020). A cultural and Economic Challenge: Increasing female participation in Singapore’s workforce: ASEAN Today. Accessed September 23, 2021. <https://www.aseantoday.com/2019/04/a-cultural-and-economic-challenge-increasing-female-participation-in-singapores-workforce/>.

هُنَّ لِبَاسٌ لَكُمْ وَأَنْتُمْ لِبَاسٌ لَهُنَّ<sup>\*</sup>

Meaning: “Your spouses are a garment for you as you are for them.”

(Al-Baqarah 2:187)

Professor Quraish Shihab explained that this verse likens the married couple to clothing. Therefore if the clothes serve to cover the *aurat*, then the husband and wife should complement each other and cover each others’ shortcomings.<sup>59</sup>

We can also find in the Qur’an that the wife has an important position in the marriage. The Qur’an emphasizes the need for the husband and wife to discuss important matters, such as raising a child, before making decisions. Allah The Most Exalted, The Most High said:

﴿ وَالْوَالِدَاتُ يُرْضِعْنَ أَوْلَادَهُنَّ حَوْلَيْنِ كَامِلَيْنِ لِمَنْ أَرَادَ أَنْ يُتِمَّ الرَّضَاعَةَ وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ لَا تُكَلَّفُ نَفْسٌ إِلَّا وُسْعَهَا لَا تُضَارَّ وَالِدَةٌ بِوَلَدِهَا وَلَا مَوْلُودٌ لَهُ بِوَالِدِهِ وَعَلَى الْوَارِثِ مِثْلُ ذَلِكَ فَإِنْ أَرَادَا فِصَالًا عَنْ تَرَاضٍ مِّنْهُمَا وَتَشَاوُرٍ فَلَا جُنَاحَ عَلَيْهِمَا وَإِنْ أَرَدْتُمْ أَنْ تَسْتَرْضِعُوا أَوْلَادَكُمْ فَلَا جُنَاحَ عَلَيْكُمْ إِذَا سَلَّمْتُمْ مَا آتَيْتُمْ بِالْمَعْرُوفِ وَاتَّقُوا اللَّهَ وَاعْلَمُوا أَنَّ اللَّهَ بِمَا تَعْمَلُونَ بَصِيرٌ ﴿٢٣٣﴾

Meaning: “Divorced mothers will breastfeed their offspring for two whole years, for those who wish to complete the nursing of their child. The child’s father will provide reasonable maintenance and clothing for the mother during that period. No one will be charged with more than they can bear. No mother or father should be made to suffer for their child. The father’s heirs are under the same obligation. But if both sides decide—after mutual consultation and consent—to wean a child, then there is no blame on them. If you decide to have your children nursed by a wet-nurse, it is permissible as long as you pay fairly. Be mindful of Allah, and know that Allah is All-Seeing of what you do.” (Al-Baqarah 2:233)

### 6.3.2 Prophetic Example

Instead, one should look at the teachings of the religion as well as examples from the Prophet s.a.w. that emphasize respect and empathy between spouses. In a narration by ‘Ibn Abbas, the Prophet s.a.w. said:

<sup>59</sup> Quraish Shihab, *Tafsir Al-Misbah: Pesan, Kesan dan Keserasian Al-Quran*, (Jakarta: Lentera Hati, 2012), 495.

حَيْرُكُمْ خَيْرُكُمْ لِأَهْلِهِ وَأَنَا خَيْرُكُمْ لِأَهْلِي

Meaning: “The best of you is the one who is best to his wife, and I am the best of you to my wives.”<sup>60</sup>  
(Status of Hadith: Hasan)

This is exemplified in his marriage with Khadijah r.a. who was older and wealthier.<sup>61</sup> However, she did not see this as a reason to disrespect him and stood by him despite all the challenges that they were faced with. He too treated her with the utmost respect and love and did not take advantage of her wealth and position in society.

### 6.3.3 Obedience to the Husband from the Shariah Perspective

One should also understand the rights and responsibilities of the husband and wife in the marriage in accordance with *shariah*. The rights of a wife can be categorised into material and immaterial rights. Material rights include *mahar* as well as *nafkah*, while immaterial rights include being treated respectfully and fairly.<sup>62</sup> When Rasulullah s.a.w. was asked on the rights of wives, he mentioned<sup>63</sup>:

أَنْ تُطْعِمَهَا إِذَا طَعِمْتَ وَتَكْسُوَهَا إِذَا اكْتَسَيْتَ وَلَا تَضْرِبَ الْوَجْهَ وَلَا تُقْبِحَ وَلَا تَهْجُرَ  
إِلَّا فِي الْبَيْتِ

Meaning: That you should give her food when you eat, clothe her when you clothe yourself, not strike her on the face, and do not revile her or separate from her except in the house.

As a protector of the family, the husband’s rights include obedience from the wife in matters within the bounds of the religion.<sup>64</sup> A wife is highly encouraged to seek her husband’s permission to leave the house, nor can she invite a person whom the husband dislikes over to theirs as the husband is responsible for his wife and family’s well-being. Similarly, the husband should inform his wife of his whereabouts as a symbol of love and care for her feelings. She must also protect the reputation and the name of her husband and vice versa.

<sup>60</sup> Hadith narrated by Ibn Majah, Kitab al-Nikah, no. 1977.

<sup>61</sup> Encyclopædia Britannica, inc. (n.d.). Khadijah. Encyclopædia Britannica. Accessed September 24 2021, from <https://www.britannica.com/biography/Khadijah>.

<sup>62</sup> Bani, L. M., & Pate, H. A., “The Role of Spouses under Islamic Family Law”, *International Affairs and Global Strategy*, (2015), 37.

<sup>63</sup> Hadith narrated by Ahmad, Abu Dawud and Ibn Majah, Kitab al-Nikah, no.3259.

<sup>64</sup> Semono, Salma, *Isteri Wajib Taati Suami di Samping Ibumapa*, Berita Harian (1981)

It is apparent that Islam places a high emphasis on mutual respect between spouses. This is one of the wisdom of marriage where both are accorded their own responsibilities and rights while protecting one another in their own ways. Communication is key in laying out expectations between them. The husband must also understand that a marriage is a sacred contract, and his wife does not belong to him. Allah The Most Exalted, The Most High said in the Qur'an:

يَا أَيُّهَا الَّذِينَ ءَامَنُوا لَا يَحِلُّ لَكُمْ أَنْ تَرِثُوا النِّسَاءَ كَرِهًا ۗ وَلَا تَعْضُلُوهُنَّ لِتَذْهَبُوا بِبَعْضِ مَآءَاتِيْمُوهُنَّ ۚ إِلَّا أَنْ يَأْتِيَنَّ بِفَحِشَةٍ مُّبَيِّنَةٍ وَعَاشِرُوهُنَّ بِالْمَعْرُوفِ ۚ فَإِنْ كَرِهْتُمُوهُنَّ فَعَسَىٰ أَنْ تَكْرَهُوا شَيْئًا وَيَجْعَلَ اللَّهُ فِيهِ خَيْرًا كَثِيرًا ﴿١٩﴾

*Meaning: "O believers! It is not permissible for you to inherit women against their will or mistreat them to make them return some of the dowry as a ransom for divorce—unless they are found guilty of adultery. Treat them fairly. If you happen to dislike them, you may hate something which Allah turns into a great blessing." (An-Nisa' 4:19)*

Understanding this will help set a more holistic expectation for Muslim marriages as it has sadly become a source of frustration for spouses. At times, this stems from the issue of a husband expecting to be treated like royalty and to be obeyed regardless of the circumstance. Some even feel compelled to resort to violence when denied what they feel are their "rights" or to assert his dominance as the leader of the family.

In a narration by An-Nu'man ibn Bashir, when Abu Bakr heard Aisha r.a. speaking in a loud voice to Rasulullah s.a.w. he caught hold of her to slap her and said: "Do I see you raising your voice to the Messenger of Allah?" The Prophet s.a.w. began to prevent him, and Abu Bakr went out angry. The Prophet s.a.w. said when Abu Bakr went out: "You see I rescued you from the man."<sup>65</sup>

Instead of allowing Abu Bakr to punish his daughter for disrespecting him, Rasulullah s.a.w. protected her even though she might have offended him. He handled the issue with mercy and did not use his position as a husband nor a prophet to beat her into obedience. The respect that the Prophet s.a.w. had for his wives is evident in his treatment towards them. He was loving and sincerely cared for their well-being and exercised empathy despite being in the position of authority.

When the brother of Jamilah bint Abdullah bin Ubayy went to Rasulullah s.a.w. to complain about her husband who had beaten her so severely that he broke her hand, Rasulullah s.a.w. said to her

<sup>65</sup> Hadith narrated by Abu Daud, Kitab al-Adab, no. 4999.

husband: “Take what she owes you and let her go.”<sup>66</sup> It is interesting to note that the reason for the beating was never considered by the Prophet s.a.w. implying that nothing could justify a man beating his wife so severely.<sup>67</sup> Rather, the priority was her safety and to bring her away from her own husband.

#### 6.3.4 Revisiting Cultural Expectations and Roles of Wife

It is therefore necessary to understand that the husband plays the role of a protector and should not misuse this position to abuse his wife. It is also important to revisit certain notions such as wives being solely responsible for household matters which is deeply entrenched among some members of the local Malay Muslim community especially among the older generation.<sup>68</sup> These notions have sometimes perpetuated unrealistic expectations on spouses, typically requiring the wife to serve all her husband’s needs and wants without taking her well-being into consideration. Rather, her inability to meet these expectations is considered a shortcoming and becomes a justification to treat her poorly.

It is interesting to note that some scholars are of the opinion that wives are not obliged to perform household chores including tasks such as cleaning, cooking, and sewing.<sup>69</sup> Should the wives choose to do so, these tasks are carried out of their own free will. Where possible, the husband should also provide a helper or a domestic worker to help with these chores instead.<sup>70</sup>

These opinions often stem from the fact that the Prophet s.a.w. himself helped with the chores. Aisha r.a., the wife of Prophet Muhammad s.a.w. was asked, “What did the Prophet s.a.w. used to do in his house?” She replied, “He used to keep himself busy serving his family and when it was the time for prayer, he would go for it.”<sup>71</sup> In another narration Aisha r.a. was reported to have said, “He did what one of you would do in his house. He mended sandals and patched garments and sewed.”<sup>72</sup>

<sup>66</sup> Hadith narrated by Ahmad An-Nasa’i, Kitab al-Talak, no.109.

<sup>67</sup> Chaudhry, A. S., “I WANTED ONE THING AND GOD WANTED ANOTHER...”: The Dilemma of the Prophetic Example and the Qur’anic Injunction on Wife-Beating. *The Journal of Religious Ethics* 39, 3 (2011), 416–439.

<sup>68</sup> Berita Harian (1981), *Seminggu Sekali Biar Isteri Berihat dari Dapur: Bawalah Mereka ke Tempat-tempat Makan Sesudah Berhari-hari Mengurus R-tangga dan Menjaga Anak-anak*.

<sup>69</sup> Putung, S. H., & Ag Basir, D. H., “Penglibatan Suami Dalam Kerja-Kerja Rumah Tangga: Kajian Kes Di Sabah,” *Jurnal Fiqh* 14, (2017), 1–26.

<sup>70</sup> Othman Al Kamees. *Hal Yajibu ‘ala al-Zaujah an Takhdima Zaujaha*, YouTube. Accessed 24 September 2021. <https://www.youtube.com/watch?v=C-XKwk2lOk4>.

<sup>71</sup> Hadith narrated by al-Bukhari, Kitab al-Adab, no. 6039.

<sup>72</sup> Hadith narrated by al-Bukhari, Al-Adab al-Mufrad, Kitab al-‘Am Al-Tasarruf, no. 540.

Husbands should, therefore, find ways to contribute to the marriage not just financially but also being more actively involved in household matters such as helping with chores, and caring for their children<sup>73</sup> especially in our current society where wives are often expected to contribute to the marriage financially as well. Treating spouses with respect includes the sharing of burdens without being calculative and working to ease each others' stress out of love and care for their well-being.

Unfortunately, the cases where the husband expects to be served fully are not rare and still prevalent in our society. With women being more financially independent and playing a more active role in contributing to the family's finances, it is more likely that they will be less tolerant of such conduct. Not surprisingly, 72.2% of the divorces amongst Muslims in Singapore in 2020 were initiated by women.<sup>74</sup> Hence, these expectations should be revisited as it may not bode well with married couples nowadays.

The Prophet s.a.w. never differentiated between a task being for the husband or wife. Rather, he did what he could to ease the marriage burden. He was given the exception to marry more than four wives at once and could have instructed one of his wives to do the tasks for him, yet he chose not to. The Prophet s.a.w. exemplified perfectly that the responsibility of a husband is not limited to being a financial provider. Rather, the husband plays the role of a leader as well as a protector who must practise compassion, empathy, patience, and respect for his wife.<sup>75</sup> He should not abuse this position of authority to disrespect his wife and mistreat her for his own personal gains. This is as mentioned in the Qur'an:

وَلَهُنَّ مِثْلُ الَّذِي عَلَيْهِنَّ بِالْمَعْرُوفِ وَلِلرِّجَالِ عَلَيْهِنَّ دَرَجَةٌ ۗ وَاللَّهُ عَزِيزٌ حَكِيمٌ ﴿٢٢٨﴾

*Meaning: "And due to them [i.e., the wives] is similar to what is expected of them, according to what is reasonable. But the men [i.e., husbands] have a degree over them [in responsibility and authority]. And Allah is Exalted in Might and Wise."*

*(Al-Baqarah 2:228)*

Apart from giving the task of managing the house and children to the wife, the traditional view gives the task of major decision making to the husband.

Whereas in Islam, we are encouraged to practice *syura* which is discussion or negotiation. The Prophet s.a.w., as the leader of the Muslims and a husband, practiced this not only with his

<sup>73</sup> Berita Harian (1989), Kerja rumah: Kaum Lelaki Harus Bantu.

<sup>74</sup> Department of Statistics, Ministry of Trade & Industry. (2021). Statistics on Marriages and Divorces, 2020.

<sup>75</sup> Berita Harian (1987), Peranan Suami Isteri dalam Rumahtangga Bahagia.



companions but also his wives. The opinion of Ummu Salamah taken by Rasulullah s.a.w. after the treaty of Hudaibiyah can be used as an inspiration and guidance. Rasulullah s.a.w. at that time told his wife Ummu Salamah about his followers who refused to slaughter as well as cut their hair and fingernails. Upon hearing this, Ummu Salamah suggested to the Prophet to initiate and perform the deeds. The Prophet accepted the suggestion and proceeded to slaughter in an open space as well as cut his hair. This shows the Prophet s.a.w. trusting and appreciating his wife to the extent of seeking her opinion in the administration of the Muslim community. This act of consulting and discussing together clearly shows that the wife has important position and value in the marriage.

**6.4 A Muslim is required to be patient in the face of trials and tribulations. A married couple is also responsible to conceal their spouses' shortcomings. Should victims of domestic violence remain patient, accept (their situations) and practice *tawakkul* (trust in Allah) in facing the trials?**

#### 6.4.1 Patience and *tawakkul* for the abused victims

Patience and trust are praiseworthy attitudes in Islam. It has many priorities among which is attaining Allah's help as well as gaining the highest level of paradise.

Among the acts that can be done to nurture patience is to recite the supplication taught by the Prophet s.a.w.:<sup>76</sup>

اللَّهُمَّ اجْعَلْنِي شَكُورًا وَاجْعَلْنِي صَبُورًا وَاجْعَلْنِي فِي عَيْنِي صَغِيرًا وَفِي أَعْيُنِ النَّاسِ كَبِيرًا

Meaning: Oh Allah, make me one who is grateful, and make me one who is patient, and make me small in my own eyes but great in the sight of others.

In addition, we are also encouraged to recite *dhikr* to remind ourselves that all our affairs are in the hands of Allah The Most Exalted, The Most High. Among the *dhikr* that can be recited are as stated in the Qur'an:

حَسْبِيَ اللَّهُ لَا إِلَهَ إِلَّا هُوَ عَلَيْهِ تَوَكَّلْتُ وَهُوَ رَبُّ الْعَرْشِ الْعَظِيمِ ﴿١٢٩﴾

Meaning: "Allah is sufficient for me, there is no God worthy of worship except Him. In Him I put my trust and He is the Lord of the Mighty Throne." (At-Tawbah 9:129)

<sup>76</sup> Hadith narrated by al-Haithami, Kasyf al-Astar, Bab Du'a al-Nabi s.a.w., hadith no. 3198.

However, sometimes we are confused in understanding this noble attribute. Sometimes patience is understood as restraining oneself and having to accept a test without doing anything. This understanding makes a Muslim passive. Instead, to understand the concept of patience, we can reflect on Allah's words:

وَأَسْتَعِينُوا بِالصَّبْرِ وَالصَّلَاةِ وَإِنَّهَا لَكَبِيرَةٌ إِلَّا عَلَى الْخَاشِعِينَ ﴿٤٥﴾

*Meaning: "And seek help through patience and prayer. Indeed, it is a burden except for the humble." (Al-Baqarah 2:45)*

In this verse, Allah s.w.t. teaches us to seek help not only through patience but it should be accompanied by prayers. This means that patience according to Islam is active patience which is accompanied by putting in effort to uplift oneself from trials, difficulties and sufferings.

On the other hand, trust is sometimes understood as surrendering everything to Allah's provision and accepting the situation as it is. This is contrary to the teaching of the Prophet s.a.w. regarding trust. He was once asked if a camel should be left untied while we place our trust in Allah to look after the camel or should we tie it up. The Prophet replied<sup>77</sup>:

اعْقِلْهَا وَتَوَكَّلْ

Meaning: Tie the camel and trust (in Allah).

In this hadith, the Prophet s.a.w. clearly ordered us to tie the camel first, that is, put in the effort so that the camel will not be lost, and then put one's trust in Allah The Most Exalted, The Most High.

#### **6.4.2 Defending oneself from Tyranny and Finding Solution is a Religious Obligation**

It is clear here that patience and trust in Islam has to be accompanied with effort and sincerity. Through the correct understanding of (the concepts of) patience and trust, victims of domestic violence need to look for a way out of their sufferings. Defending oneself and getting help from oppression and aggression is not a sign of weakness of faith. It does not diminish a Muslim's worth in Allah's sight. In fact, defending and protecting oneself from the threat of danger and harm is something that is demanded. Forgiving the abuser and treating him kindly does not mean one cannot defend oneself. As Allah explained:

<sup>77</sup> Hadith narrated by al-Tirmidzi, Kitab Sifat al-Qiyamah wa al-Raqaiq wa al-Wara' 'an Rasulillah, no. 2517.

وَالَّذِينَ إِذَا أَصَابَهُمُ الْبَغْيُ هُمْ يَنْتَصِرُونَ ﴿٣٩﴾ وَجَزَاءُ سَيِّئَةٍ سَيِّئَةٌ مِّثْلُهَا فَمَنْ عَفَا وَأَصْلَحَ فَأَجْرُهُ عَلَى اللَّهِ إِنَّهُ لَا يُحِبُّ الظَّالِمِينَ ﴿٤٠﴾ وَلَمَنِ أَنْتَصَرَ بَعْدَ ظُلْمِهِ فَأُولَئِكَ مَا عَلَيْهِمْ مِّنْ سَبِيلٍ ﴿٤١﴾

*Meaning: "and who enforce justice when wronged. The reward of an evil deed is its equivalent. But whoever pardons and seeks reconciliation, then their reward is with Allah. He certainly does not like the wrongdoers. There is no blame on those who enforce justice after being wronged." (Ash-Shura 42:39-41)*

This verse not only allows the abused to defend him/herself, it also clarified that we should not feel guilty for protecting or defending ourselves from cruelty and tyranny. Therefore, although a married couple has the responsibility to protect and not disclose their spouses' shortcomings, it does not mean that they should keep the problems to themselves without seeking help.

In fact, it is permissible in Islam for a married couple to find resolutions when they are facing difficulties in the marriage. Allah The Most Exalted. The Most High teaches couples to seek help from each others' representatives to handle and resolve the conflicts between them. Allah said:

وَإِنْ خِفْتُمْ شِقَاقَ بَيْنِهِمَا فَأَبْعَثُوا حَكَمًا مِّنْ أَهْلِهِ وَحَكَمًا مِّنْ أَهْلِهَا إِنْ يُرِيدَا إِصْلَاحًا يُوَفِّقِ اللَّهُ بَيْنَهُمَا إِنَّ اللَّهَ كَانَ عَلِيمًا خَبِيرًا ﴿٣٥﴾

*Meaning: "If you anticipate a split between them, appoint a mediator from his family and another from hers. If they desire reconciliation, Allah will restore harmony between them. Surely Allah is All-Knowing, All-Aware. " (An-Nisa' 4:35)*

This shows that Islam does not tell a married couple to remain silent, hide their problems and give up when confronted with domestic problems. Islam allows them to seek help and find solutions from the right avenues to the conflicts faced. There are many examples where the Prophet's companions approached him with complaints of domestic issues with the hope of receiving advice from him. Among them is the story of Hindun Binti Útbah, the wife of Abu Sufyan, who came to the Prophet and complained that her husband did not give sufficient alimony for her and the children. Upon hearing this, Rasulullah s.a.w. said<sup>78</sup>:

<sup>78</sup> Hadith narrated by al-Bukhari, Bulugh al-Maram, Kitab al-Nikah, no. 202. Hadith narrated by Muslim, Kitab al-Uqdiyah, no. 1714a.

خُذِي مِنْ مَالِهِ بِالْمَعْرُوفِ مَا يَكْفِيكَ وَيَكْفِي بَنِيكَ

Meaning: Take from his property in a good way what is sufficient for you and your children.

This hadith shows that the Prophet s.a.w. did not forbid us from seeking advice and help when facing domestic problems. We need to find qualified individuals, such as counselors or family members, to express and seek solutions.

In addition, Islam also teaches us to act when we witness cruelty and wrongdoings. Therefore, in addition to practicing patience and leaving the matter to Allah The Most Exalted, The Most High, we need to strive to stop this cycle of violence and find a solutions or peace through appropriate channels. Among the things that can be considered are:

- seek advice and help from parents
- contact NAVH
- lodge a police report
- seek counseling service
- seek help from Family Social Services

#### 6.4.3 Holding on to a violent marriage has a lasting effect on the children

Some victims of domestic violence may choose to remain patient because of the children's welfare. But the victim in the marriage is not just the abused husband or wife. Domestic violence leaves a significant impact on the children too. They silently witness the ongoing violence and abuse that takes place. This leaves an emotional and psychological impact on the children.<sup>79</sup>

40% of the children who witnessed domestic violence are also physically abused.<sup>80</sup> Among the long-term effects is that the child will develop violent, aggressive and antisocial behaviors. Studies have also shown that boys who witnessed their fathers abusing their mothers have ten times the risk of abusing their future wives.<sup>81</sup>

<sup>79</sup> Goh Lee Gan, "Spousal Violence and Child Witnesses", *The Singapore Family Physician* 37 (January – March 2011), 27.

<sup>80</sup> Kaufman, J., & Henrich, C., Exposure to violence and early childhood trauma. In C. H. Zeanah (Ed.), *Handbook of infant mental health* (2nd ed.) 195-207. (New York: The Guilford Press, 2000).

<sup>81</sup> Knapp, J. F., "The impact on children witnessing violence", *Pediatric Clinics of North America* 45, (1998), 355- 363.

Therefore, couples who care about the welfare of their children should think of their well-being. Since staying on in a violent and abusive marriage can have a devastating effect on the children's upbringing, couples have the option to find a way out of the violent situation by getting help from family members, experts or the police.

## **7. Conclusion**

It is clear from the explanation above that Islam does not condone domestic violence and abuse. There is nowhere in the Qur'an or hadith that allows violence, oppression and abuse. On the contrary, both the Qur'an and the sunnah of the Prophet s.a.w. clearly provide guidance for the married couple to be kind, courteous and protect each others' dignity.

Therefore it is important for us to always check our understanding of religious texts with a qualified asatizah.

May we always strive to follow the sunnah of the Prophet s.a.w. which is full of tenderness, love and understanding in navigating marriage.

## Helpline Contact List

The following is a helpline contact list for domestic violence cases in Singapore.

24-hour hotline	National Anti-Violence Helpline (NAVH)	1800-777 0000
In danger	Polis	999
Comprehensive services for victims of domestic violence:  - Counselling service - Information and advice - PPO application	PAVE	6555 0390
	Care Corner Project StART	6476 1482
	TRANSSAFE Centre	6449 9088
Counselling service, financial and marriage issues	Family Service Centres (FSCs)	
Legal services and Personal Protection Order	The Family Justice Court	3 Havelock Square Singapura 059725 Tel: 6435 5077
	Family Court Legal Clinic	During office hours: 6435 5461 After 6.00 pm: 6435 5474
	Legal Aid Bureau	1800 325 1424
Counselling services or religious guidance	Asatizah Solace Care	6436 9350

## Dhikr or Practice to Manage Anger and to Strengthen Family Ties<sup>82</sup>

Reciting surah al-Ikhlās may increase barakah or blessings in our life. It may also benefit our family members and neighbours.

Rasulullah s.a.w. said:

مَنْ قَرَأَ: (قُلْ هُوَ اللَّهُ أَحَدٌ) مَرَّةً بوركَ فِيهِ ، فَإِنْ قَرَأَهَا مَرَّتَيْنِ بوركَ عَلَيْهِ وَعَلَى أَهْلِهِ، فَإِنْ قَرَأَهَا ثَلَاثًا بوركَ عَلَيْهِ وَعَلَى أَهْلِهِ وَعَلَى جِيرَانِهِ وَإِنْ قَرَأَهَا اثْنَتَيْ عَشْرَةَ مَرَّةً بَنَى اللَّهُ لَهُ بِهَا اثْنَيْ عَشَرَ قَصْرًا فِي الْجَنَّةِ، وَتَقُولُ الْحَفْظَةُ: انْطَلِقُوا بِنَا نَنْظُرْ إِلَى قُصُورِ أَحِبَّائِنَا، فَإِنْ قَرَأَهَا مِئَةً مَرَّةً كَفَّرَ اللَّهُ عَنْهُ ذُنُوبَ خَمْسِينَ سَنَةً مَا خَلَا الدِّمَاءَ وَالْأَمْوَالَ فَإِنْ قَرَأَهَا مَعِيَ مَرَّةً كُفِّرَ عَنْهُ ذُنُوبُ خَمْسِينَ سَنَةً مَا خَلَا الدِّمَاءَ وَالْأَمْوَالَ فَإِنْ قَرَأَهَا أَرْبَعِمِئَةً مَرَّةً كَفَّرَ اللَّهُ عَنْهُ ذُنُوبَ مِائَةِ سَنَةٍ، فَإِنْ قَرَأَهَا أَلْفَ مَرَّةٍ لَمْ يَمُتْ حَتَّى يَرَى مَكَانَهُ مِنَ الْجَنَّةِ أَوْ يَرَى لَهُ

Meaning: “Whoever recites Qul Huwallahu Ahad (Surah al-Ikhlās) once will be blessed, and whoever reads it twice, he and his family will be blessed, and whoever reads it thrice, he, his family and neighbours will be blessed. And whoever reads it twelve times, surely Allah will build twelve palaces in heaven for him and will say to the keeper of the palace: Let all of you be with Me to see this palace of our brother. And if he reads it a hundred times, Allah removes from him his sins of fifty years, except the debt of blood and property. And if he reads it four hundred times, Allah removes from him the sins of a hundred years. And if he reads it a thousand times he will not die until he sees his place in heaven, or it is shown to him”.<sup>83</sup>

<sup>82</sup> Mohamad Hasbi Bin Hassan and Pergas Research Team of Surah al-Ikhlās, Rahsia di sebalik Surah al-Ikhlās, Surah al-Ikhlās pereda kemarahan Allah s.w.t., 22.

<sup>83</sup> This hadith is narrated by al-Khallal in Fadail surah al-Ikhlās and Ibn ‘Asakir in Tarikh Dimasyq with a chain linking to Muhammad bin Marwan from Aban bin Ayyasy from Anas. Muhammad bin Marwan may have been al-Suddi, accused of lying. Aban bin Ayyasy is matruk..

12 letters	قُلْ هُوَ اللَّهُ أَحَدٌ ﴿١﴾
11 letters	اللَّهُ الصَّمَدُ ﴿٢﴾
12 letters	لَمْ يَلِدْ وَلَمْ يُولَدْ ﴿٣﴾
15 letters	وَلَمْ يَكُنْ لَهُ كُفُوًا أَحَدٌ ﴿٤﴾

50 letters	10 rewards	500 rewards
2 Surah Al-Ikhlâs	500 rewards	1,000 rewards
3 Surah Al-Ikhlâs	500 rewards	1,500 rewards
12 Surah Al-Ikhlâs	500 rewards	6,000 rewards
100 Surah Al-Ikhlâs	500 rewards	50,000 rewards
400 Surah Al-Ikhlâs	500 rewards	200,000 rewards
1,000 Surah Al-Ikhlâs	500 rewards	500,000 rewards



