
> Vol. 04, 1 (April 2026), 95 - 109

The Effectiveness of Advocacy for Domestic Violence Victims from the Perspective of *Maqasid al-Shari'ah*

Yeni Kartikaningsih, Sachrawi Hidayat, Moh. Muhibbin, Nur Hasan,
Mohammad Jindan Alfayed Dewa Filhaq

To cite this article: Kartikaningsih, Y., Hidayat, S., Muhibbin, M., Hasan, N., & Filhaq, M. J. A. D. . (2026). The Effectiveness of Advocacy for Domestic Violence Victims from the Perspective of Maqasid al-Shari'ah. *ISTIFHAM: Journal Of Islamic Studies*, 4(1), 95-109. <https://doi.org/10.71039/istifham.v4i1.170>

Available at: <https://jurnal.seutiahukamaa.org/index.php/istifham/article/view/170>

© 2026 The Author(s).

First Publication Right :

© ISTIFHAM: Journal of Islamic Studies

Published online: May 05 2026.

Published by:

Seutia Hukamaa Cendekia

Journal Homepage:

<https://jurnal.seutiahukamaa.org/index.php/istifham>



The Effectiveness of Advocacy for Domestic Violence Victims from the Perspective of *Maqasid al-Shari'ah*

Yeni Kartikaningsih¹, Sachrawi Hidayat², Moh. Muhibbin³,
 Nur Hasan⁴, Mohammad Jindan Alfayed Dewa Filhaq⁵

^{1,2,3,4} Islamic University of Malang

⁵ Al-Azhar University, Egypt

Published: May 05, 2026

Corresponding Author:
 Yeni Kartikaningsih, Islamic
 University of Malang, email:
yenikartikaningsih123@gmail.com

Keywords:

Advocacy,
Domestic Violence,
BKKBPP,
Maqasid al-Shari'ah,
Victim Protection,
Women's Empowerment

Abstract

Domestic violence is a serious violation of human rights that requires an institutional response beyond just legal measures. The Population, Family Planning, and Women's Empowerment Agency (BKKBPP) of Malang City plays a strategic, legally mandated role in providing integrated support to victims of domestic violence through legal aid, psychological counseling, medical assistance, and mediation. This research evaluates how effective BKKBPP's advocacy is in protecting and empowering victims and assesses its consistency with *Maqasid al-Shari'ah's* normative goals. Using a normative-empirical juridical approach based on primary field data and Islamic family law literature, the study reveals that BKKBPP's advocacy functions across three interconnected areas: legal (both litigative and non-litigative), psychosocial (trauma counseling and rehabilitation), and social mediation. Results show that when these areas operate collaboratively and focus on victims, the agency's efforts significantly improve victims' safety, mental health, and social reintegration. Challenges include victims' reluctance to report, limited resources, scheduling conflicts, and the diversity of victim profiles. From the perspective of *Maqasid al-Shari'ah*, BKKBPP's advocacy supports core Islamic legal goals such as protecting life (*hifz al-nafs*), intellect (*hifz al-'aql*), progeny (*hifz al-nasl*), and dignity. This study adds to the literature by illustrating that institutional advocacy aligned with *Maqasid al-Shari'ah* is both Jurisprudentially sound and practically vital for fully protecting victims of domestic violence in a Muslim society.

Copyright: © Name (2026).

This is an open-access article under the [CC BY SA license](https://creativecommons.org/licenses/by-sa/4.0/)



Introduction

Marriage in Islamic jurisprudence cannot be reduced to a mere civil contract; it constitutes a multidimensional institution that integrates legal obligation, moral responsibility, and spiritual commitment. The Qur'anic characterization of marriage as *mitsaqan ghalidzan* (a firm covenant) underscores its binding and ethical gravity, situating it within a framework that exceeds transactional legality and enters the realm of normative accountability. Within Islamic legal philosophy, marriage functions as a central mechanism for realizing the objectives of *Maqasid al-*

Shari'ah. It provides a legitimate structure for the preservation of religion through regulated moral conduct, safeguards life and dignity through mutual protection, nurtures intellectual and emotional stability, ensures the continuity of progeny, and organizes the ethical management of property and responsibility within the household. In this sense, marriage operates not only as a personal union but as a juridical and ethical institution with broader social implications.

The normative ideal of marriage is articulated through the Qur'anic triad of *sakinah* (tranquility), *mawaddah* (affection), and *rahmah* (compassion), which together define the ethical orientation of marital relations. This ideal is further institutionalized in Indonesian positive law, particularly in Article 3 of the Compilation of Islamic Law (*Kompilasi Hukum Islam*), which frames marriage as the foundation of a harmonious and enduring family. However, this formulation should not be understood as merely descriptive; rather, it establishes a prescriptive standard against which the legitimacy and quality of marital relations may be critically evaluated.

The reality of domestic violence represents a direct and systematic negation of this ideal. Domestic violence in Indonesian legal terminology occurs across all socioeconomic strata and takes multiple forms: physical violence, psychological violence, sexual violence, and economic neglect. It disproportionately affects women and children, generating severe consequences for the physical health, psychological integrity, social participation, and economic autonomy of victims. Research consistently demonstrates that domestic violence is not an isolated incident but a patterned exercise of coercive control rooted in patriarchal power structures, gender inequality, and inadequate social and legal deterrence.

In Indonesia, the state has responded to this reality by enacting Law No. 23 of 2004 on the Elimination of Domestic Violence (Undang-Undang Penghapusan Kekerasan Dalam Rumah Tangga or abbreviated in bahasa as UU PKDRT). This legislation represents a paradigm shift from treating domestic violence as a private family matter to recognizing it as a public crime subject to state prosecution and victim protection. The law establishes obligations for the state to prevent domestic violence, prosecute perpetrators, and protect and rehabilitate victims. It further mandates the involvement of institutional actors in providing integrated services to domestic violence victims, including legal assistance, psychological rehabilitation, medical treatment, and social empowerment.

The Population, Family Planning, and Women's Empowerment Agency (Badan Kependudukan Keluarga Berencana dan Pemberdayaan Perempuan or abbreviated in bahasa as BKKBP) of Malang City is one such institutionally mandated actor. Operating within the legal framework established by UU PKDRT, BKKBP provides a range of advocacy services to victims of domestic violence, including legal accompaniment through both litigious and non-litigious processes, psychological counseling and trauma rehabilitation, referrals to medical services, and family mediation. The city of Malang, with its large Muslim population and complex social dynamics, presents a compelling context for examining the intersection of institutional advocacy, Islamic legal principles, and victim protection.

Despite the existence of this institutional framework, domestic violence rates in Malang City have shown a consistent upward trend, with the head of BKKBP's Child Services Unit confirming that cases increase annually while significant under-reporting persists. This paradox between an expanding institutional mandate and persistently high rates of domestic violence raises urgent questions about the effectiveness of BKKBP's advocacy and the factors that enable or constrain it. It also raises a deeper normative question: to what extent does BKKBP's advocacy align with the objectives of Islamic law, particularly in a predominantly Muslim society

where religious values profoundly shape how victims, perpetrators, and communities understand and respond to domestic violence?

This study examines the effectiveness of BKKBPP's advocacy for domestic violence victims in Malang City and evaluates its alignment with the normative framework of *Maqasid al-Shari'ah*. Two research questions guide the inquiry: first, how effective is BKKBPP's advocacy in protecting, rehabilitating, and empowering domestic violence victims? Second, to what extent does this advocacy serve the fundamental objectives of Islamic law as articulated through the concept of *Maqasid al-Shari'ah*? The study draws on primary interview data collected from BKKBPP officials, police officers from the Women and Children Protection Unit (Unit PPA), and domestic violence victims, as well as secondary analysis of Islamic legal literature and Indonesian statutory sources.

Theoretically, this study contributes to the growing scholarly literature on the intersection of Islamic family law, institutional advocacy, and domestic violence protection by offering a systematic *Maqasid al-Shari'ah* analysis of an institutional advocacy program. In practice, the findings generate evidence-based recommendations to strengthen BKKBPP's advocacy capacity and deepen its alignment with both Indonesian legal requirements and the objectives of Islamic legal philosophy. The study thereby advances the argument consistent with the findings of Mulyana et al. (2026) regarding religious counselors and domestic violence prevention that effective victim protection requires the integration of institutional capacity, legal authority, and normative Islamic principles.

Method

This study employs a normative-empirical juridical methodology, integrating the systematic analysis of legal norms with empirical data gathered through field research. The normative dimension involves the analysis of primary Islamic legal sources, the Qur'an, authenticated Hadith, and classical and contemporary fiqh texts, as well as Indonesian statutory sources, principally Law No. 23 of 2004 on the Elimination of Domestic Violence and Law No. 23 of 2002 on Child Protection. The *Maqasid al-Shari'ah* framework, particularly the five essential objectives (*daruriyyat*) of Islamic law, the protection of religion (*hifz al-din*), life (*hifz al-nafs*), intellect (*hifz al-'aql*), progeny (*hifz al-nasl*), and property (*hifz al-mal*), serves as the normative analytical lens through which BKKBPP's advocacy is evaluated.

The empirical dimension draws on qualitative data collected through semi-structured interviews conducted in Malang City in June 2024. Key informants included the Head of BKKBPP's Child and Women Services Unit (Ibu Ainil), the Head of the Women and Children Protection Unit (Unit PPA) at the Malang City Police (Iptu Khusnul Khotimah), and two domestic violence victims who had received BKKBPP's advocacy services (referred to as 'AT' and 'M' to protect their identities). Interview data were supplemented by document analysis of relevant BKKBPP program reports and case records. Data were analyzed using qualitative content analysis, with findings organized thematically around the three primary advocacy dimensions identified in the literature: legal advocacy, psychosocial rehabilitation, and mediation.

To ensure the rigor and validity of the analysis, triangulation was applied across data sources: interview data were cross-referenced with documentary evidence, statutory provisions, and Islamic legal literature. The normative evaluation of BKKBPP's advocacy against the *Maqasid al-Shari'ah* framework followed the interpretive methodology of Islamic normative-conceptual research, assessing the alignment of institutional practices with Islamic legal objectives and

principles, including the principle of preventing harm (*dar' al-mafsadah*) and realizing public welfare (*jalb al-maslahah*).

Findings

The Conceptual and Legal Framework of Advocacy

The concept of advocacy, as applied to domestic violence victim protection, encompasses a broad range of activities directed at securing justice, protection, and empowerment for individuals who have suffered unlawful harm. Etymologically, the Indonesian term 'advokasi' derives from the concept of pembelaan (defense or advocacy), signifying the representation and defense of another's interests. In the context of domestic violence, this definition acquires specific practical dimensions: advocacy involves accompanying victims through legal processes, facilitating their access to psychological and medical services, empowering them socially and economically, and mediating their family relationships where appropriate.

Valerie Miller and Jane Covey define advocacy as a process of relationship-building and social transformation directed at making power relations in society more democratic, while ensuring that marginalized people gain access to public decision-making processes that affect their lives. In the domestic violence context, this definition captures the dual function of advocacy: protecting the individual victim from immediate harm while simultaneously challenging the structural conditions of patriarchal norms, gender inequality, economic dependency, and inadequate legal deterrence that enable domestic violence to persist. This dual function is explicitly reflected in Indonesia's UU PKDRT, which frames the elimination of domestic violence as both an individual protection imperative and a structural transformation agenda.

Indonesian law recognizes multiple forms of domestic violence. Article 5 of UU PKDRT identifies four categories: physical violence, which includes acts causing physical pain, injury, or death; psychological violence, which encompasses acts generating fear, loss of self-confidence, helplessness, or severe psychological suffering; sexual violence, which includes forced sexual acts within or outside the marital relationship; and economic neglect, which covers the deprivation of legally owed financial support and the imposition of economic dependency. Each category creates distinct protection needs that effective advocacy must address comprehensively.

The legal mandate for BKKBPP's advocacy derives from multiple sources of Indonesian law. UU PKDRT establishes the state's obligation to provide protection and rehabilitation for domestic violence victims. Law No. 23 of 2002 on Child Protection establishes parallel obligations regarding child victims of domestic violence, including the provision of rehabilitation services, protection of identity, and guarantees of physical, mental, and social safety. These legislative frameworks collectively position BKKBPP as an institutional anchor for victim-centered advocacy in Malang City, with responsibilities spanning legal accompaniment, psychological rehabilitation, medical referral, and social empowerment.

Theoretical Foundations: Domestic Violence and Family Harmony

Understanding domestic violence requires engagement with multiple theoretical frameworks. Biological theory understands violence as rooted in innate aggressive instincts, with some scholars arguing that higher testosterone levels predispose males to aggressive behavior, a perspective that, while reductive, offers a partial explanation for the gender asymmetry in domestic violence perpetration. Control theory posits that individuals who lack adequate social relationships and bonds are more likely to engage in violence, suggesting that social isolation and relational deficits are significant risk factors. Frustration-aggression theory understands violence

as a response to situations that generate frustration: a husband who experiences economic failure, diminished self-worth, or social humiliation may displace his aggression onto his wife and children.

Structural and feminist analyses identify patriarchy as the fundamental explanatory variable. Murray Strauss identifies five structural conditions that enable domestic violence: the social positioning of men as superior to women; the socialization of boys toward strength, aggression, and dominance; cultural norms that render women economically dependent on men; the social privatization of domestic conflict; and misinterpretations of religious texts that are deployed to legitimize male violence. In Islamic societies, including Muslim communities in Indonesia, certain Qur'anic verses, most notably An-Nisa' 4:34 and Al-Baqarah 2:223, have been selectively interpreted to authorize husbands' physical 'correction' of wives and to position wives as wholly subordinate to their husbands' authority. Critical Islamic scholars consistently reject these interpretations as contextually distorted, arguing that the Qur'anic framework as a whole mandates mutual respect, kindness (*ma'ruf*), and the prohibition of all forms of injustice (*zulm*) within the marital relationship.

The internal factors contributing to domestic violence include personality disorders, emotional instability, and temperamental volatility in perpetrators. External factors encompass economic deprivation, unemployment, financial dependency, misapplication of religious teachings, exposure to violent media, and a legal culture that historically has failed to prioritize gender equity. These multi-causal dynamics mean that effective advocacy cannot be reducible to legal prosecution alone but must engage the psychological, economic, social, and religious dimensions of domestic violence in an integrated manner.

The impact of domestic violence extends across all members of the household. For wives as victims, physical violence generates immediate and lasting physical harm—bruising, lacerations, reproductive injury, and in severe cases death. Psychological violence generates terror, depression, loss of self-worth, and post-traumatic stress disorder. Economic violence creates dependency and deprives victims of the resources needed to escape abusive relationships. Sexual violence destroys intimacy and generates lasting trauma. For husbands who are themselves victims, domestic violence undermines their capacity to fulfill family obligations and erodes family authority. For children who witness or experience domestic violence, the consequences are particularly severe: children exhibit anxiety, social withdrawal, enuresis, post-traumatic symptoms, and a socialization into the normalization of violence that perpetuates intergenerational cycles of abuse.

BKKBPP's Advocacy Services for Domestic Violence Victims in Malang City

BKKBPP Malang City advances its advocacy for victims of domestic violence through an integrated service model that encompasses four primary dimensions: legal advocacy (both litigative and non-litigative), psychological rehabilitation, medical referral and treatment, and family mediation. According to the Head of BKKBPP's Child Services Unit, domestic violence cases in Malang City are increasing annually, while significant under-reporting persists due to victims' fear, shame, and economic dependency on their perpetrators. This dual dynamic, rising reported cases alongside substantial unreported violence, creates a demanding institutional environment in which BKKBPP must simultaneously manage active cases and conduct preventive community outreach.

The first dimension of BKKBPP's advocacy is legal accompaniment. When a victim presents at BKKBPP, staff conduct an initial intake assessment to determine the nature, severity, and history of the violence experienced. Where the victim wishes to pursue formal legal proceedings, BKKBPP provides litigative advocacy: accompanying the victim to the police station to file a criminal complaint, facilitating forensic medical examination (*visum et repertum*) as evidentiary support, and accompanying the victim through the investigative and prosecutorial stages of the criminal justice process. Where the victim prefers an extra-judicial resolution, BKKBPP provides non-litigative advocacy through mediation and referral to appropriate support services. This dual-track advocacy model reflects the recognition that victims' needs and preferences are heterogeneous and that effective advocacy must be responsive to the specific circumstances and goals of each case.

The second dimension is psychological rehabilitation. Many domestic violence victims arrive at BKKBPP in states of acute psychological distress, including post-traumatic stress disorder, severe depression, anxiety, and near-total loss of self-confidence. BKKBPP responds to these needs through structured psychological counseling conducted by qualified psychologists. Counseling sessions employ psychosocial therapeutic techniques adapted to the specific psychological injuries of each client. The aim of psychological rehabilitation is not merely symptomatic relief but the restoration of the victim's psychological autonomy—her capacity to make decisions about her own life, to trust others, and to engage productively with her social environment. One victim interviewed for this study (identified as 'M') described how ongoing psychological counseling at BKKBPP progressively enabled her to recover from the trauma of repeated physical assault by her husband, restoring her ability to interact with others and to consider her options with clarity and confidence.

The third dimension is medical referral and treatment. Victims of physical and sexual violence require medical assessment and treatment that BKKBPP facilitates through referrals to appropriate health facilities. Forensic medical examination is coordinated with the police investigation process, ensuring that medical evidence is collected and preserved in a manner consistent with legal requirements. BKKBPP staff accompany victims to medical facilities to ensure that they receive appropriate care and that the examination process is conducted with sensitivity and respect for the victim's dignity.

The fourth dimension is family mediation. Where both the victim and the perpetrator express willingness to explore reconciliation, and where the assessment of BKKBPP staff indicates that reconciliation is safe and appropriate, BKKBPP facilitates mediation. This process employs adult learning principles: the mediator does not impose solutions but facilitates a structured dialogue in which both parties identify the problems in their relationship, acknowledge the consequences of violent behavior, and explore possibilities for positive change. The ultimate decision about the outcome of mediation—whether to pursue reconciliation or separation—rests with the client. Critically, BKKBPP staff emphasized that mediation is only offered in cases where the violence does not pose an ongoing safety risk to the victim and where there are genuine indications of the perpetrator's willingness to change. In cases involving severe or repeated violence, BKKBPP prioritizes victim safety and legal protection over reconciliation.

The outcomes of BKKBPP's advocacy, as reported in field interviews, encompass three primary domains. First, victim safety is secured: victims who report to BKKBPP are removed from immediate danger, whether through temporary shelter arrangements, police protective orders, or family separation. One victim (identified as 'AT') described the profound relief she

experienced upon receiving BKKBPP's protection, noting that for the first time she felt genuinely safe after years of violence. Second, psychological recovery is facilitated: victims undergoing counseling report progressive relief from trauma symptoms and a gradual restoration of psychological functioning. Third, where mediation is pursued, some families are able to rebuild their relationships on a healthier basis, though BKKBPP staff acknowledged that mediation does not always result in lasting reconciliation, and that separation or divorce is sometimes the outcome that best serves the victim's long-term wellbeing.

Enabling and Constraining Factors in BKKBPP's Advocacy

The effectiveness of BKKBPP's advocacy is shaped by a constellation of enabling and constraining factors identified through field interviews and document analysis. Understanding these factors is essential for assessing the agency's current performance and for identifying directions for institutional improvement.

Among the enabling factors, victim courage stands out as a decisive condition for effective advocacy. Because BKKBPP's advocacy is triggered by victims' self-reporting, victims' willingness to come forward determines whether the agency can intervene at all. Victims who overcome the barriers of shame, fear, and social pressure to report their experience to BKKBPP enable the agency to initiate its integrated service protocol. Second, professional competence among BKKBPP staff is a critical enabling factor. Advocates who possess deep knowledge of domestic violence dynamics, strong communication and empathy skills, and familiarity with the legal and psychological aspects of victim support are better positioned to provide effective accompaniment across all stages of the advocacy process. Third, inter-institutional coordination, particularly between BKKBPP, the police Women and Children Protection Unit (Unit PPA), and health facilities, enables the smooth functioning of BKKBPP's integrated service model, ensuring that victims receive timely and appropriate support from multiple institutional actors.

Among the constraining factors, under-reporting is the most fundamental challenge. Despite BKKBPP's outreach activities and the existence of reporting channels, many victims do not come forward due to fear of retaliation, shame, economic dependency on the perpetrator, lack of awareness of available services, and cultural norms that privatize domestic conflict. The head of the Unit PPA confirmed that perpetrators who are processed through the criminal justice system are often deterred from repeat violence, but this deterrent effect is inaccessible to the many victims who never report their experience. A second constraining factor is the scheduling challenge of coordinating advocacy appointments with victims who are employed or have competing family obligations. Many victims cannot easily attend daytime appointments at BKKBPP, creating gaps in service continuity. Third, the heterogeneity of victim profiles includes different types and severities of violence, different family configurations, different religious and cultural backgrounds, and different goals for advocacy demands individualized case management that stretches institutional resources. Finally, the diversity and complexity of causal factors underlying each domestic violence case require advocates to possess broad and constantly updated knowledge of the social, psychological, legal, and religious dimensions of domestic violence, which requires sustained institutional investment in staff training.

Discussion

Maqasid al-Shari'ah as a Framework for Evaluating Advocacy Effectiveness

The concept of *Maqasid al-Shari'ah* offers a robust normative framework for assessing the effectiveness of institutional responses to domestic violence, including those undertaken by BKKBP. Systematized by classical jurists such as Al-Ghazali, Al-Juwayni, and Al-Shatibi, this framework identifies five essential objectives of Islamic law: the protection of religion (*hifz al-din*), life (*hifz al-nafs*), intellect (*hifz al-'aql*), progeny (*hifz al-nasl*), and property (*hifz al-mal*). These objectives are not merely abstract ideals; they function as evaluative standards through which the legitimacy and ethical quality of legal and social institutions may be assessed. While often presented in hierarchical terms, their application in practice is better understood as context-sensitive and interdependent.

Viewed through this lens, domestic violence constitutes more than a legal or social violation; it represents a systemic disruption of the core protections that Islamic law seeks to secure. Physical violence directly threatens *hifz al-nafs*, while psychological abuse undermines *hifz al-'aql* by eroding cognitive stability and emotional integrity. Sexual violence destabilizes *hifz al-nasl* by violating the ethical foundations of familial relations, and economic neglect compromises *hifz al-mal* by restricting access to material security and autonomy. Moreover, the socio-cultural dynamics that often surround domestic violence—particularly those involving stigma, silence, or selective religious justification—may also distort *hifz al-din*, insofar as they alienate victims from ethical religious engagement.

Domestic violence should be viewed through the lens of *Maqasid al-Shari'ah*, not as a standalone offense, but as a complex breach of a comprehensive system of legal and moral safeguards. This approach enhances the normative critique of such violence and highlights the need for institutional measures that can tackle its multiple, interconnected harms.

This analysis aligns with the Qur'anic injunction in An-Nisa' 4:19, which commands husbands to treat their wives with kindness (*ma'ruf*) and prohibits acts of injustice (*zulm*) within the marital relationship. It is also consistent with the general Qur'anic principle, articulated in numerous verses, that all human beings, regardless of gender, possess dignity (*karamah*) as God's vicegerents on earth, a dignity that may not be violated by any act of violence or oppression. The Prophet Muhammad (peace be upon him) explicitly condemned the beating of wives, stating in a well-known hadith that a man who beats his wife in the morning and then seeks her intimate company in the evening is not among the righteous. These textual sources establish a clear Islamic normative prohibition on domestic violence that is fully consistent with the prohibitions of Indonesian statutory law.

The Islamic legal principle of *dar' al-mafsadah* (preventing harm) underscores the importance of institutional advocacy. This principle emphasizes that preventing harm takes precedence over seeking benefits: if an action causes harm, that harm must be stopped, even if it means sacrificing some potential advantages. In the context of domestic violence, this principle creates a strong Islamic legal obligation for proactive state and institutional measures to intervene early, prevent violence, and safeguard victims. BKKBP exemplifies this principle by acting in domestic violence cases to remove victims from danger, hold perpetrators accountable through legal processes, and prevent future violence via rehabilitation and mediation.

BKKBPP's Legal Advocacy and *Hifz al-Nafs*

BKKBPP's legal advocacy, particularly its litigative accompaniment through the criminal justice process, most directly serves the Maqasid al-Shari'ah objective of *hifz al-nafs* (protection of life). By accompanying victims to the police station, facilitating forensic medical examinations, and supporting victims throughout investigation and prosecution, BKKBPP activates the state's coercive power to hold perpetrators legally accountable and deter future violence. The criminal sanctions available under UU PKDRT imprisonment of up to fifteen years for physical violence causing death, and proportionally lower sentences for less severe forms of violence, represent the legal system's most powerful mechanism for protecting victims' lives and physical integrity.

The coordination between BKKBPP and the Unit PPA of the Malang City Police is particularly significant in this regard. The Unit PPA officer interviewed for this study (Iptu Khusnul Khotimah) confirmed that perpetrators who are processed through the criminal justice system demonstrate markedly lower rates of repeat offending, partly because the experience of prosecution confronts them with the legal consequences of their behavior and partly because judicial proceedings often result in conditions that physically separate the perpetrator from the victim. This deterrent effect is a direct expression of the Maqasid al-Shari'ah principle of *hifz al-nafs*: by subjecting perpetrators to legal accountability, the system protects the lives and physical integrity of current and potential future victims.

BKKBPP's non-litigative advocacy, particularly its mediation function, also serves *hifz al-nafs*, though in a more conditional and complex manner. As Mulyana et al. (2026) demonstrate in their analysis of religious counselors' role in domestic violence prevention, mediation can be an effective de-escalation mechanism for conflict that has not yet reached the threshold of systematic violence, but becomes potentially harmful to victims when applied to cases of established abusive patterns. BKKBPP's approach to mediation, which limits this intervention to cases where the violence is not ongoing and where the perpetrator demonstrates a genuine willingness to change, reflects a victim-centered understanding of the limits of mediation that is consistent with the Islamic legal obligation to prioritize the victim's safety. This approach also aligns with the scholarly consensus documented by Mulyana et al. (2026) that mediation should be positioned as a complementary and conditional mechanism, not as a substitute for legal protection.

Psychological Rehabilitation and *Hifz al-'Aql*

BKKBPP's psychological rehabilitation program most directly serves the Maqasid al-Shari'ah objective of *hifz al-'aql* (protection of the intellect and rational faculties). Domestic violence, particularly sustained psychological violence, including threats, humiliation, isolation, and constant criticism, inflicts severe damage on victims' psychological functioning. Victims who experience prolonged psychological violence report loss of self-confidence, inability to make independent decisions, pervasive fear and anxiety, and distorted perceptions of reality. These symptoms constitute, from an Islamic legal perspective, a serious impairment of the victim's intellectual and moral agency, her capacity to engage with the world as a rational, autonomous person endowed with God-given dignity.

BKKBPP's psychological counseling program addresses these harms through structured therapeutic interventions designed to restore the victim's psychological functioning. The case of 'M'—who progressively recovered from the trauma of repeated physical assault through BKKBPP's counseling program illustrates the transformative potential of professional

psychological rehabilitation. By restoring the victim's capacity for self-directed thought and action, BKKBPP's psychological rehabilitation directly serves *hifz al-'aql*, enabling victims to regain the intellectual and emotional resources needed to manage their lives, exercise their legal rights, and make informed decisions about their futures.

Protecting children who witness domestic violence is a vital aspect of safeguarding their intellectual and emotional well-being, or *hifz al-'aql*. Exposure to such violence can cause severe psychological issues like anxiety, post-traumatic stress, social withdrawal, and a normalization of violent relationships, which may lead them to either perpetuate or accept violence in their future relationships. BKKBPP offers services such as psychological assessments and counseling designed to meet children's developmental needs, helping to break the cycle of violence and support their mental health. This approach also aligns with Indonesia's child protection laws under Law No. 23 of 2002.

Family Mediation, Social Reintegration, and Hifz al-Nasl

BKKBPP's family mediation program most directly serves the Maqasid al-Shari'ah objective of *hifz al-nasl* (protection of progeny and family). The Islamic legal tradition places tremendous value on the family as the primary institution of social organization, the site of intergenerational transmission of religious and moral values, and the context within which children develop their identity, faith, and character. Domestic violence fundamentally threatens the integrity of the family: it destroys trust between spouses, deprives children of a safe and nurturing environment, generates intergenerational trauma, and frequently leads to family dissolution through separation or divorce.

BKKBPP's mediation program, when implemented properly, supports *hifz al-nasl* by fostering conditions that enable families to address underlying conflicts, rebuild relational foundations, and develop interaction patterns aligned with the Islamic ideals of *sakinah*, *mawaddah*, and *rahmah*. The program's adult-learning approach involves the mediator facilitating rather than directing the process, with the final decisions made by the parties. This approach respects the autonomy and dignity of both spouses while offering a structured dialogue space essential for many conflicted couples to communicate honestly and constructively.

However, consistent with the critical analysis of mediation in domestic violence contexts offered by Mulyana et al. (2026), BKKBPP's approach rightly recognizes that mediation is not always appropriate and must never be presented as a categorical requirement for domestic violence cases. Where the violence is severe, systematic, or poses an ongoing safety risk, the priority of *hifz al-nafs* (protection of the victim's life and physical integrity) must take precedence over *hifz al-nasl* (preservation of the family unit). BKKBPP's practice of limiting mediation to cases where safety is not at risk reflects an implicitly Maqasid-based understanding of the hierarchy of Islamic legal objectives: the protection of life is more fundamental than the preservation of the family structure, and no mediatory process can be justified if it exposes the victim to continued harm.

BKKBPP's social empowerment activities, including referrals to economic empowerment programs, vocational training, and community social services, also serve *hifz al-nasl* by reducing the economic dependency that traps many victims in abusive relationships. Economic empowerment enables victims to exercise genuine choice about their family situations: those who wish to remain in the marriage can do so from a position of greater autonomy, while those who determine that separation is necessary can do so without being paralyzed by economic insecurity.

This dimension of BKKBPP's advocacy is particularly important in the Indonesian context, where female economic dependency on husbands has been identified as a major structural factor enabling domestic violence.

Structural Challenges and the Path to Enhanced Effectiveness

Despite the substantial alignment between BKKBPP's advocacy and the objectives of Maqasid al-Shari'ah, several structural challenges constrain the agency's effectiveness and require systematic attention. The most fundamental challenge is the persistent gap between the scale of domestic violence in Malang City and the institutional capacity to address it. Annual increases in reported cases, combined with continuing underreporting, suggest that BKKBPP's current outreach and case-management capacity is insufficient to meet the demand. Addressing this gap requires sustained investment in institutional resources, including additional advocacy personnel, expanded counseling capacity, and enhanced inter-institutional coordination mechanisms.

A second structural challenge is the cultural and religious dimension of domestic violence in Muslim communities. As Mulyana et al. (2026) demonstrate in their analysis of religious counselors, the effectiveness of domestic violence interventions in Muslim-majority communities is significantly shaped by how those interventions engage with religious values and narratives. BKKBPP's advocacy will be more effective if it is explicitly framed in terms that resonate with Islamic legal values, particularly the prohibition of injustice (*zulm*), the obligation to protect the weak and vulnerable, and the Maqasid al-Shari'ah mandate to protect life, intellect, and family. Incorporating religious literacy and Maqasid-based reasoning into BKKBPP's advocacy training and victim communication would strengthen the cultural and religious legitimacy of the agency's work, reducing the risk that victims reject institutional intervention on religious grounds.

A third key challenge is coordinating BKKBPP with religious and community actors, who, as Mulyana et al. (2026) show, are often the first contact for victims of domestic violence. Research in Subang Regency reveals that religious leaders play a crucial role in influencing perceptions, reporting, and responses to domestic violence within Muslim communities. To strengthen BKKBPP's advocacy, it should be part of a coordinated network involving religious counselors, mosque leaders, and community groups, with defined referral protocols that enable religious figures to direct victims to BKKBPP's services. Such integration would leverage the social legitimacy and cultural accessibility of religious actors alongside BKKBPP's legal authority and professional expertise, creating a more comprehensive and effective system than either could achieve alone.

The findings of this study also have implications for the design of advocacy training programs. The heterogeneity of domestic violence victims includes different types and severities of violence, different family configurations, different psychological profiles, and different goals for advocacy demands that BKKBPP advocates possess a broad and flexible repertoire of skills and knowledge. Training programs should encompass: legal knowledge of UU PKDRT and related legislation; psychological skills in trauma assessment and counseling; cultural and religious competence in engaging with Muslim victims and perpetrators; and case management skills for coordinating complex multi-institutional advocacy. The integration of Islamic legal literacy, including a working knowledge of Maqasid al-Shari'ah as applied to family law, into BKKBPP's training curriculum would equip advocates to address the religious dimensions of domestic violence with authority and sensitivity.

Conclusion

This study assesses how effectively BKKBPP Malang City advocates against domestic violence and its alignment with the *Maqasid al-Shari'ah* framework. Findings reveal that BKKBPP's advocacy is organized into four interconnected areas: legal support, psychological therapy, medical referrals, and family mediation. When these are coordinated and prioritize victims, they effectively protect victims, aid psychological healing, and support social reintegration. Nonetheless, their success depends on institutional capacity, inter-agency collaboration, and cultural context. From a normative standpoint, BKKBPP's advocacy aligns in meaningful ways with *Maqasid al-Shari'ah* objectives, though not without issues. Legal actions uphold *hifz al-nafs* by utilizing state power to prevent harm and promote accountability. Psychological services help restore mental and emotional health, supporting *hifz al-'aql*. Mediation, when carefully managed to prioritize safety, can preserve or reshape family ties without causing further harm, thus supporting *hifz al-nasl*. Social empowerment initiatives address multiple maqasid by reducing dependency and fostering victim independence. This suggests that advocating for domestic violence victims is both a legal, social duty and an expression of Islamic ethical principles focused on harm prevention and human dignity. The study also highlights structural barriers, such as ongoing under-reporting driven by fear, stigma, and financial dependence, which hinder access to protection. Institutional challenges, including limited resources and uneven case management, also impede service delivery. Additionally, diverse victim needs require personalized approaches that current systems cannot always provide. A notable gap exists in the limited cooperation between BKKBPP and religious or community organizations, despite their importance as initial contact points for victims.

These findings carry several implications. At the institutional level, there is a need to develop a more explicit *Maqasid*-informed framework that not only normatively legitimates advocacy but also guides practice operationally. At the policy level, sustained investment and formalized coordination mechanisms are essential to strengthen institutional responsiveness. At the theoretical level, this study demonstrates that *Maqasid al-Shari'ah* can function as a critical evaluative lens rather than a purely justificatory framework, thereby bridging Islamic legal thought with contemporary models of victim protection. Future research should move beyond cross-sectional analysis by incorporating longitudinal approaches to assess long-term victim outcomes. It should also critically engage perspectives that remain underexplored, particularly those of perpetrators and religious intermediaries, in order to better understand the broader ecosystem of domestic violence response. Such efforts are necessary to advance a more integrated, context-sensitive, and normatively grounded model of advocacy that is both empirically robust and jurisprudentially coherent.

Bibliography

- Abdul Manan. (2006). *Aneka Masalah Hukum Perdata Islam di Indonesia* (1st ed.). Jakarta: Kencana
- Akmal, A. M., Mundzir, C., Asti, M. J., Abbas, R., & Mustafa, Z. (2024). Legal Solutions for Domestic Violence in Unregistered Marriages in Indonesia: Integrating Maqāsid Al-Shari'ah. *El-Ushrah: Jurnal Hukum Keluarga*, 7(2), 768–790. <https://doi.org/10.22373/ujhk.v7i2.25971>
- Amin, I., Razak, D. A., Efendi, F., & Sulastri, W. (2022). Kekerasan Fisik dalam Rumah Tangga Perspektif Hukum Islam. *Al-Qisthu: Jurnal Kajian Ilmu-Ilmu Hukum*, 20(1), 97–110. <https://doi.org/10.32694/qst.v20i1.1688>
- Amiur Nuruddin & Azhari Akmal Tarigan. (2004). *Hukum Perdata Islam di Indonesia*. Jakarta: Kencana
- Asy'ari, R. (2022). Mashlahah dalam Maqasid Syari'ah. *Ta'wiluna: Jurnal Ilmu Al-Qur'an, Tafsir Dan Pemikiran Islam*, 3(1), 1–13. <https://doi.org/10.58401/takwiluna.v3i1.593>
- Badan Pusat Statistik & Kementerian Pemberdayaan Perempuan dan Perlindungan Anak. (2022). *Survei Pengalaman Hidup Perempuan Nasional 2021*. Jakarta: Badan Pusat Statistik
- Bayu Wicaksono, A., & Son Ashari, W. (2024). Analisis Perlindungan Islam Terhadap Perempuan Korban Kekerasan dalam Rumah Tangga dalam Tinjauan Maqashid Syariah. *Rayah Al-Islam*, 8(3), 888–904. <https://doi.org/10.37274/rais.v8i3.1027>
- Beddu, M. J. (2023). Peran Penyuluh Agama dalam Menangani Kasus Kekerasan dalam Rumah Tangga (KDRT) dan Pernikahan Dini di Kota Batam. *Al-Mutharahah: Jurnal Penelitian Dan Kajian Sosial Keagamaan*, 20(2), 267–281. <https://doi.org/10.46781/al-mutharahah.v20i2.810>
- Chalid, M., & Adnan, I. (2024). Efektivitas Mediasi sebagai Alternatif Penyelesaian Kasus Kekerasan dalam Rumah Tangga. *Al-Balad: Jurnal Hukum Tata Negara Dan Politik Islam*, 4(2), 1–15 <https://doi.org/10.59259/ab.v4i2.188>
- Cieciek, F. (1999). *Ikhtiar Mengatasi Kekerasan dalam Rumah Tangga: Belajar dari Kebidupan Rasulullah SAW*. Jakarta: LKAJ, PSP, The Asia Foundation
- Depdikbud. (2007). *Kamus Besar Bahasa Indonesia*. Jakarta: Balai Pustaka
- Faqihuddin Abdul Kadir & Ummu Azizah Mukarnawati. (n.d.). Referensi Bagi Hakim Peradilan Agama Tentang Kekerasan dalam Rumah Tangga
- Haryati, A., Herawati, N., Soneta, B., & Wardani, S. (2022). Upaya Konselor Islami dalam Penanganan Spiritualitas pada Korban Trauma Kekerasan dalam Rumah Tangga. *Consilium: Berkala Kajian Konseling Dan Ilmu Keagamaan*, 9(1), 1–14. <https://doi.org/10.37064/consilium.v9i1.9579>
- Hossan, M. A., Rani, P., & Sarker, S. C. (2026). Impact of Domestic Violence on Mental and Physical Health of Women: A Case Study. *Interdisiplin: Journal of Qualitative and Quantitative Research*, 3(1), 51–69 <https://doi.org/10.61166/interdisiplin.v3i1.147>
- Husni, A. B. M., Nasohah, Z., & Kashim, M. I. A. M. (2015). Problem of Domestic Violence and Its Solutions in the Light of Maqasid Shariah. *Asian Social Science*, 11(22). <https://doi.org/10.5539/ass.v11n22p33>
- Inayah, K., & Prihatini, R. L. (2022). Peran Penyuluh Agama dalam Menjalankan Fungsi Profesi Untuk Kasus Kekerasan dalam Rumah Tangga (KDRT) di Parung Bogor. *Jurnal Penyuluhan Agama (JPA)*, 8(1), 57–72. <https://doi.org/10.15408/jpa.v8i1.24377>

- Istiadah, M. A. (n.d.). *Pembagian Kerja Rumah Tangga dalam Islam*. Jakarta: Lembaga Kajian Agama dan Gender
- Jannah, F. (2003). *Kekerasan Terhadap Istri* (1st ed.). Yogyakarta: LKiS
- Kartikaningsih, Y., Hidayat, S., Muhibbin, M., Hasan, N., & Filhaq, M. J. A. D. (2024). *Efektivitas Advokasi Terhadap Korban KDRT oleh Badan Kependudukan Keluarga Berencana dan Pemberdayaan Perempuan Kota Malang dalam Perspektif Maqashid Syariah*. Universitas Islam Malang
- Kementerian Pendidikan dan Kebudayaan. (2016). *Panduan Operasional Penyelenggaraan Bimbingan Konseling*. Jakarta: Direktorat Jenderal Guru dan Tenaga Pendidikan
- Khoiruddin Nasution. (2004). *Hukum perkawinan I*. Yogyakarta: Academia Tazaffa.
- Kollman, N. (1998). *Kekerasan Terhadap Perempuan: Program Semi Lokakarya Kesehatan Perempuan* (1st ed.). Yogyakarta: YLKI
- Komnas Perempuan & Kementerian Pemberdayaan Perempuan dan Perlindungan Anak. (2023). *Laporan Sinergi Database Kekerasan Terhadap Perempuan Periode 2022*. Jakarta: Komnas Perempuan
- Kusuma, F., & Susanto, D. (2025). *Keadilan Hukum Bagi Suami Korban Kekerasan Rumah Tangga*. Penerbit Widina
- Ladiku, H., & Zaman, A. R. B. (2024). Examining Domestic Violence from the Lens of Islamic Law: a Maqasid Analysis. *Ulul Albab: Jurnal Studi Dan Penelitian Hukum Islam*, 6(2), 152–175. <https://doi.org/10.30659/jua.v6i2.35740>
- Makara, M. T., & Azri, S. (2014). *Hukum Perlindungan Anak dan Penghapusan Kekerasan dalam Rumah Tangga*. Jakarta: Rineka Cipta
- Mansour Fakih. (2003). *Analisis Gender dan Transformasi Sosial*. Yogyakarta: Pustaka Pelajar
- Miller, V., & Covey, J. (2005). *Pedoman Advokasi: Kerangka Kerja untuk Perencanaan Tindakan dan Refleksi*. Jakarta: Yayasan Obor Indonesia
- Moerti Hadiati Soeroso. (2011). Jakarta: Sinar Grafika *Kekerasan dalam Rumah Tangga Perspektif Yuridis-Viktimologi*
- Mulyana, Setyawan, E., Suharto, N. S., & Salsabila, R. S. (2026). Pencegahan Kekerasan Rumah Tangga oleh Konselor Agama Perspektif Maqashid Syariah. *Maqasid: Jurnal Studi Hukum Islam*, 15(1), 219–238 <https://doi.org/10.30651/mqsd.v15i1.30750>
- Nasrudiansyah, I., & Alijaya, A. (2023). Kajian Yuridis Undang-undang No. 23 tahun 2004 tentang Penghapusan Kekerasan dalam Rumah Tangga Ditinjau Berdasarkan Hukum Islam. *MIM: Jurnal Kajian Hukum Islam*, 1(1), 39–64
- Nuradhawati, R. (2025). *Memutus Rantai KDRT: Kolaborasi Pemerintah dan Masyarakat di Indonesia*. PT. Sonpedia Publishing Indonesia
- Nurhayati, E. (1996). *Panduan Untuk Pendampingan Korban Kekerasan: Konseling Berwawasan Gender* (7th ed.). Jakarta: Balai Pustaka
- Nurhayati, N., Nasution, M. S. A., Hasibuan, R. R. A., & Afendi, H. (2022). Human Trafficking in the Perspective of Maqashid Al-Sharia. *Jurnal Ilmiah Islam Futura*, 22(2), 150–171. <https://doi.org/10.22373/jiif.v22i2.12304>
- Purwodarminto, W. J. S. (1984). *Kamus Besar Bahasa Indonesia*. Jakarta: Balai Pustaka

- Rahmawati, A. (2016). Perlindungan Hukum atas Kekerasan Terhadap Perempuan: Kritisisme atas UU No. 23 Tahun 2004 tentang KDRT. *Palastren: Jurnal Studi Gender*, 7(1), 79–102
<http://dx.doi.org/10.21043/palastren.v7i1.999>
- Republic of Indonesia. (2002). *Undang-Undang Nomor 23 Tahun 2002 tentang Perlindungan Anak*. Jakarta: Sekretariat Negara
- Republic of Indonesia. (2004). *Undang-Undang Nomor 23 Tahun 2004 tentang Penghapusan Kekerasan dalam Rumah Tangga*. Jakarta: Sekretariat Negara
- Sembiring, T. (n.d.). Kontrol Koersif dan Kekerasan dalam Rumah Tangga. In Psikologi keluarga: Pencegahan dan Penanggulangan KDRT (p. 81)
- Subhi, M. R. (2025). Peran Bimbingan dan Konseling Islam dalam Membangun Keharmonisan Rumah Tangga. *Jurnal Bimbingan Penyuluhan Islam*, 7(1), 71–81
<https://doi.org/10.32332/kt5qfw02>
- Sugianti, T., & Minarosa, M. (2022). *Law Enforcement in the Framework of Legal Protection Against Victims of Domestic Violence (KDRT)*. In *Proceedings of the 2nd International Conference on Law, Social Science, Economics, and Education (ICLSSEE 2022)*. EAI.
<https://doi.org/10.4108/eai.16-4-2022.2320045>
- Supriyadi, T., Siburian, D. N., Meshani, G., & Ridho, M. (2024). Dibalik Pintu Tertutup: Dinamika Faktor Psikologis Terhadap Terjadinya Kekerasan dalam Rumah Tangga Pada Perempuan. *IJBITH Indonesian Journal of Business Innovation, Technology and Humanities*, 1(1), 150–162
- Truong, M., Sharif, M., Olsen, A., Pasalich, D., Calabria, B., & Priest, N. (2022). Attitudes and Beliefs About Family and Domestic Violence in Faith-based Communities: an Exploratory Qualitative Study. *Australian Journal of Social Issues*, 57(4), 880–897.
<https://doi.org/10.1002/ajs4.210>
- Wahbah al-Zuhaili. (1989). *Al-Fiqh al-Islami wa Adillatub* (Vol. 4). Damascus: Dar al-Fikr