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Domestic Violence Law and *Maqāṣid al-Syarī'ah* in Protecting Families from Psychological Violence

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Abstract

This study aims to reconstruct protection against psychological violence under Article 7 of the Domestic Violence Eradication Law through the perspective of *Maqāṣid al-Syarī'ah* to strengthen legal certainty and improve victim protection. The study is motivated by the vague indicators of psychological violence, which weaken evidentiary standards and create inconsistent law enforcement. This research employs normative legal research using statutory and conceptual approaches analyzed descriptively and analytically. The findings show that psychological violence produces multidimensional impacts on the objectives of *Maqāṣid al-Syarī'ah*. At the level of *ḍarūriyyāt*, it harms life through mental disorders, weakens intellect through cognitive distortion, disrupts religion through spiritual crises, damages lineage through psychological trauma, and reduces economic stability. At the level of *ḥājiyyāt*,

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it causes emotional distress and impairs social functioning, while at the level of *taḥsīniyyāt*, it degrades ethics, morality, and family relationships. Conversely, stronger psychological protection supports mental stability, religious observance, intellectual functioning, generational resilience, economic productivity, and harmonious family relations. This study confirms that the integration of Article 7 of the Domestic Violence Law with *Maqāṣid al-Syarīʿah* strengthens psychological protection through preventive, repressive, and restorative approaches oriented toward public welfare and the protection of human dignity. The novelty of this research lies in integrating positive legal norms with *Maqāṣid al-Syarīʿah* to formulate a comprehensive psychological protection model.

KEYWORDS *Psychological Violence, Maqāṣid al-Syarī'ah, Legal Certainty, Domestic Violence Law*

Introduction

The family is the smallest social unit that plays a vital role in determining the quality of a nation's civilization, where harmony in it is an absolute prerequisite for the birth of a productive society. However, social reality shows that the institution of marriage is often faced with the phenomenon of non-physical violence, which is legally identified as psychological violence[1]. In contrast to physical violence that leaves a real mark, psychological violence works quietly but has a systematic destructive impact on the mental integrity of individuals[2]. In the context of positive law in Indonesia, the presence of Law Number 23 of 2004 concerning the Elimination of Domestic Violence (PKDRT Law) is a manifestation of the presence of the state to provide comprehensive protection. Specifically, Article 7 of the PKDRT Law formulates limits on psychological violence as an act that causes fear, loss of confidence, and severe psychological suffering[3], which indicates that human dignity should not be harmed by mental pressure in the domestic sphere.

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1 Husin Wattimena and Muis S. A. Pikahulan, "Legal Study of Evidence of Domestic Psychological Violence in Indonesia," *Journal of Law and Sustainable Development* 13, no. 4 (April 2025): e04380–e04380, https://doi.org/10.55908/sdgs.v13i4.4380.

2 Camila Monteiro Fabricio Gama et al., "The Invisible Scars of Emotional Abuse: A Common and Highly Harmful Form of Childhood Maltreatment," *BMC Psychiatry* 21, no. 1 (March 2021): 156, https://doi.org/10.1186/s12888-021-03134-0.

3 Rininta Gustiyani, Hartiwiningsih Hartiwiningsih, and Sapto Hermawan, "Criminal Sanctions' in Law Number 23 of 2004 Concerning the Elimination of Domestic Violence Dilemma of

Epistemologically, the protection of mental health in the household is a crucial issue that requires a sharp analytical knife so as not to get caught up in mere administrative formalities. In the treasures of Islamic thought, the theory of *Maqāṣid al-Syarī'ah* is present as a methodological instrument to dissect how a regulation is able to realize the essential benefits for humans. *Maqāṣid al-Syarī'ah* views that the main purpose of the promulgation of the law is to ensure the protection of five main elements, namely religion, soul, intellect, descent, and property[4]. The integration between Article 7 of the PKDRT Law and the framework of *Maqāṣid al-Syarī'ah* provides a new understanding that psychological violence is not just a violation of state legal norms, but an act that directly attacks the essence of *dlaruriyat* (primary needs) of humans. When a person's mentality is destroyed through intimidation or humiliation, then the individual's sovereignty over his mind and soul becomes threatened[5], which in turn will undermine the social and spiritual order that Islamic teachings aspire to be a blessing to the universe.

In a more specific context, this psychological protection is closely related to the concept of *Maqasid al-Usrah* or the legal purpose within the scope of the family. *Maqasid al-Usrah* views that the institution of marriage is built to realize stable and sustainable tranquility (*sakinah*), love (*mawaddah*), and affection (*rahmah*[6]). A harmonious family can only be created if each individual in it feels emotionally secure and respects their dignity as an equal subject of the law[7]. The enforcement of Article 7 of the PKDRT Law serves as an instrument to present positive values and inner peace in the domestic ecosystem, so that the household does not turn into a stressful or toxic space. Through such an approach, the family is expected to transform into the first madrasah for the formation of religious and mentally healthy human

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Complaint Delict from a Utilitarianist Perspective," February 22, 2024, 596–601, https://doi.org/10.2991/978-2-38476-218-7_100.

4 Tarmizi Tahir and Syeikh Hasan Abdel Hamid, "Maqasid Al-Syari'ah Transformation in Law Implementation for Humanity," *International Journal Ihya' 'Ulum al-Din* 26, no. 1 (June 2024): 119–31, https://doi.org/10.21580/ihya.26.1.20248.

5 Maria A. Pico-Alfonso, et al. "The Impact of Physical, Psychological, and Sexual Intimate Male Partner Violence on Women's Mental Health: Depressive Symptoms, Posttraumatic Stress Disorder, State Anxiety, and Suicide." *Journal of Women's Health* 15, no. 5 (2006): 599-611.

6 Saddam Arifandi and Abd Rouf, "Choosing a Place to Live in Maintaining Family Resilience: The Perspective of Maqashid al-Usrah," *Ash-Shari'ah : Journal of Islamic Law* 11, no. 2 (June 2025): 166–76, https://doi.org/10.55210/assyariah.v11i2.2097.

7 Mohamad Sar'an et al., "Implementation of Harmonious Family in the Concept of Proportionality of Obligations and Rights of Husband and Wife Relations: A Perspective on the Compilation of Islamic Law," *El-Usrah: Journal of Family Law* 7, no. 2 (December 2024): 695, https://doi.org/10.22373/ujhk.v7i2.24662.

character, where inner happiness is the main foundation for the creation of a civilized society.

However, the ideal expectation of family harmony often contrasts with empirical data on the national divorce rate that has continued to increase significantly in recent years. Based on legal statistics in Indonesia, in 2025, there will be around 438,168 divorce cases, of which 282,326 cases, or about 64.4%, are caused by constant disputes and quarrels (*shiqaq*) as well as incompatibility between spouses[8]. This fact shows that the main factor in divorce is not only economic problems, but also prolonged psychological conflicts. These disputes are actually manifestations of unhandled psychological violence, such as insulting communication, threats, and emotional neglect that slowly undermine the foundation of marriage[9]. This high number confirms the existence of a crisis of psychological stability in the family that requires sharper legal and theoretical interventions to prevent systemic damage to family institutions.

If examined further, there is an interesting dichotomy in marriage regulations in Indonesia, where the reasons for divorce are often distinguished between domestic violence, which tends to be physical and persistent, and disputes which are more inclined to the psychological dimension. In the practice of trials, psychological disputes actually occupy the main position as the main trigger of domestic rifts compared to visible physical violence. This proves that mental wounds caused by unpleasant words or treatment have more permanent destructive power than physical injuries[10]. However, ironically, the legal handling of this psychological aspect is often considered more complicated due to the difficulty of proof and the lack of a uniform understanding of the behavioral limitations that fall into the category of mental violence in a formal juridical manner.

On the other hand, the formulation of indicators of psychological violence in Article 7 of the PKDRT Law is currently considered to still have a

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[8] *See* Badan Pusat Statistik Indonesia. "Nikah dan Cerai Menurut Provinsi (Kejadian) 2025", *Report,* available retrieved online https://www.bps.go.id/id/statistics-table/3/VkhwVUszTXJPVmQ2ZFRKamNIZG9RMVo2VEdsbVVUMDkjMw==/nikah-dan-cerai-menurut-provinsi.html

[9] Dian Nur Latifah and Sheilla Varadhila Peristianto, "The Quality of Life of Women Divorced Due to Domestic Violence," *Developmental and Clinical Psychology* 5, no. 1 (June 2024): 29–40, https://doi.org/10.15294/dcp.v5i1.6205.

[10] Mira Fauziyya Fatihanna, Diah Krisnatuti, and Yulina Eva Riany, "Marital Interaction, Domestic Violence, Social Support, and Wives' Quality of Life: A Sem Analysis," *Journal of Counseling and Education* 13, no. 3 (October 2025): 122–37, https://doi.org/10.29210/1165600.

gap or vagueness in the implementation realm[11]. Until now, the standard regarding what is categorized as "loss of confidence" or "severe psychological suffering" still depends heavily on the subjectivity of judges and the testimony of psychologists, which are sometimes difficult to access by the general public[12]. The legal certainty side needs to be strengthened so that this protection does not stop only at normative texts, but can really be implemented in the field effectively and fairly. The lack of clarity of these indicators often makes perpetrators of psychological violence roam free without legal consequences, while victims continue to be trapped in a cycle of mental suffering that has no end of certainty of protection.

The formulation of this research problem focuses on how psychological protection in Article 7 of the PKDRT Law is analyzed through the perspective of *Maqāṣid al-Syarī'ah* in the midst of the blurring of indicators of psychological violence, which has an impact on weak evidence and inconsistency in law enforcement. Specifically, this study examines: (1) how the negative impact of psychic violence in the framework of *maqāṣid* at the level of *ḍarūriyyāt*, *ḥājiyyāt*, and *taḥsīniyyāt*; (2) how the positive impact of strengthening psychological protection through Article 7 of the PKDRT Law on the welfare and resilience of the family; and (3) how the integration of *Maqāṣid al-Syarī'ah* can reconstruct the norms of Article 7 to be clearer, measurable, and applicable. The purpose of this research is to formulate an integrative model based on Sharia *maqāṣid* to produce regulations that have legal certainty, effectively protect victims, and contribute to reducing divorce rates and building strong, religious, and highly competitive families.

The study of violence against women, especially in the context of domestic violence, generally develops within a normative-positivistic[13] and socio-legal[14] framework that runs relatively separately from the study of

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[11] Herlyanty Y. A. Bawole, Grace M. F. Karwur, and Grace Y. Bawole, "Legal Regulations for Victims and Perpetrators of Psychological Violence by the Bitung Police Department," *Research Horizon* 5, no. 6 (December 2025): 3269–76, https://doi.org/10.54518/rh.5.6.2025.952.

[12] Iffaty Nasyi'ah et al., "Penal Sanctions for Psychological Domestic Violence under Utilitarianism Theory: A New Sentencing Paradigm in the 2023 Indonesian Criminal Code," *El-Usrah: Journal of Family Law* 8, no. 1 (June 2025): 593–617, https://doi.org/10.22373/3km2wr98.

[13] Usep Saepullah and Eva Nur Hopipah, "Domestic Violence in The Perspective of Civil and Islamic Criminal Law," *Al-'Is* 20, no. 2 (2023): 427–52, https://doi.org/10.24042/adalah.v20i2.19438.

[14] Shinta Dewi Rismawati et al., "Distorted Meanings, Misplaced Justice: A Socio-Legal Approach of the Delegitimization of Domestic Violence Law in Pekalongan, Indonesia," *Conscience: Journal of Sharia and Society Studies* 25, no. 2 (2025): 671–89, https://doi.org/10.19109/nurani.v25i2.30585.

Maqāṣid al-Syarī'ah. Existing studies tend to focus on aspects of forms of domestic violence[15], the number of cases of domestic violence[16], and the analysis of the psychological and social impact on victims[17]. Meanwhile, the study of *Maqāṣid al-Syarī'ah* focuses more on the conceptual elaboration of *ḍarūriyyāt*, *ḥājiyyāt*, *taḥsīniyyāt*[18], as well as the study of the thought of *Maqasid* scholars such as As-Syatibi[19], Tahir bin Asyur,[20] and Jasser Auda[21] in general. However, the two streams of study have not been systematically integrated, especially in the context of psychological violence in Indonesian positive law, so they have not produced an operational and applicable normative formulation in victim protection.

Based on this gap, the research gap of this research lies in the absence of an integrative model that is able to bridge the positive legal analysis of psychological violence with the framework of *Maqāṣid al-Syarī'ah* operationally. The novelty of this research is present through efforts to integrate Article 7 of the PKDRT Law with *Maqāṣid al-Syarī'ah* not only at the conceptual level, but also at the applicative level through the

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[15] Kurniati Abidin et al., "Determinants of Domestic Violence in Indonesia from a Gender and Sociology of Law Perspective," *El-Usrah: Journal of Family Law* 8, no. 2 (2025): 701–23, https://doi.org/10.22373/0t3bc059. *See also* Clara Fischer, Syahrul Hakim, and Dewi Arum Lestari. "Judges as Agents of Change: The Role of the Judiciary in Protecting Vulnerable Groups." *Indonesian Court and Justice Review* 1, no. 2 (2024); Oliver D'Angelo, et al. "The Intersection of Gender and Minority Rights in Indonesia: A Case for More Inclusive Justice." *Indonesian Minority Justice Review* 1, no. 3 (2024); Jonathan Tharez Situmorang, "The Intersection of Social Justice and Legal Aid: Tackling Domestic Violence Through Community Legal Services." *Lentera Masyarakat Hukum* 1, no. 1 (2024).

[16] Hasanudin Hasanudin et al., "Phenomena of Domestic Violence Against Women and Divorce in 2020-2022 in Indonesia: An Islamic Perspective," *Al-Manahij: Journal of Islamic Law Studies* 17, no. 2 (2023), https://doi.org/10.24090/mnh.v17i2.7686.

[17] Ibn Amin et al., "Stratification of Al-Maqashid Al-Khamsah (Preserving Religion, Soul, Reason, Heredity and Property) and Its Application in al-Dharuriyah, al-Hajiyah, al-Tahsiniyah, and Mukammilat," *AJIS: Academic Journal of Islamic Studies* 9, no. 1 (2024): 264–81, https://doi.org/10.29240/ajis.v9i1.8941.

[18] Amin et al., "Stratification of Al-Maqashid Al-Khamsah (Preserving Religion, Soul, Reason, Heredity and Property) and Its Application in al-Dharuriyah, al-Hajiyah, al-Tahsiniyah, and Mukammilat."

[19] Al Ikhlas Al Ikhlas et al., "The Concept of Maqasid Al-Shariah As an Instrument of Ijtihad According to Imam al-Shatibi in al-Muwafaqat Fi Ushuli Al-Shariah," *Sharia Media: A Vehicle for the Study of Islamic Law and Social Institutions* 23, no. 2 (2021): 206–19, https://doi.org/10.22373/jms.v23i2.10138.

[20] Ade Dedi Rohayana et al., "Ibn Ashur's Concept of Maqasid Sharia-Finding Method," *Research Journal* 17, no. 1 (2020): 55–66.

[21] Mohammad Fauzan Ni'ami and Bustamin Bustamin, "Maqāṣid Al-Syarī'ah in the Review of tThe Thought of Ibn 'Āsyūr and Jasser Auda," *JURIS (Sharia Scientific Journal)* 20, no. 1 (2021): 91, https://doi.org/10.31958/juris.v20i1.3257.

operationalization of three levels of maqāṣid (*ḍarūriyyāt, ḥājiyyāt, and taḥsīniyyāt*) as the basis for the formulation of objective and measurable indicators of psychological violence. By maximizing preventive, repressive and restorative efforts. This research offers a legal reconstruction model that is able to strengthen legal certainty while increasing the effectiveness of victim protection, thus making a real contribution both in the development of *Maqāṣid* theory and in national law enforcement practice.

This research is qualitative legal research by placing law as norms, principles, and doctrines. The approach used includes a statute *approach* to examine Article 7 of the PKDRT Law and related regulations through the identification of norm hierarchies, vertical-horizontal synchronization, and consistency testing between regulations. In addition, a *conceptual approach* is used to integrate the values of *Maqāṣid al-Syarī'ah*into the national legal framework through doctrinal studies, theoretical comparisons, and prescriptive argumentation construction. These two approaches are operationalized to analyze the gap between the legal text and the need for practice, resulting in a more responsive legal reconstruction in realizing the protection and tranquility of the family (*Maqāṣid al-Usrah*).

The sources of legal materials used in this study are classified into two main categories, namely primary legal materials and secondary legal materials. The primary legal material consists of binding laws and regulations, such as Law Number 23 of 2004 concerning the Elimination of Domestic Violence. Meanwhile, secondary legal materials include academic literature, legal textbooks, research drafts, as well as scientific works from scholars and contemporary legal experts related to the study. The collection of legal materials is carried out through intensive documentation studies or library *research* to ensure that each argument built has a strong academic basis and is validated by reputable journal literature.

The data analysis method is carried out in a descriptive-analytical manner using deductive logic as the main frame of thought. The analysis process begins with collecting and classifying relevant legal materials, then a systematic interpretation of Article 7 of the PKDRT Law is carried out using the *Maqāṣid al-Syarī'ah*analysis knife. This integration serves as an epistemological bridge to find objective indicators in psychic violence that have been considered to be still jurridistically vague. Furthermore, the data is critically analyzed to produce precise conclusions regarding the strengthening of legal certainty and the implementation of mental protection in the field. Through this method, the research not only explains the existing rules (*das sein*), but also provides philosophical recommendations on how the law should

work (*das sollen*) in order to realize inclusive economic development and a civilization with noble character.

Benefits as Rhetoric for Reading Psychic Violence Based on *Maqāṣid al-Sharī'ah*

Benefit is basically the parent of the *Maqāṣid al-Syarī'ah*because wherever there is benefit, there is the law of Allah SWT.[22] Yusuf Qardlawi affirms As-Shatibi's argument that everything that is not regulated in detail in the textual postulates of sharia, then reason plays a big role in tracing and determining the law of Allah SWT over it.[23] The determination of reason for a benefit does not run without parameters. Rather, it is measured and determined by the standardization of *sharia maqasid*. Al-Ghazali said that the benefit is to realize the *maqasid* of sharia, namely by maintaining five main things. Everything that contributes positively to the five main things is called *maslahat* and everything that is counterproductive to the five main things is called *mafsadat* and rejecting *mafsadat* is part of the benefit.[24]

Maqāṣid al-Syarī'ah is essentially a representation of the intention and will of Allah SWT in establishing laws for humans, whose entire orientation is centered on the realization of benefits[25]. This benefit is not only limited to the worldly dimension, but also includes the *ukhrawi* dimension integrally[26]. In the context of the world, benevolence refers to all forms of goodness that provide real benefits to human life, both in individual and social aspects, and are able to prevent damage, loss, and injustice. Meanwhile, the benefits of the hereafter are oriented towards the achievement of the pleasure of Allah SWT, which is the way to eternal happiness in heaven and avoiding punishment[27]. Thus, *Maqāṣid al-Syarī'ah* is the noble ideal of the originator of the sharia, which is inserted in various forms of sharia law[28].

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[22] Ibrāhīm ibn Mūsā al-Syāṭibī, *Al-Muwāfaqāt Fī Uṣūl al-Sharī'ah* (Jeddah: Dar Ibn Afan, 2001).

[23] Yusuf al-Qardlawi, *Al-Ijtihad al-Mu'asirin Baina al-Indibath Wa al-Inqiradh* (Al-Maktabah al-Islami, 1998).

[24] Abū Ḥāmid Muḥammad ibn Muḥammad al-Ghazālī, *Al-Mustasfā Min 'Ilm al-Uṣūl* (Beirut: Darul Kutub Ilmiah, 2009).

[25] Abū Ḥāmid Muḥammad ibn Muḥammad al-Ghazālī, *Al-Mustasfā min 'Ilm al-Uṣūl*, (Beirut: Dār al-Kutub al-'Ilmiyyah, eirut, 1998), Juz 1, p. 174.

[26] Ibrāhīm ibn Mūsā al-Syāṭibī, *al-Muwāfaqāt fi Uṣūl al-Sharī'ah*, (Beirut: Dār al-Kutub al-'Ilmiyyah, 2002) Juz 2, p. 6.

[27] Muṣṭafā al-Zuḥaylī, *al-Wajiz fi Uṣūl al-Fiqh al-Islāmī,* (Damascus: Dār al-Khayr, 2006), p. 102.

[28] Mustafa Ibrahim az-Zalmi, *Uṣūl al-Fiqh fi Naṣījih al-Jadīd*, (Baghdad: Company al-Ḥunasa', 1989), p. 140.

The sharia maqāṣid, which is the parent of the benefit covers two directions at once,

, namely bringing benefits and eliminating harm in human life.[29] In the context of psychological violence, *Maqāṣid al-Syarī'ah* provides a normative conceptual foundation to understand that every form of violence is a threat to the integrity of five crucial human things. Therefore, regulations such as Article 7 of the Law on the Elimination of Domestic Violence (PKDRT) are substantially within the line of *Maqāṣid al-Syarī'ah* in order to eliminate harm. Immediately with this, strengthening the formulation of the article on psychological violence also strengthens the values of *Maqāṣid al-Syarī'ah* with the benefit of downloading. Considering that *Sharia* law is not only built based on textual postulates but is also formulated through rational postulates.

In this framework, the analysis of psychological violence requires a comprehensive description of the negative effects of psychological violence. Considering that psychological violence is not always visible to the naked eye, but has serious consequences such as mental distress, emotional disturbances, loss of sense of security, and damage to social relationships[30]. Therefore, mapping the impact of psychological violence is a strategic step to ensure that protection efforts are not abstract, but based on the reality experienced by the victim. This mapping allows for measures to handle, prevent as well as formulate clearer indicators in determining the limits of psychological violence, so that there is no ambiguity in its application. So that the formulation of positive things that can be downloaded from article 7 of psychological violence can run optimally after assessing the negative impact caused.

In *maqāṣid* terminology, the protection and maintenance of victims of psychological violence includes two main dimensions that must go hand in hand. First, preventive or mitigative efforts aimed at preventing violence through strengthening awareness, education, and the formation of healthy and supportive family relationships. Second, persuasive and prescriptive efforts that focus on handling when violence has occurred. The persuasive approach in this context needs to be directed at strengthening legal formulation so that it is more firm, applicative, and easy to implement. The two-dimensional conception of *maqāṣid* is based on the basic principles of *shari'a*, namely

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[29] al-Syāṭibī, *Al-Muwāfaqāt Fī Uṣūl al-Sharī'ah*.

[30] Lakhita Mutum, and Shivani Bhambri. "Effects of Childhood Trauma on Emotional Attachment and Romantic Relationships in Adults: A Correlational Study." *International Journal of Interdisciplinary Approaches in Psychology* 2, no. 5 (2024): 653-668.

rejecting harm (*dar' al-mafāsid*) and attracting benefits (*jalb al-maṣāliḥ*),[31] both of which are the axes in reading the direction of *maqāṣid* on every issue.

The framework of benefits as the parent of *maqāṣid* sharia provides a clear sign that the formulation of Article 7 of PKDRT must be directed to be more implementive in the field. Regulations do not stop at a conceptual level, but must be able to be translated into operational technical guidelines for law enforcement officials. This includes the preparation of standard handling procedures, implementable indicators in assessing the occurrence of psychological violence, and fast and responsive protection mechanisms for victims. When regulations are formulated and implemented clearly and measurably, there will be a domino effect in the form of strengthening the protection of the five basic needs in *maqāṣid* (religion, soul, intellect, descent, and property). At the same time, various forms of threats to these five aspects can be systematically prevented. Thus, the benefit is not only a theoretical concept, but is actually present as a living principle in the practice of legal protection of women victims of psychological violence.

The Impact of Psychic Violence on *Maqasid Dlaruriyat*

A. The Impact of Religion (*Ḥifẓ al-Dīn*)

In the perspective of *Maqāṣid al-Syarī'ah*, As-Syatibi said that religiosity is a religious milestone and includes the benefits of *ukhrawi* whose existence of benefits can be felt less in the world and much more appreciated.[32] Psychic violence has a significant negative impact on the *ḥifẓ al-dīn* (protection of religion), as it can undermine the inner stability that is the foundation of religiosity. Repetitive mental distress such as insults, threats, bullying and emotional manipulation cause anxiety, anxiety, and even depression[33], which ultimately interferes with solemnity in worship. Individuals who are in a

[31] Muhammad Harfin Zuhdi and Mohamad Abdun Nasir, "Al-Mashlahah and Reinterpretation of Islamic Law in Contemporary Context," *Samarah: Journal of Family Law and Islamic Law* 8, no. 3 (October 2024): 1818–39, https://doi.org/10.22373/sjhk.v8i3.24918.

[32] Ahmad al-Raisuni, *Naẓariyyat Al-Maqāṣid ʿinda al-Imām al-Shāṭibī* (Riyadh: Dār al-ʿ Ālamiyyah li al-Kitāb al-Islāmī, 2009).

[33] Huiming Xu et al., "Emotional Abuse and Depressive Symptoms among the Adolescents: The Mediation Effect of Social Anxiety and the Moderation Effect of Physical Activity," *Frontiers in Public Health* 11 (June 2023), https://doi.org/10.3389/fpubh.2023.1138813.

depressed psychic state tend to lose spiritual focus[34], so that the worship carried out becomes not optimal, and even has the potential to be abandoned. In this case, psychological violence is a serious factor that can hinder the actualization of religious values in daily life.

Furthermore, psychological violence can erode the dimension of faith internally. When a person constantly experiences pressure and injustice within the family, a crisis of meaning in life can arise[35] which has implications for a decrease in trust, patience, and gratitude. Even in extreme conditions, the victim can question God's justice due to the suffering experienced, so that the spiritual relationship with God becomes strained. This phenomenon shows that psychological violence has a close relationship with spirituality, whose impact is not only an emotional aspect, but also has the potential to damage the structure of beliefs (creed) and the quality of religious appreciation in depth.

In addition, psychological violence in the household creates an environment that is not conducive to the transmission of religious values. The family, which is supposed to be a space for faith education, turns into a space of conflict and pressure, so that values such as compassion (*raḥmah*), honesty, and justice cannot be properly internalized. Children or other family members who witness or experience psychological violence are at risk of experiencing distortions in understanding religion, because the life practices they see are contrary to the normative teachings of Islam. As a result, the function of the family as the basis for the formation of religious character[36] becomes weakened, which ultimately threatens the sustainability of religious values in society.

B. Impact on the Soul (*Hifẓ al-Nafs*)

[34] Richard G. Cowden et al., "Religious/Spiritual Struggles and Psychological Distress: A Test of Three Models in a Longitudinal Study of Adults with Chronic Health Conditions," *Journal of Clinical Psychology* 78, no. 4 (April 2022): 544–58, https://doi.org/10.1002/jclp.23232.

[35] Beata Zarzycka, Anna Tychmanowicz, and Dariusz Krok, "Religious Struggle and Psychological Well-Being: The Mediating Role of Religious Support and Meaning Making," *Religions* 11, no. 3 (March 2020): 149, https://doi.org/10.3390/rel11030149. *See also* Caleb Joshua Adrian, Gabriel Elias Matthew, and Lucas Reuben. "Legal Aid for Victims of Domestic Violence in West Papua: Addressing Gender Injustice in Remote Areas." *Lentera Masyarakat Hukum* 2, no. 2 (2025); Karina Eunike, and Yezekiel Abharam Keanu. "Community-Based Legal Aid for Victims of Domestic Violence: A Case Study in Rural East Nusa Tenggara." *Lentera Masyarakat Hukum* 2, no. 4 (2025); Cahya Wulandari, and Winarsih Winarsih. "Women's Rights in Indonesia: Gender-Based Violence and the Challenge of Legal Protection." *Contemporary Issues on Indonesian Human Rights Law and Policy* 1, no. 4 (2024).

[36] Arifandi and Rouf, "Choosing a Place to Live in Maintaining Family Resilience."

From the perspective of *Maqāṣid al-Syarī'ah*, psychological violence has a serious impact on the aspect of the soul (*ḥifẓ al-nafs*), because it directly damages the mental health and emotional balance of individuals. Pressure in the form of humiliation, intimidation, and excessive control can trigger disorders such as chronic anxiety, severe stress, and depression[37]. Conditions can damage and weaken psychological endurance, as well as interfere with basic human functions in living a normal life. In the framework of *maqāṣid*, this is a *mafsadat* that must be eliminated, because the disturbed soul is unable to carry out its role optimally both as an individual and as a family member.

Furthermore, psychological violence has the potential to cause psychosomatic disorders, which are conditions in which mental stress affects physical health, such as insomnia, extreme fatigue, eating disorders, and a decrease in the immune system[38]. In many cases, victims experience prolonged emotional instability, such as fear, low self-esteem, and loss of meaning in life. This impact shows that psychological violence does not stop at the mental realm, but extends to damage the integrity of the body as a whole[39]. Thus, the protection of the soul in *maqāṣid* not only means maintaining physical survival, but also ensuring a decent quality of mental health.

In addition, in extreme conditions, psychological violence can encourage the emergence of destructive behaviors such as social isolation, substance abuse, and even a tendency to self-harm[40]. This is an indicator that the victim's soul is in a state of serious crisis. In the framework of *Maqāṣid al-Syarī'ah*, this situation is contrary to the main goal of the sharia to maintain human life in its entirety (holistic), both from the physical and psychological aspects. Therefore, all forms of psychological violence must be eliminated as part of efforts to eliminate *mafsadat*, as well as open up space for the creation of mental health which is the basis for a civilized and productive life.

C. Impact on Intellect (*Hifẓ al-'Aql*)

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[37] Zarzycka, Tychmanowicz, and Krok, "Religious Struggle and Psychological Well-Being."

[38] Hamid Mostafavi Abdolmaleky, Ahmad Pirani, and Giuseppe Pettinato, "Psychosomatic Disorders, Epigenome, and Gut Microbiota," *Cells* 14, no. 24 (January 2025): 1959, https://doi.org/10.3390/cells14241959.

[39] Günnur Karakurt et al., "Systematic Review on the Treatment of Emotional Abuse Victimization in Women by an Intimate Partner," *Journal of Family Violence*, ahead of print, May 21, 2025, https://doi.org/10.1007/s10896-025-00891-4.

[40] Sally McManus et al., "Intimate Partner Violence, Suicidality, and Self-Harm: A Probability Sample Survey of the General Population in England," *The Lancet. Psychiatry* 9, no. 7 (July 2022): 574–83, https://doi.org/10.1016/S2215-0366(22)00151-1.

In the perspective of *Maqāṣid al-Syarī'ah*, psychological violence has a direct impact on the *ḥifẓ al-'aql* (protection of reason), as it interferes with the cognitive function and rational thinking ability of individuals. Persistent mental distress such as bullying, bullying, and exclusion can reduce concentration, weaken memory, and hinder the ability to make clear decisions[41]. Individuals who are in a depressed state tend to experience confusion, overthinking, and an inability to process information objectively[42]. This shows that psychological violence not only hurts feelings, but also damages the main human instrument in understanding reality and distinguishing right from wrong.

Furthermore, psychological violence can cause dangerous cognitive distortion[43]. Victims often internalize the negative speech they receive, resulting in false self-perceptions, such as feeling worthless, inadequate, or always guilty. This distortion inhibits intellectual development and locks the potential of reason in the circle of negative thoughts[44]. In the long run, this condition can reduce critical analysis and creativity, and even have the potential to lead to more serious mental disorders[45]. In the framework of *maqāṣid*, this is a form of *mafsadat* against reason that must be eliminated because it is contrary to the purpose of the sharia to maintain the clarity and optimal functioning of the human mind.

In addition, the environment of psychological violence also has an impact on the educational process and knowledge transfer in the family. A stressful atmosphere makes individuals, especially children, do not have a safe space to think, question, and develop intellectually. Fear and anxiety inhibit the courage to express themselves and reduce motivation to learn[46]. As a result,

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41 Jose Luis Solas-Martínez et al., "Bullying and Cyberbullying Is Associated with Low Levels of Cognitive and Metacognitive Learning Strategies in Young People," *Frontiers in Psychology* 16 (April 2025): 1569400, https://doi.org/10.3389/fpsyg.2025.1569400.

42 Michelle R. Tuckey et al., "Exploring the Relationship between Workplace Bullying and Objective Cognitive Performance," *Work & Stress* 38, no. 2 (April 2024): 135–56, https://doi.org/10.1080/02678373.2023.2251126.

43 Jason Walker, "Trauma, Power, and Psychological Safety: Understanding the Mental Health Impact of Workplace Bullying," *Healthcare* 13, no. 23 (November 2025): 3084, https://doi.org/10.3390/healthcare13233084.

44 Marta Badenes-Sastre et al., "Cognitive Distortions and Decision-Making in Women Victims of Intimate Partner Violence: A Scoping Review," *Psychosocial Intervention* 34, no. 1 (2025): 23–35, https://doi.org/10.5093/pi2025a3.

45 Amy F. T. Arnsten, "Stress Signalling Pathways That Impair Prefrontal Cortex Structure and Function," *Nature Reviews. Neuroscience* 10, no. 6 (June 2009): 410–22, https://doi.org/10.1038/nrn2648.

46 Theoharis C. Theoharides and Maria Kavalioti, "Effect of Stress on Learning and Motivation-Relevance to Autism Spectrum Disorder," *International Journal of Immunopathology and*

the intellect does not develop optimally and intellectual potential becomes inhibited. In the perspective of *Maqāṣid al-Syarī'ah*, this condition is contrary to the effort to realize *maṣlaḥah*, because a healthy and developed intellect is the main prerequisite for the birth of a civilized and productive individual and family.

D. Impact on Children (*Hifdz Nasl*) and Self-Esteem (*Hifdz 'ird*)

In the perspective of *Maqāṣid al-Syarī'ah*, psychological violence has a serious impact on the *ḥifẓ al-nasl* (protection of offspring) aspects, as it damages the quality of the generation that is born and raised in the family environment. Children who live in an atmosphere full of emotional stress tend to experience psychological developmental disorders, such as anxiety, low self-esteem, and emotional instability[47]. These conditions can affect their mental health, as well as form dysfunctional relationship patterns in the future, including the potential for a repeat of the cycle of domestic violence[48]. Thus, psychological violence has a short-term impact on the individual today, as well as a long-term impact threatening the sustainability of a healthy, moral, and productive generation, which should be the main goal in the protection of offspring according to *maqāṣid*.

Furthermore, psychological violence also interferes with the function of the family as the main space for value education and character formation. A destructive environment towards human values filled with psychological violence can hinder the internalization of values such as compassion, honesty, and responsibility. Children who grow up in such conditions are at risk of being distorted in understanding social relationships and moral norms, thereby weakening the quality of offspring intellectually and ethically[49]. In *maqāṣid* terminology, this is a form of *mafsadat* against *nasl*, because offspring

Pharmacology 33 (June 2019): 2058738419856760, https://doi.org/10.1177/2058738419856760.

47 Kristen Rimular and Sara R. Berzenski, "Elements of Control Differentiate Associations Between Childhood Emotional Abuse and Anxiety Symptoms," *Journal of Child & Adolescent Trauma* 16, no. 1 (August 2022): 135–43, https://doi.org/10.1007/s40653-022-00485-y.

48 Margot Shields et al., "Exposure to Family Violence from Childhood to Adulthood," *BMC Public Health* 20 (November 2020): 1673, https://doi.org/10.1186/s12889-020-09709-y.

49 Lihong Liu, Bofeng Ning, and Liuhong Yang, "Childhood Psychological Abuse and Neglect Impair Adolescent Social-Emotional Competence: A Network Analysis with Mediation," *BMC Psychology* 13, no. 1 (November 2025): 1279, https://doi.org/10.1186/s40359-025-03615-x.

is not only understood biologically, but also includes the moral and social qualities of the next generation.

On the other hand, psychological violence also has a significant impact on *ḥifẓ al-'irḍ* (protection of self-esteem and honor). Derogatory speech, insults, and treatment that undermine dignity and the like can continuously destroy the victim's self-confidence and self-identity. Individuals become worthless, lose honor in front of themselves and others, and experience degradation of human dignity[50]. In the long run, this can lead to withdrawal from the social environment and the inability to defend their rights properly[51]. In the perspective of *Maqāṣid al-Syarī'ah*, this condition is clearly contrary to the purpose of the *shari'a* which places human honor as a fundamental value that must be maintained, so that all forms of psychological violence must be eliminated as part of the elimination of *mafsadat* and the restoration of human dignity.

E. Impact on Property (*Hifẓ al-Māl*)

In the perspective of *Maqāṣid al-Syarī'ah*, psychological violence also has an impact on the *ḥifẓ al-māl* (protection of property) aspect, because it indirectly weakens the individual's ability to manage and produce economic resources. Continuous mental pressure can reduce work productivity[52], disrupt focus, and weaken motivation to earn a living. In unstable psychological conditions, individuals tend to be unable to make rational economic decisions, so they are at risk of financial losses or economic opportunities due to decreased productivity[53]. This shows that psychological violence can be a destructive factor for the sustainability of the household economy.

Furthermore, psychological violence is often accompanied by economic control in the household, such as restrictions on access to money, prohibition

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[50] Adela A. Mwakanyamale and Yu Yizhen, "Psychological Maltreatment and Its Relationship with Self-Esteem and Psychological Stress among Adolescents in Tanzania: A Community Based, Cross-Sectional Study," *BMC Psychiatry* 19, no. 1 (June 2019): 176, https://doi.org/10.1186/s12888-019-2139-y.

[51] Tümen Erses, Yalin Kiliç, and Bengü Berkmen, "The Relationship of Emotional Abuse, Self-Value and Conflict Resolution Needs in Secondary School Students," *Frontiers in Psychology* 13 (November 2022): 966702, https://doi.org/10.3389/fpsyg.2022.966702.

[52] Syed Afroz Keramat et al., "Psychological Distress and Productivity Loss: A Longitudinal Analysis of Australian Working Adults," *The European Journal of Health Economics* 26, no. 8 (November 2025): 1503–24, https://doi.org/10.1007/s10198-025-01764-9.

[53] Guillermo García-Pérez-de-Sevilla et al., "Stress, Pain Intensity, and Work Productivity in Individuals with Chronic Pain: A Cross-Sectional Observational Study," *BMC Public Health* 25, no. 1 (November 2025): 3805, https://doi.org/10.1186/s12889-025-23547-w.

of work, or manipulation in the use of property[54]. This condition makes the victim lose financial independence and be in an unhealthy dependence on the perpetrator. In the long run, this situation can hinder the accumulation of assets, worsen the economic condition of the family, and even eliminate the creativity and professionalism of the victim[55]. In the framework of *maqāṣid*, this is a form of *mafsadat* towards wealth, because it hinders the creation of a fair and productive distribution and management of wealth.

In addition, the impact of psychological violence on property can also be seen in the increasing economic burden due to the health and social consequences caused. Mental health treatment costs, decreased work performance, and potential job loss are factors that erode family economic stability. In fact, in some cases, prolonged conflicts due to psychological violence can lead to divorce[56] which carries implications for property division and financial instability. In *Maqāṣid al-Syarī'ah's* perspective, this condition is contrary to the goal of maintaining property as a means of survival, so psychological violence must be eliminated as part of efforts to eliminate *mafsadat* and strengthen family economic welfare.

The Positive Value of Strengthening Psychic Protection Against *Maqasid Dlarutiyat*

A. *Hifz ad-Din* (Spiritual Enhancement)

In the perspective of *Maqāṣid al-Syarī'ah*, the strengthening of psychic protection has a strategic value in maintaining *ḥifẓ al-dīn* (religion) through the creation of inner peace which is the main foundation of religiosity. A safe and stable psychological condition allows for a significant increase in religiosity values[57], where individuals are able to carry out worship more solemnly and full of appreciation. Worship is no longer a formality, but

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[54] Brooklyn M. Mellar et al., "Economic Abuse by An Intimate Partner and Its Associations with Women's Socioeconomic Status and Mental Health," *Journal of Interpersonal Violence* 39, nos. 21–22 (November 2024): 4415–37, https://doi.org/10.1177/08862605241235140.

[55] Adrienne Byrt and Kay Cook, "Mapping Gendered Economic Abuse Across the Relationship Lifecourse: A Qualitative Meta-Ethnography," *Journal of Family Violence*, ahead of print, May 7, 2025, https://doi.org/10.1007/s10896-025-00872-7.

[56] Abdul Wafi and Shofiatul Jannah, "The Rising Trend of Divorce Cases: Social and Psychological Implications in Modern Society," *Journal of Ius Constituendum* 9, no. 1 (February 2024): 88–100, https://doi.org/10.26623/jic.v9i1.8157.

[57] Michael King et al., "Religion, Spirituality and Mental Health: Results from a National Study of English Households," *The British Journal of Psychiatry: The Journal of Mental Science* 202, no. 1 (January 2013): 68–73, https://doi.org/10.1192/bjp.bp.112.112003.

becomes more meaningful because it is carried out in a state of awareness, calm, and spiritual connection[58]. Thus, psychological protection plays a direct role in reviving the quality of worship as an authentic manifestation of faith.

Furthermore, psychic protection encourages the development of a closer relationship with God that is more *istikamah*. Individuals who are free from mental pressure have a wider mental space to cultivate spiritual awareness, so that faith is not only maintained, but also strengthened[59]. The awareness of God's presence in every aspect of life becomes deeper, which in turn fosters a sense of *tawakal*, patience, and gratitude consistently. This condition strengthens the spiritual resilience of the individual and prevents the emergence of despair that can damage the faith, thus being in line with the goal of *maqāṣid* in protecting religion from various forms of inner corruption.

In addition, psychological protection also has an impact on increasing enthusiasm and consistency in worship. Mentally healthy individuals tend to be more active in carrying out various forms of worship[60], both mandatory and sunnah, because they are not burdened by inhibiting emotional pressure. A psychologically safe environment also supports the internalization of religious values in the family, thus creating a positive and sustainable religious culture. In the framework of *Maqāṣid al-Syarī'ah*, this shows that psychological protection not only maintains religion defensively (preventively), but also strengthens its productive dimension through improving the quality of faith, worship, and spiritual awareness.

B. *Hifz an-Nafs* (Health Improvement)

In the perspective of *Maqāṣid al-Syarī'ah*, strengthening psychological protection has fundamental value in maintaining *ḥifẓ al-nafs* (health), especially through the creation of emotional stability, physical and mental health. A protected psychic state allows individuals to be free from pressure, anxiety, and fear that can damage the balance of the soul. With a sense of psychological security, individuals are able to live a more calm, adaptive, and

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[58] Mohd Amzari Tumiran et al., "Examining the Interconnection between Maqasid Al-Shariah and Sleep Quality: Implications for Holistic Wellbeing in Islamic Legal and Ethical," *Ulum Islamiyyah* 37, no. 03 (October 2025): 1–18, https://doi.org/10.33102/uij.vol37no03.685.

[59] Luciano Magalhães Vitorino et al., "The Association between Spirituality and Religiousness and Mental Health," *Scientific Reports* 8 (November 2018): 17233, https://doi.org/10.1038/s41598-018-35380-w.

[60] Marcelo Saad, Elaine Drysdale, and Everton Maraldi, "Editorial: Spirituality and Mental Health: Exploring the Meanings of the Term 'Spiritual,'" *Frontiers in Psychology* 13 (June 2022), https://doi.org/10.3389/fpsyg.2022.963708.

resilient life[61]. A healthy psychic also contributes to improving physical health which keeps a person away from illness and can control himself more [62]optimally.

Furthermore, psychological protection contributes to improving psychological well-being which directly has strong implications for physical health[63]. A calm soul encourages more optimal body functions, such as good sleep quality, hormonal stability, and increased immunity[64]. On the other hand, prolonged psychological stress often triggers physical disorders such as chronic fatigue, digestive disorders, and a decrease in the immune system[65]. In a healthy psychological state, individuals have positive energy to carry out daily activities productively without being overshadowed by destructive mental stress, so that a balance between mental and physical health is achieved holistically.

In addition, psychological protection also strengthens the individual's resistance to various life stresses, thus being able to prevent the emergence of destructive behaviors such as despair, social isolation, or a tendency to self-harm[66]. Psychologically healthy individuals tend to have good self-control, are able to build positive social relationships, and actively contribute to family and community life. In the perspective of *Maqāṣid al-Syarī'ah*, the protection of the soul aspect (*ḥifẓ al-nafs*) is not only described as maintaining physical survival, but also includes the protection of physical, mental and psychological

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[61] D. F. Hunt et al., "Enhancing Psychological Safety in Mental Health Services," *International Journal of Mental Health Systems* 15, no. 1 (April 2021): 33, https://doi.org/10.1186/s13033-021-00439-1.

[62] Julius Ohrnberger, Eleonora Fichera, and Matt Sutton, "The Relationship between Physical and Mental Health: A Mediation Analysis," *Social Science & Medicine* 195 (December 2017): 42–49, https://doi.org/10.1016/j.socscimed.2017.11.008.

[63] Rosalba Hernandez et al., "Psychological Well-Being and Physical Health: Associations, Mechanisms, and Future Directions," *Emotion Review* 10, no. 1 (January 2018): 18–29, https://doi.org/10.1177/1754073917697824.

[64] Loretta Graziano Breuning, *Tame Your Anxiety: Rewiring Your Brain for Happiness.* (New York: Bloomsbury Publishing USA, 2019).

[65] Amna Alotiby, "Immunology of Stress: A Review Article," *Journal of Clinical Medicine* 13, no. 21 (January 2024): 6394, https://doi.org/10.3390/jcm13216394.

[66] Kirsten Russell, Susan Rasmussen, and Simon C. Hunter, "Does Mental Well-Being Protect against Self-Harm Thoughts and Behaviors during Adolescence? A Six-Month Prospective Investigation," *International Journal of Environmental Research and Public Health* 17, no. 18 (September 2020): 6771, https://doi.org/10.3390/ijerph17186771.

health that contributes to the optimal improvement of the quality of humanity.[67]

C. *Hifz al-Aql* (Enhancement of Intellectuality)

The positive value of strengthening psychic protection in the perspective of *maqāṣid al-ḍarūriyyāt* can be seen clearly in the aspect *of ḥifẓ al-'aql* (maintenance of reason), especially in maintaining and developing human intellect. The maintenance of reason is not only translated as protecting the mind from disturbances, but also encouraging the increase of intelligence, creativity, instinct, and productive thinking capacity[68]. All of these potentials have a domino effect in strengthening the quality of reason, which ultimately contributes to the progress of individuals and society. Psychological violence, if not prevented, will actually damage the foundation by suppressing thinking power and mental stability[69]. Therefore, protection against psychic conditions is an integral part of ensuring that the intellect can develop optimally without destructive obstacles.

In the context of regulation, the existence of an implementing article is an affirmation that the protection of reason must be realized concretely. A clear formulation of norms provides an idea that the potential of reason should not be injured in any form, no matter how small the impact. Even seemingly mild psychological violence still has the potential to gradually reduce cognitive function and mental stability. Thus, the clarity of indicators, limitations, and handling mechanisms in the psychological violence article is the key so that the protection of reason is not abstract. Strict and applicable regulations will facilitate the identification of violations and ensure that any action that interferes with the integrity of reason can be acted upon proportionately.

On that basis, *ḥifẓ al-'aql* occupies a strategic position within the framework of *maqāṣid* as the basis for dealing effectively with psychological violence. The protection of reason is not only concerned with individual aspects, but also concerns the broader quality of social life. When reason is

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[67] Tariq Ibrahim Abdul Razzaq Al-Masoud, "The Axiology of Health in Islam: A Philosophical Perspective on Human Well-Being." *Cultura: International Journal of Philosophy of Culture and Axiology* 22, no. 1 (2025): 631-659.

[68] Abubakar Usman and Hossam Moussa Mohamed Shousha, "MaqĀṣid Al-SharĪ'ah on the Protection and Development of Human Intellect Among Secondary School Students in Nasarawa State.," *Al-Risalah: Journal of Islamic Revealed Knowledge and Human Sciences (ARJIHS)* 5, no. 3 (August 2021): 260–90, https://doi.org/10.31436/alrisalah.v5i3.342.

[69] Leighton C. Whitaker, *Understanding And Preventing Violence: The Psychology of Human Destructiveness*. (London: Routledge, 2000).

awakened, individuals are able to think clearly, make informed decisions, and build healthy relationships. Conversely, when reason is disturbed by psychological violence, its impact can extend to rational, social dysfunction and life instability[70]. Therefore, the strengthening of the article on psychic violence should be directed to ensure that any form of disturbance to the mind can be prevented and handled properly, so that the purpose of *maqāṣid* in maintaining human quality can be fully realized.

D. *Hifz an-Nasl* (Generational Strengthening)

Strengthening protection against psychological violence through Article 7 of the PKDRT Law has a strategic contribution within the framework *of maqāṣid al-ḍarūriyyāt*, especially in the aspect *of ḥifẓ al-nasl* (maintenance of offspring), because it plays a direct role in maintaining the quality of the generation psychologically and emotionally. Effective psychological protection encourages the creation of a safe, supportive, and stable family environment, so that children can grow up in an atmosphere of healthy and constructive relationships[71]. This condition is an important foundation for the formation of mature personalities, good social skills, and positive interpersonal relationship patterns in the next generation[72]. Simultaneously, strengthening psychological protection contributes to the formation of a quality of offspring that is more mentally and socially empowered, so as to grow and develop children in a healthy manner without being accompanied by psychological trauma.

Furthermore, strengthening psychological protection through clear legal instruments serves as a preventive step in maintaining the continuity of mental health between generations. A family environment that is free from psychological violence allows the development of healthy communication patterns, empathetic parenting, and relationships based on a sense of security

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[70] Eka Susanty et al., "The Effects of Psychological Interventions on Neurocognitive Functioning in Posttraumatic Stress Disorder: A Systematic Review," *European Journal of Psychotraumatology* 13, no. 1 (July 2022): 2071527, https://doi.org/10.1080/20008198.2022.2071527.

[71] Yujie Wang, "Influence of Early Family Nurturing Environment on Children's Psychological and Emotional Social Development," *Iranian Journal of Public Health* 52, no. 10 (October 2023): 2138–47, https://doi.org/10.18502/ijph.v52i10.13852.

[72] Haiping Wang and Xiaocen Liu, "The Relationship Between Family Intimacy and Preschoolers' Social–Emotional Competence: The Mediating Role of Psychological Resilience and the Moderating Role of Family–Preschool Interaction," *Behavioral Sciences* 15, no. 11 (November 2025): 1564, https://doi.org/10.3390/bs15111564.

and mutual respect[73]. Such an environment strengthens family resilience as the main space for the formation of children's character, while preventing the development of dysfunctional relationship patterns that have the potential to disrupt the stability of future generations. In the perspective *of ḥifẓ al-nasl*, these efforts are an integral part of the protection of the sustainability of the quality of the generation as a whole, both physically and psychologically.

At the implementation level, the existence of Article 7 of the PKDRT Law as a normative basis for protection against psychological violence provides a more responsive direction for law enforcement officials in ensuring the security of family relationships. This provision strengthens a protection approach that is not only curative, but also preventive and sustainable, so as to create a more comprehensive family protection system. This principle is in line with Jasser Auda's idea that *Maqāṣid* must be understood holistically and multidimensionally, including the protection of family institutions and human welfare as a sustainable social system.[74]

E. *Hifz al-Mal* (Improvement of Well-Being)

The value of strengthening psychological protection in the perspective of *maqāṣid al-ḍarūriyyāt* is also closely related to *ḥifẓ al-māl* (the maintenance of wealth), especially through the relationship between mental stability and economic productivity. A healthy psychological state is the foundation for a person to work optimally, make rational financial decisions, and manage resources effectively. On the other hand, psychological violence can weaken concentration, lower work motivation, and interfere with an individual's ability to plan and develop assets[75]. In this context, protection of psychological conditions not only has an impact on personal well-being, but also contributes directly to the economic sustainability of the family.

Furthermore, mental stability has an important role in maintaining the sustainability of family asset management. Individuals who are under psychological distress tend to experience dysfunction in decision-making, such as uncontrolled consumptive behavior, investment mistakes, or the inability to

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[73] Tetiana Ulianova et al., "Enhancing Psychological Safety in Parent-Child Relationships: Promoting Healthy Development and Resilience," *BRAIN. Broad Research in Artificial Intelligence and Neuroscience* 16, no. 1 (February 2025): 174–82, https://doi.org/10.70594/brain/16.1/12.

[74] Jasser Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach* (International Institute of Islamic Thought (IIIT), 2008). H. 63

[75] Claire de Oliveira et al., "The Role of Mental Health on Workplace Productivity: A Critical Review of the Literature," *Applied Health Economics and Health Policy* 21, no. 2 (March 2023): 167–93, https://doi.org/10.1007/s40258-022-00761-w.

manage finances wisely[76]. This suggests that psychological disorders due to violence not only have an impact on the emotional aspect, but can also slowly damage the family's economic structure. Therefore, within the framework *of ḥifẓ al-māl*, psychological protection must be understood as an effort to maintain the sustainability and security of assets from potential damage stemming from mental instability.

At the implementation level, the strengthening of regulations related to psychological violence needs to be directed in order to be able to capture the relationship between mental conditions and economic impacts more clearly. An implementing article will provide space for the assessment of losses not only in physical form, but also in the form of decreased productivity and disruption of family asset management. Thus, law enforcement officials can consider the economic dimension as part of the impact of psychological violence. Such an approach realizes the protection of property that cannot be separated from the protection of psychological conditions, so that the goal of *maqāṣid* in maintaining the balance of individual and family life can be realized comprehensively, as emphasized on Table 1.

TABLE 1. Negative Impact of Psychological Violence and Positive Impact of Psychological Violence Protection.

Aspects of *Maqāṣid*	The Impact of Psychological Violence	The Positive Value of Strengthening Psychic Protection
Ḥifẓ al-Dīn **(Religion)**	It disrupts the solemnity of worship, lowers spiritual focus, triggers a crisis of faith, and damages the religious environment in the family.	Creating inner peace, improving the quality and solemnity of worship, strengthening closeness to God, and building a healthy religious culture in the family.
Ḥifẓ al-Nafs **(Soul)**	Causes mental disorders such as stress, anxiety, depression, and psychosomatic disorders that have an impact on physical health.	Realizing emotional stability, improving psychological well-being, strengthening individual resilience, and supporting physical and mental health holistically.
Ḥifẓ al-'Aql **(Reason)**	Interferes with cognitive function, decreases concentration and thinking, triggers cognitive distortion, and inhibits intellectual development.	Encourage the improvement of intelligence, creativity, and rational thinking skills, as well as ensure that the intellect develops optimally without psychological pressure.

[76] Qi He et al., "The Effect of Abusive Supervision on Employees' Work Procrastination Behavior," *Frontiers in Psychology* 12 (January 2021): 596704, https://doi.org/10.3389/fpsyg.2021.596704.

Aspects of *Maqāṣid*	The Impact of Psychological Violence	The Positive Value of Strengthening Psychic Protection
Ḥifẓ al-Nasl **(Descendants)**	It causes disturbances in children's psychological development, forms patterns of dysfunctional relationships, and triggers *intergenerational trauma*.	Ensuring the healthy growth and development of children mentally, breaking the chain of trauma between generations, and creating a supportive and educational family environment.
Ḥifẓ al-'Irḍ **(Self-Esteem)**	It undermines dignity, lowers self-confidence, triggers feelings of worthlessness, and results in social withdrawal.	Restoring honor and self-identity, strengthening self-confidence, and maintaining human dignity in social relations.
Ḥifẓ al-Māl **(Treasure)**	Lowering economic productivity, disrupting financial decision-making, and potentially triggering economic control and asset losses.	Increasing economic stability, supporting work productivity, and strengthening the management of family assets rationally and sustainably.

Sources: Authors, 2026

Integration of Psychic Protection from the perspective of *Maqasid Hajiyah*

Al-Shāṭibī affirms that *maqāṣid ḥājiyyah* and *taḥsīniyyah* basically function as complements and complements *maqāṣid ḍarūriyyah*[77]. *Maqāṣid ḥājiyyah* plays a role in providing convenience, smoothness, and eliminating narrowness and difficulties in human life. The focus is on preventing various risks that can worsen, slow, or narrow the maintenance of the five basic needs (*al-ḍarūriyyāt al-khams*).[78] The difference lies in the level of impact: disruption to *maqāṣid ḍarūriyyah* is directly fatal, while disruption to *maqāṣid ḥājiyyah* can still be overcome initially. However, if left untreated, the condition can still be potentially damaging and can eventually have serious consequences.

Psychic violence in the terminology of *maqasid hajiyat* basically has a broad spectrum of impacts, depending on the escalation, intensity, and consistency of the actions taken. In relatively mild forms, psychic violence is often present in seemingly trivial forms, such as condescending speech,

[77] Muhammad Nasrulloh, M. Fauzan Zenrif, and R. Cecep Lukman Yasin, "Isbat Nikah Polygamy Reviewed from Maslahah Mursalah Al-Shatiby: SEMA Study Number 3 of 2018," *Al-Qanun: Journal of Islamic Law Thought and Reform* 24, no. 1 (June 2021): 122–44, https://doi.org/10.15642/alqanun.2021.24.1.122-144.

[78] Ibrāhīm ibn Mūsā al-Syāṭibī, *Al-Muwafaqat fi Ushul al-Shari'ah* (Beirut: Dar al-Kutub al-ilmiyah, 2012).

distrust, exclusion, or emotional abandonment. In slight exclamations, even though they do not leave serious physical traces, these forms still have the potential to disturb a person's inner balance[79]. By nature, humans have a need for appreciation, security, and social acceptance. When these needs are violated, the impact can be in the form of heartache, decreased self-confidence, and the emergence of feelings of worthlessness[80]. Therefore, psychological violence at this level cannot be underestimated because it is the starting point for disturbing the emotional stability of individuals.

When psychological violence lasts continuously and with increasing intensity, the impact develops to be much more serious. Repeated emotional distress can cause deeper psychological disorders, such as chronic anxiety, depression, and prolonged trauma[81]. This condition can affect an individual's mental health, as well as have an impact on their social function in the family and society. Individuals who experience severe psychological stress tend to have difficulty building healthy relationships, making rational decisions, and carrying out their social roles optimally[82]. Thus, intense and consistent psychological violence can lead to broader and systemic dysfunction of life.

In the perspective of *Maqāṣid al-Syarī'ah*, especially at the *level of ḥājiyāt*, protection against psychological violence is very significant because it is related to efforts to avoid human beings from the difficulties of life (*raf' al-ḥaraj*).[83] The category *of ḥājiyāt* does not always concern direct threats to survival, but rather about keeping human life running properly, stably, and not being filled with burdensome pressure[84]. Psychological violence, even in a non-extreme

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79 Danya Glaser, "Emotional Abuse and Neglect (Psychological Maltreatment): A Conceptual Framework," *Child Abuse & Neglect* 26, no. 6 (June 2002): 697–714, https://doi.org/10.1016/S0145-2134(02)00342-3.

80 Matthew T. Gailliot and Roy F. Baumeister, "Self-Esteem, Belongingness, and Worldview Validation: Does Belongingness Exert a Unique Influence upon Self-Esteem?," *Journal of Research in Personality* 41, no. 2 (April 2007): 327–45, https://doi.org/10.1016/j.jrp.2006.04.004.

81 S. B. Dokkedahl et al., "The Psychological Subtype of Intimate Partner Violence and Its Effect on Mental Health: A Systematic Review with Meta-Analyses," *Systematic Reviews* 11, no. 1 (August 2022): 163, https://doi.org/10.1186/s13643-022-02025-z.

82 Seungyun Shim, Daeho Kim, and Eunkyung Kim, "Dissociation as a Mediator of Interpersonal Trauma and Depression: Adulthood versus Childhood Interpersonal Traumas3," *BMC Psychiatry* 24, no. 1 (November 2024): 764, https://doi.org/10.1186/s12888-024-06095-2.

83 Nūr al-Dīn ibn Mukhtār al-Khādimī, *ʿIlm Al-Maqāṣid al-Sharʿiyyah* (Riyadh: Maktabat al-ʿUbaykān, 2001).

84 Al Ikhlas Al Ikhlas et al., "The Concept of Maqasid Al-Shariah As an Instrument of Ijtihad According to Imam al-Shatibi in al-Muwafaqat Fi Ushuli Al-Shariah," *Sharia Media: A Vehicle for the Study of Islamic Law and Social Institutions* 23, no. 2 (December 2021): 206–19, https://doi.org/10.22373/jms.v23i2.10138.

form, still has the potential to create a psychological burden that hinders a person's quality of life. Therefore, efforts to protect psychological conditions provide serious and factual benefits in the form of creating a sense of security, inner comfort, and tranquility in carrying out daily activities.

Thus, psychic violence, both in its mild and severe forms, has clear implications for the existence of *Maqāṣid al-Syarī'ah*. At a mild level, the violence can interfere with aspects of *ḥājiyāt* by creating discomfort and difficulties in life, while at a more severe and sustained level, the impact can extend to *aspects of ḍarūriyyāt*, such as the protection of the soul (*ḥifẓ al-nafs*), intellect (*ḥifẓ al-'aql*), generations (*hifz al-nasl*) and so on. This shows that protection against psychological violence is not just a complement, but an integral part of efforts to safeguard the overall welfare of humans. Therefore, the integration of psychological protection within the framework of sharia law and *maqāṣid* is a strategic step to ensure the creation of a healthy, civilized, and free family life from destructive pressures.

Integration of Psychic Protection in *Maqasid Tahsiniyat*

The integration of psychological protection within the framework of *maqāṣid al-taḥsīniyyāt* emphasizes the importance of ethical dimensions, the beauty of behavior, and the perfection of morals in human life. At this level, maqāṣid speaks in a wider spectrum, namely talking about maintaining survival or avoiding difficulties, as well as about building a more civilized, harmonious, and dignified quality of life[85]. Psychological protection is part of efforts to improve social relationships, especially in the family sphere, so that the interactions that are established are always filled with affection, respect, and empathy. Thus, the psychological aspect is well maintained and preserved to continue to develop in an atmosphere that fosters goodness.

In this context, psychological violence is seen as a form of behavior that is contrary to the values of moral perfection that are at the core of *maqāṣid al-taḥsīniyyāt*. Demeaning speech, ignorant attitudes, or treatment that hurts the feelings of others indicate a weak commitment to civilized relationship ethics. Therefore, protection of psychological conditions focuses on the maintenance of negative impacts as well as the formation of individual character that upholds manners in interaction. Relationships in the family will move towards

[85] Mohammad Hashim Kamali, "'Maqāṣid Al-Sharī'ah': The Objectives of Islamic Law," *Islamic Studies* 38, no. 2 (1999): 193–208.

a more harmonious pattern when this protection is internalized, so that each individual feels valued and treated humanely.

The integration of psychic protection within the framework *of maqāṣid al-taḥsīniyyāt* emphasizes that the law not only serves to regulate, but also fosters the subtlety of morality and the nobility of human relations. At this level, *maqāṣid* directs the formation of a life based on empathy, respect, and the protection of dignity. Social norms and laws are present as ethical guides that foster collective awareness to safeguard the feelings of others. This value is in line with the message of the Prophet Muhammad (saw): *"Do not hate one another, envy one another, and turn away from one another, but be brothers servants of Allah"* (HR. Sahih Muslim No. 2564). Thus, the clarity of norms regarding psychic violence contributes to the formation of a polite, just, and civilized society.

In the end, psychological protection within the framework *of maqāṣid al-taḥsīniyyāt* plays a major role in providing a more meaningful quality of life, where kindness is the main foundation in relationships. A loving and respectful family environment will foster an emotionally stable person, sensitive to others, and able to establish warm [86]interactions. This confirms that *maqāṣid* at the level *of taḥsīniyyāt* is present as a refiner that embellishes previous goals by prioritizing ethics in every step of life. Thus, psychological protection is an effort of morality that is a means to maintain the five main aspects of human beings, as well as to raise the dignity and dignity of humanity so that it is always maintained in a noble and civilized life.

Maqasid Ammah-Based Psychic Protection as a Preventive Measure

The strengthening of psychological protection based on *maqāṣid al-'āmmah* departs from the understanding that the goals of sharia do not only apply at the individual level, but also include the collective interests of society at large[87]. *Maqāṣid al-'āmmah* emphasizes universal values such as justice,

[86] Jing An et al., "A Serial Mediating Effect of Perceived Family Support on Psychological Well-Being," *BMC Public Health* 24, no. 1 (April 2024): 940, https://doi.org/10.1186/s12889-024-18476-z.

[87] Muhammad Nasrulloh et al., "Tax As Illegal Government Policy? A Critical Analysis of Tax Legality in Classical Texts the Maslahat Ammah Perspective," *Malaysian Journal of Syariah and Law* 14, no. 1 (February 2026), Islamic Law, https://doi.org/10.33102/mjsl.vol14no1.1135.

public welfare, protection of human dignity, and the creation of social order[88]. In the context of psychological violence, a preventive approach places protection as a collective responsibility through legal literacy, equal relations education, and the internalization of nonviolent values. This effort is strengthened by early detection, the role of socio-religious institutions, and clear regulations, in line with *maqāṣid 'ammah* in preventing social damage and safeguarding the public welfare.

In this framework, psychological violence is understood as a threat to a healthy social order because its impact does not stop at the immediate victim, but can spread to the wider environment. Individuals who experience prolonged psychological distress have the potential to experience social dysfunction, which ultimately affects the quality of relationships in the family, community, and even social institutions[89]. Therefore, strengthening psychological protection based on *maqāṣid al-'ammah* requires systemic interventions, including the establishment of strict regulations, the provision of adequate assistance services, and the strengthening of a social culture that upholds respect for the psychological condition of the individual. Such an approach is intended to ensure that protection is not partial, but rather touches the root of the problem as a whole.

The implementation of *maqāṣid al-'ammah* in preventive-based psychological protection emphasizes the importance of building a social ecosystem that upholds, respects, and supports. In this context, government involvement needs to be maximized through counselling and guidance before and after marriage on an ongoing basis. In addition, the role of community leaders as instruments of social mobilization is also crucial in educating the formation of harmonious families that are free from violence, both physical and verbal. So that in the household, there is no psychological violence such as emotional manipulation, excessive control, intimidation, and humiliation. [90]. In addition, a persuasive approach also needs to be strengthened through public education, so that the public has a collective awareness to reject all forms of psychological violence. With a combination of legal strictness and

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[88] Shakir Hussain and Ashfaq Ahmed, "Maqasid Al-Shariah and Its Influence on Islamic Governance and Policy: A Framework for Contemporary Reform," *Journal of Religion and Society* 4, no. 02 (October 2025): 277–87.

[89] Tawffeek A. S. Mohammed, "A Scientometric Study of Maqasid Al-Shariah Research: Trending Issues, Hotspot Research, and Co-Citation Analysis," *Frontiers in Research Metrics and Analytics* 9 (November 2024): 1439407, https://doi.org/10.3389/frma.2024.1439407.

[90] Elizabeth Veronica-Mary McLindon et al., "Development and Validation of the Psychological Abuse in Relationships Scale," *Journal of Interpersonal Violence* 41, nos. 9–10 (May 2026): 1985–2008, https://doi.org/10.1177/08862605251325912.

strengthening social awareness, psychological protection can run more effectively and sustainably.

The strengthening of psychological protection based on *maqāṣid al-'āmmah* aims in principle to create a just, safe, and dignified life order for all members of society. This protection serves to reduce cases of psychological violence, as well as to build a social environment conducive to the mental and emotional development of individuals. With a comprehensive approach, the law is not only a tool of enforcement, but also an instrument of social transformation[91] that encourages the creation of healthy and civilized relationships. In this context, *maqāṣid* acts as a normative and strategic foundation in ensuring that psychological protection truly provides broad and sustainable benefits for society, as higlighted on Table 2.

TABLE 2.

Maqāṣid Framework	Key Focus	The Impact of Psychological Violence	Values/Roles of Psychic Protection	Implementing Implications
Ḥājiyāt **(Secondary Needs)**	Avoiding the difficulties of life (*raf' al-ḥaraj*) and maintaining the stability of life	Disturbing inner comfort, causing emotional distress, lowering quality of life, and potentially developing into severe psychological disorders	Creating a sense of security, calmness, and emotional stability so that individuals can live a decent and functional life	It is necessary to have regulations that are able to reach mild to moderate forms of psychological violence with clear indicators so that they are not ignored
Taḥsīniyyāt **(Perfectionist)**	Realizing the perfection of morals, ethics, and the quality of social relations	Reflects low manners, undermines the ethics of interaction, and eliminates the value of empathy and respect in the family	Encourage the formation of relationships based on affection (*raḥmah*), respect, and emotional sensitivity	Regulations are not only repressive, but also educational in forming an anti-violence culture and civilized relations
Maqāṣid al-'Āmmah **(General/Colle**	Maintaining public welfare, social justice,	Causes social dysfunction, damages	Guarantee psychological protection as part	A firm legal system, mentoring

[91] Iffaty Nasyiah and Risma Nur Arifah, "Typology of Psychological Violence in Maqashid Sharia Perspective," *AT-TURAS: Journal of Islamic Studies* 11, no. 2 (2024): 143–59, https://doi.org/https://doi.org/10.33650/at-turas.v11i2.8718.

Maqāṣid Framework	Key Focus	The Impact of Psychological Violence	Values/Roles of Psychic Protection	Implementing Implications
ctive)	and public order	community relations, and has a wide impact on the social order	of social rights and collective responsibility	services, and public education are needed for comprehensive prevention and treatment

Sources: Authors, 2026

Psychic Protection: A Representative- Restorative Model Based on *Maqāṣid al-Syarī'ah* (*islah*)

Psychological protection in the framework *of iṣlāḥ* is a complete approach in bringing justice and restoration at the same time. This concept has two main substances that complement each other. First, the action against perpetrators of psychological violence is carried out firmly, measurably, and provides a deterrent effect, so as to be able to provide legal certainty[92] while building sustainable social stability. This enforcement functions as an affirmation of ethical values in community life and as an instrument that maintains social order and harmony[93]. Second, *iṣlāḥ* also emphasizes the importance of escorting and recovering traumatic trauma for victims through comprehensive psychological services, including counseling, professional mentoring, and social support. These efforts allow victims to restore mental balance, strengthen emotional resilience, and gradually rebuild a sense of security and confidence[94].

These two dimensions show that *iṣlāḥ* in the perspective of *maqāṣid al-syarī'ah* is oriented towards the development of comprehensive and sustainable justice[95]. Firm enforcement provides strong legal protection and maintains social order, while psychological recovery provides space for victims to return to living a better quality of life. In this process, *maqāṣid* integrates external

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[92] Paul H. Robinson and John M. Darley, "Does Criminal Law Deter? A Behavioural Science Investigation," *Oxford Journal of Legal Studies* 24, no. 2 (July 2004): 173–205, https://doi.org/10.1093/ojls/24.2.173.

[93] Lauren M. Sippel et al., "Sources of Social Support and Trauma Recovery: Evidence for Bidirectional Associations from a Recently Trauma-Exposed Community Sample," *Behavioral Sciences* 14, no. 4 (March 2024), https://doi.org/10.3390/bs14040284.

[94] Sippel et al.

[95] Azzam Abu-Rayash, and Eman Sabbah. "Analysis of Environmental Sustainability in the Holy Quran: Maqasid Framework." *Journal of Contemporary Maqasid Studies* 2, no. 1 (2023): 61-94.

and inner protection, so that mental health and emotional stability are an important part of the law's goals. Such an approach brings together retributive justice that affirms the responsibility of the perpetrator with restorative justice that restores the victim's condition, thus creating a harmonious balance in the system of handling psychological violence.

In this context, there are two important meanings in *Maqāṣid al-Syarī'ah* that provide a clear direction for the implementation of the law. First, the *dar'ul mafasid* (refusal of harm) system emphasizes legal repressive efforts to crack down on perpetrators proportionately[96]. The law, in the terminology of *maqāṣid*, must really provide a deterrent effect, both for the perpetrator and the community in general. Such a pattern encourages the strengthening of more systemic and firm sanctions. Second, the *jalb al-maṣāliḥ* (bringing benefits) system emphasizes the improvement of the victim's mental condition in order to recover the psychological condition so that the victim can return to live life with a sense of security, dignity, and have a better quality of relationships.

This whole concept is in line with the principle *of al-ḍarar yuzāl*, which is that every form of harm needs to be eliminated through a comprehensive and sustainable approach[97]. This principle includes three main dimensions that are interconnected. First, harm mitigation through strengthening legal norms and social awareness, so that the potential for psychological violence can be prevented from the beginning. Second, the handling of harm through appropriate legal responses and protections, so that victims obtain immediate guarantees of safety and justice. Third, restoration of harm through sustainable psychological and social recovery, so that individuals can return to function optimally in community life. The optimization of *maqāṣid* within this framework strengthens efforts to present a harmonious, civilized life, and uphold human dignity.

The Positive Value of Preventive-Repressive-Restorative Integration Based on *Maqāṣid al-Syarī'ah*

[96] Muhammad al-Tahir Ibn Ashur, *Maqasid al-Shariah al-Islamiyyah*, ed. Muhammad al-Habib Ibn al-Khawjah (Qatar: Ministry of Endowments and Islamic Affairs, 2004) Juz 3 H. 197

[97] Ibrahim, Illyani, et al. "Environmental Conservation in Islamic Perspective: A Systematic Review." *Quantum Journal of Social Sciences and Humanities* 5, no. 6 (2024): 146-158.

The strengthening of psychological protection based on sharia *maqāṣid* cannot be separated from the internalization of ethical values that are the main foundation in family relations. One of the central values is *iḥsān*, which is an attitude that goes beyond just fulfilling formal obligations to the practice of optimal goodness between people[98]. In the context of family relations, *iḥsān* encourages each individual to avoid psychological violence, while also actively providing an atmosphere that calms, appreciates, and glorifies each other[99]. This approach expands the scope of psychological protection from simply preventing violations to building healthy and meaningful quality interactions. Thus, psychological protection does not stop at the minimum legal standards, but moves towards higher moral standards.

In addition, *the value of amānah* emphasizes that relationships in the family are not just ordinary social relationships, but a form of responsibility that must be maintained with full awareness[100]. Spouses and children are seen as entrustments that have the right to protection, including in aspects of mental and emotional health. Psychological violence, in this perspective, is a form of betrayal of the trust because it undermines trust and security that should be maintained. Therefore, strengthening psychological protection based on *maqāṣid* requires a moral awareness that maintaining the psychological condition of family members is an ethical and spiritual obligation. On this basis, the law functions as a regulator, as well as a reminder of deeper moral responsibility.

*The value of raḥ*mah *complements the previous two values by placing affection at the core of every interaction in the family. Relationships built on the basis of raḥmah* will move away from patterns of domination, excessive control, or forms of power that have the potential to give birth to psychological violence. Instead, *raḥmah* brings empathy, concern, and sensitivity to the emotional state of others[101]. Within this framework,

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[98] Mohammad Manzoor Malik, "Ihsan as Ethical Virtue for Neighborhood Community," *Journal of Southeast Asian Islam and Society* 3, no. 2 (December 2024): 21–32, https://doi.org/10.30631/jseais.v3i2.976.

[99] Necati Aydin, "Paradigmatic Foundations and Moral Axioms of Ihsan Ethics in Islamic Economics and Business," *Journal of Islamic Accounting and Business Research* 11, no. 2 (January 2020): 288–308, https://doi.org/10.1108/JIABR-12-2016-0146.

[100] Muhammad Fadlil Rohman, Sri Lumatus Sa'adah, and Abdul Wahab, "Women's Rights in Marriage Perspective Maqasid Al-Usrah Jamaludin Athiyah," *Indonesian Interdisciplinary Journal of Sharia Economics (IIJSE)* 7, no. 2 (May 2024): 2768–90, https://doi.org/10.31538/iijse.v7i2.4878.

[101] Asmuni et al., "The Erosion of Al-Mawaddah and Ar-Rahmah Values in Muslim Marriages: A Socio-Religious Analysis of Marital Dynamics in Lombok," *Academics : Journal of Islamic*

psychological protection is not only a legal responsibility, but also part of a civilized relationship culture. When the value *of raḥmah* is internalized, the potential for psychological violence can be significantly suppressed because each individual is encouraged to maintain the feelings and dignity of other family members.

The integration of benefits as a milestone of psychological protection strengthens the overall framework by making the principle *of lā ḍarar wa lā ḍirār* the normative basis for the prohibition of psychological violence. This rule emphasizes that all forms of actions that pose danger, both to oneself and others, must be avoided[102]. In its implementation, welfare serves as a compass that directs the law to place the recovery of the victim's psychological condition as a top priority, beyond mere procedural formalities. The ultimate goal is the transformation of the family from a mere biological unit to a civilized and productive unit, where each member is able to develop optimally in a safe, healthy, and respectful environment[103]. Thus, *maqāṣid*-based psychic protection not only solves problems, but also builds a more quality family civilization.

Integration of Legal Certainty Article 7 with *Maqāṣid al-Syarī'ah*

The integration of the legal certainty of Article 7 on psychological violence with *Maqāṣid al-Syarī'ah* is a strategic step to ensure that legal norms are not only described as formalistic norms, but also in line with the broader goal of human protection. Legal certainty requires clarity of formulations, firm limits, and measurable indicators in determining an act as psychological violence[104]. From the perspective of *maqāṣid*, this clarity is part of efforts to

Thought 30, no. 2 (December 2025): 201–18, https://doi.org/10.32332/akademika.v30i2.11580.

[102] Muhammad Ajmal, Sadheer Khan (Mufti Muhammad Hassan), and Awais Ud din Khan, "A Thematic Study of the Hadith 'La Darar Wa La Dirar' Regarding Environmental Balance: Https://Doi.Org/10.5281/Zenodo.17102163," *Journal of Religion and Society* 4, no. 01 (September 2025): 770–76.

[103] Iffaty Nasyiah, "Urgency of Fatwa on Domestic Psychological Violence in Indonesia as an Effort to Protect Women's Rights," *De Jure: Journal of Law and Sharia* 16, no. 1 (June 2024): 118–40, https://doi.org/10.18860/j-fsh.v16i1.26403.

[104] Zeev Winstok and Wafa Sowan-Basheer, "Does Psychological Violence Contribute to Partner Violence Research? A Historical, Conceptual and Critical Review," *Aggression and Violent Behavior* 21 (March 2015): 5–16, https://doi.org/10.1016/j.avb.2015.01.003.

realize benefits, because uncertain laws have the potential to cause injustice and hardship for victims[105].

Therefore, the formulation of legal norms is not sufficiently declarative, but must be able to present legal certainty through clear, measurable, and applicable parameters so that the goals of benefit (*jalb al-maṣāliḥ*) and prevention of harm (*dar' al-mafāsid*) can be concretely realized in legal practice.

Based on this framework, Article 7 needs to be reformulated by emphasizing that psychological violence is any act that is done intentionally, repeatedly, or systematically, either in the form of speech, actions, or neglect, that causes mental suffering within the scope of the household. Such acts include verbal humiliation or degradation, threats and intimidation, excessive control such as social isolation or restrictions on freedom, as well as emotional manipulation and psychological neglect. Psychological violence is stated to occur when it causes an objectively identifiable impact, such as emotional disturbances (anxiety, fear, depression), decreased thinking and decision-making skills, loss of confidence, or the emergence of psychological dependence and helplessness.

To strengthen implementation, the level of psychological distress needs to be classified into mild, moderate, and severe categories based on its duration, intensity, and impact on the victim's mental and social functioning. Proof does not depend solely on one piece of evidence, but can be based on a combination of victim testimony, witnesses, communication records, and the opinions of psychologists or psychiatrists who are comprehensively assessed by the judge. With such a formulation, the norm of Article 7 is no longer vague, but has become an operational, adaptive, and harmonious legal instrument in line with *the goals of Maqāṣid al-Syarī'ah* in realizing the protection of human beings as a whole and building the resilience of civilized families.

Conclusion

Psychic violence has been shown to have a broad and systemic negative impact on the entire spectrum of *Maqāṣid al-Syarī'ah*, both at the *ḍarūriyyāt*, *ḥājiyyāt*, and *taḥsīniyyāt*. At the *ḍarūriyyāt* level, psychological violence directly undermines the protection of the soul (*ḥifẓ al-nafs*) through mental health disorders, weakens the mind (*ḥifẓ al-'aql*) through cognitive distortions,

[105] Habib Ahmed, "Islamic Normative Legal Theory: Framework and Applications." *Journal of Law and Religion* 40, no. 1 (2025): 28-58.

interferes with religion (*ḥifẓ al-dīn*) through spiritual crisis, damages offspring (*ḥifẓ al-nasl*) through generational trauma, as well as having an impact on property (*ḥifẓ al-māl*) through decreased economic productivity. At the *ḥājiyyāt* level, psychological violence creates narrowness of life, emotional pressure, and discomfort that hinders the proper social functioning of individuals. Meanwhile, at the *taḥsīniyyāt* level, psychological violence damages the ethical values, manners, and quality of human relations that should be built on the basis of compassion and respect. On the other hand, strengthening psychological protection has a significant positive impact on strengthening *maqāṣid*, namely, presenting mental stability, improving the quality of worship, optimizing intellectual function, forming a healthy generation, and creating economic welfare and civilized social relations. Thus, psychic protection becomes a strategic instrument in realizing holistic benefits at all levels of *maqāṣid*.

This study confirms that the integration of Article 7 of the PKDRT Law with *Maqāṣid al-Syarī'ah* is able to strengthen protection against psychological violence through preventive, repressive, and restorative approaches oriented towards the benefit and protection of human dignity. The main contribution of this research lies in the formulation of a *maqāṣid*-based psychological protection model that links legal certainty with the values *iḥsān*, *amānah*, and *raḥmah* in building a civilized family. This study also recommends the formulation of clearer, measurable, and operational indicators of psychological violence so that law enforcement does not rely on subjectivity alone. However, this research is still limited to a normative approach so it has not examined empirical implementation in the field. Therefore, further research needs to be directed to empirical studies on the effectiveness of the application of *maqāṣid*-based psychological protection in judicial practice and victim recovery services.

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