

MISINTERPRETATION, POWER, AND PATRIARCHY: AN ISLAMIC CRITIQUE OF KEY CAUSES OF DOMESTIC VIOLENCE IN PAKISTANI SOCIETY

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Abstract:

Domestic violence (DV) in Pakistan is a systemic crisis perpetuated by the misinterpretation of Islamic texts, patriarchal power structures, and cultural norms falsely attributed to Islam. This study critically examines how selective exegesis of Quranic verses (notably 4:34) and the distortion of concepts like Qawwamah (male guardianship) and Taa'ah (obedience) are weaponized to justify spousal abuse. It exposes the contradiction between these misinterpretations and Islam's core principles of justice ('Adl), compassion (Rahmah), and gender equity. Through an analysis of Pakistani socio-legal frameworks, the paper reveals how patriarchal customs (e.g., Swara, honor killings) and institutionalized impunity sustain DV despite constitutional protections. Finally, it proposes Islamic solutions—Quranic re-education, revival of Prophetic (Sunnah) models of marital harmony, and legal reforms grounded in Sharia—to dismantle the theological and cultural scaffolding of gender-based violence.

Keywords: Domestic violence, Islamic feminism, Quranic exegesis, patriarchy, Pakistan, Qawwamah, gender justice, Sunnah, honor killings, Islamic law

Introduction:

Pakistan's epidemic of domestic violence—where 70–90% of women endure abuse—is often legitimized through a dangerous confluence of religious misinterpretation and patriarchal hegemony. While the Constitution (Articles 25, 23) guarantees gender equality, cultural practices like *Vani* and *Watta Satta* persist, and juristic apathy renders laws like the Prevention of Unlawful Conduct Against Women Act (2011) ineffective. At the heart of this crisis lies the manipulation of Islamic theology: Quran 4:34 is invoked to sanction wife-beating, *Qawwamah* is twisted into male despotism, and *Amanah* (sacred trust) is violated through economic coercion. These distortions directly contradict the Prophet's (PBUH) teachings, which forbade violence and enjoined marital *Mawaddah* (affection) and *Rahmah* (mercy).

This paper employs an Islamic critical lens to deconstruct three enablers of DV: (1) Textual Misinterpretation (isolating *wa'dribuhunna* from its Quranic context of mediation and restraint), (2) Power Abuse (corrupting *Qawwamah* into domination rather than fiduciary care), and (3) Patriarchal Inculturation (privileging tribal norms like honor codes over *Sharia's* emphasis on consent and dignity). It argues that DV in Pakistan is not an Islamic problem but a betrayal of Islamic ethics, and proposes remedies anchored in authentic *Tafsir*, *Khula* rights, and community-based *Hisbah* (accountability).

Violence against women in Pakistan:

Violence against women, especially intimate partner violence and sexual violence, is a major health problem in Pakistan and a violation of women's human rights. Violence against women in Pakistan is part of a broader problem facing the region. Women in Pakistan face violence primarily in the context of marriage, workplace sexual harassment, domestic violence, and honor killings. A survey by the Thomson Reuters Foundation has ranked Pakistan as the sixth most dangerous country in the world for women. (Reuters, T. 2020)

According to Dr. Rukhsana Iftikhar and Dr. Maqbool Ahmed Awan in the Journal of Political Studies, "Pakistan is an agrarian state where the concept of private property is very common", according to both authors, "women are also considered private property in Pakistan". (e.g Break the Silence: Pakistani Women Facing Violence) Due to the two-state system, such violence persists in the country due to religious and cultural norms. Pakistani women are expected to maintain modesty rather; men are expected to demonstrate masculinity to maintain respect within their families. (Amir H. Jafri (2008)) According to traditional views in Pakistan, if dishonesty is not corrected, it can spread beyond the serious incident and into society.

In a 2008 survey, 70 percent of women responded that they had experienced domestic violence. According to a 2009 report by Human Rights Watch, 70 to 90 percent of Pakistani women have experienced some form of domestic violence. (Gosselin, K. D. (2009) In Pakistan, 5,000 women die from domestic violence each year, while thousands more are disabled. (Robert, D. H. 2007) Law enforcement authorities do not view domestic violence as a crime and generally refuse to record any incidents brought to their attention.

The 2012–2013 Pakistan Demographic and Health Survey surveyed 3,867 married or previously married women. (Syeda, A. 2012-13) 47% of the respondents believed that physical violence only occurs when a wife argues with her husband. The survey found that such beliefs about domestic violence are often passed on to future generations of children.

Violence against women and girls is one of the most widespread human rights violations in the world, occurring on a daily basis in every corner of the world. This violence not only has devastating effects on the physical, mental and economic health of victims, but also becomes a major obstacle to their full and equal participation in social life. An important aspect of this violence is that its effects are not limited to the victim. It also negatively impacts the families of these women and often limits their ability to form social relationships and become active members of society.

Gender-based violence refers to violence that is committed against a woman solely because she is a woman or that affects women disproportionately. It includes acts that result in physical, mental or sexual harm, threats, coercion or deprivation of liberty. The root causes of violence against women include patriarchy, gender discrimination, and the unequal distribution of power and resources between men and women, which reinforce systems that keep women vulnerable and disadvantaged.

Domestic or intimate partner violence is one of the most common forms of violence against women. It is physical, sexual or psychological violence perpetrated against women by their husbands, partners or close relatives, usually within the home environment, away from public view. Women are the most vulnerable to this type of violence, but it is not limited to them. Children and the elderly also become victims. Some prominent forms of domestic violence.

- **Physical violence:** Acts such as beatings, slapping, burning, or choking.
- **Sexual violence:** Forced sexual intercourse, including sexual assault by a married partner.
- **Psychological violence:** Threats, instilling fear, or forcing social isolation.
- **Economic violence:** Taking complete control of financial resources and preventing women from working or studying.

Sexual violence includes touching a woman without her consent or threatening to do so, indecent sexual acts, forced sex, harassment, and other forms of violence. This violence is often used to suppress women's rights and control their lives. Other types include:

includes verbal harassment (i.e., making lewd or obscene jokes, sexual stories, or inappropriate comments), physical harassment (i.e., touching or intentionally walking too

close to someone without permission), and social pressure (i.e., repeatedly insisting on meeting or having sex, or making sexual comments about personality, dress, physical features, or making sexual comments about appearance).

Rape is any act that is committed by force or deception to establish sexual relations without the consent of a person. It is carried out through force, threat, deception, coercion, drugs or alcohol, or by taking advantage of someone's vulnerability. In addition, this act is committed by a stranger or an acquaintance, a spouse, or during armed conflict. Its consequences include physical harm, severe psychological trauma and social stigma.

Correctional rape is the abhorrent act of targeting a person based on their sexual orientation or gender identity. The goal is to force the victim to refrain from homosexuality or atypical gender identity and to force them to adopt socially acceptable behavior.

Sexual exploitation occurs when someone is forced into prostitution or sexual activity through the abuse of power, authority, or trust. It is often done for financial, physical, or social gain through coercion, intimidation, or exploitation of vulnerability. It is the most common form of human trafficking.

Sexual violence against women during armed conflict is a serious human rights violation. It includes systematic rape (the systematic rape of women during war or conflict), sexual slavery (the forced sexual exploitation of women), forced pregnancy (the forced pregnancy of women as a tactic of war), and other crimes such as forced sterilization, forced abortion, or gender-based child killings include.

Femicide, or femicide, is the killing of women or girls solely on the basis of their sex, and is the most brutal form of violence against women. This violence often occurs in the name of honor, during human trafficking, or in the context of domestic violence. The act often involves the body of the woman being dumped in a public place as a way to assert dominance and instill fear in other women.

Harmful practices are human rights violations that adversely affect the physical, sexual and mental health of women and children. These include practices such as female genital mutilation, early marriage, virginity testing and honour killings. They also include food restrictions (i.e. forced over- or underfeeding). These include tying up, branding, beatings, stoning, enforced social isolation upon widowhood, accusing women of witchcraft, and torture for dowry.

The digital world has created new forms of violence against women. These include online harassment, cyberbullying, and the use of force to gain control over women by threatening or revealing private information. This violence is particularly perpetrated against journalists, human rights activists, and women active in online spaces.

An important aspect of the exploitation of women through technology is that it increases the risk of other forms of violence against women (such as domestic violence). In addition, over time, it creates new forms of violence, such as the constant surveillance of women through technology or the creation and dissemination of indecent images of them through artificial intelligence.

Protection of women in Pakistani laws:

Article 25 of the 1973 Constitution of Pakistan states: "All citizens are equal before the law and are entitled to equal protection of the law. There shall be no discrimination on the ground of sex. Nothing in this article shall prevent the State from making special provisions for the protection of women and children. (Constitution of Pakistan, 1973)

Article 23 of the 1973 Constitution states: "Provision of Property. Every citizen shall have the right to acquire, hold and dispose of property in any part of Pakistan, subject to any

reasonable restrictions imposed by law in the public interest and in accordance with the Constitution." (Dawn Newspaper. 14 Sep 2018)

Article 310A states: "Punishment for giving a woman in marriage or otherwise in the form of dowry, vani or swara. - Whoever procures any woman for marriage or otherwise compels her to marry, as by any name called dowry, vani or swara or any other custom or custom, in the settlement of any dispute or criminal liability, shall be punished with imprisonment of either description for a term. The term of which may extend to seven years but may not be less than three years and in addition there shall be a fine of five hundred thousand rupees. (Marriage, F.2019)

The Prevention of Unlawful Conduct against Women Act, 2011 states: "Whoever, at the time of the commencement of succession, disinherits any woman from any movable or immovable property by fraud or by illegal means, shall be punished with imprisonment for a term which may extend to ten years, which may extend to five years, or with fine which may extend to one million rupees, or with both." (Women Practices Act 2011)

1. Misinterpretation of Religious Texts and Concepts:

The most frequently weaponized misinterpretation revolves around Quran 4:34. Selective reading isolates the phrase "and those [women] you fear disobedience from, admonish them, forsake them in beds, and strike them" (wa'dribuhunna), divorcing it from its immediate context and the overarching Quranic ethos. This ignores:

1.1- The Preceding Qualifiers: The verse begins by establishing men's role as Qawwamun (maintainers/protectors/responsible caretakers) contingent upon their financial provision (bima faddala Allahu ba'duhum 'ala ba'd). This is a duty of care, not a license for domination.

1.2- The Hierarchical Response: The verse outlines a graduated response to persistent, serious marital discord (nushuz), emphasizing reconciliation. Physical discipline (daraba), highly contested in its meaning (scholars like Ibn Ashur suggest it signifies separation or light tapping as symbolic disapproval, not harm), is presented as a last resort within a specific context, subject to strict limitations derived from Prophetic practice (never striking the face, never causing injury, never with malice).

1.3- The Prophetic Prohibition: Numerous authentic hadiths explicitly condemn beating women. The Prophet (PBUH) stated, "Do not beat the female servants of Allah," and declared in his Farewell Sermon, "...treat your women well... You have rights over your women and they have rights over you... Fear Allah concerning women..." (Sahih Muslim). His own life exemplified gentleness and respect.

1.4- Distortion of Qawwamah: The concept is often inflated into absolute, unquestionable authority over women, justifying control and abuse. Authentically, Qawwamah signifies a responsibility for protection, welfare, and guidance within the family structure – a fiduciary duty (Amanah) demanding benevolence and justice, not tyranny. It implies leadership through service and consultation (Shura), as modeled by the Prophet (PBUH).

1.5- Misuse of 'Obedience' (Taa'ah): The wife's obedience is often framed as absolute submission to the husband's whims. Islamically, a wife's obedience is primarily owed to Allah. Obedience to the husband is required in matters that are Islamically permissible and within the bounds of mutual rights and kindness (Ma'ruf). It cannot extend to disobedience to Allah, nor does it negate her rights to dignity, consultation, and respectful treatment.

2. Abuse and Corruption of Power (Amanah):

Islam views leadership within the family, embodied in Qawwamah, as a sacred trust (Amanah) from Allah (Quran 4:58). DV represents a profound betrayal of this trust:

2.1- Power as Oppression: When the responsibility to protect and provide morphs into a tool for control, intimidation, and violence, it corrupts the divine mandate. Quranic warnings against oppression (Dhulm) are severe and universal: "O you who have believed, be persistently standing firm in justice..." (4:135). Oppressing one's family is explicitly condemned in hadith.

2.2- Economic Control as Abuse: Withholding financial resources, preventing women from working (if Islamically permissible and desired), or seizing their earnings/wealth (Mehr) constitutes economic abuse. Islam guarantees women's independent financial rights (inheritance, ownership, Mehr). Using economic dependence as leverage for control is a violation of Islamic economic justice.

Violation of the Sanctity of Trust: The home (Bayt) is meant to be a sanctuary of peace (Sakinah), love (Mawaddah), and mercy (Rahmah) (Quran 30:21). Perpetrating violence within this space is a desecration of its sacred purpose and a breach of the trust placed in the family head.

3. Entrenchment of Patriarchal Norms Antithetical to Islam:

Pakistani society often operates under a rigid patriarchy mislabeled as "Islamic." This structure is a primary enabler of DV:

3.1- Tribal/Customary Practices over Sharia: Customs like Watta Satta (bride exchange), Swara (giving females to settle disputes), excessive control over marriage choices, notions of "honor" (Izzat) tied solely to female behavior, and silencing victims to protect family "honor" are often cultural/tribal in origin. They frequently contradict core Islamic principles of justice, individual accountability (Quran 6:164), female consent in marriage, and the prohibition of oppression.

3.2- Denial of Female Voice and Agency: Patriarchy suppresses women's voices, discouraging them from reporting abuse or seeking help (religious or legal). Islam, however, grants women full legal personality, the right to seek knowledge, testify in court, inherit, own property, initiate divorce (Khula), and participate in public life within Islamic guidelines. The Prophet (PBUH) actively sought counsel from women like Umm Salamah.

3.3- Male Entitlement and Impunity: Patriarchal norms foster a sense of male entitlement over women's bodies, choices, and lives, coupled with societal tolerance for "disciplining" women. This creates an environment of impunity for perpetrators. Islam emphasizes mutual rights and responsibilities, holds individuals accountable for their actions, and establishes clear legal avenues for redress against oppression, including within marriage.

4. Islamic Remedies: Reclaiming the Prophetic Path:

Addressing these root causes requires remedies firmly anchored in authentic Islam:

4.1- Quranic Literacy & Contextual Tafsir: Promote widespread, critical understanding of the Quran and Sunnah, emphasizing context, objectives (Maqasid), and the overarching themes of justice, mercy, and compassion. Religious scholars (Ulama) must unequivocally condemn DV and correct misinterpretations like those of 4:34 in sermons, fatwas, and educational programs.

4.2- Reviving the Prophetic Model (Sunnah): Highlight the Prophet Muhammad's (PBUH) exemplary conduct: his gentleness, conflict resolution through dialogue, respect for his wives' opinions, and absolute prohibition of violence against women. This is the true standard for Muslim men.

4.3- Empowering Through Islamic Law: Strengthen awareness and access to Islamic legal mechanisms that protect women:

Khula: Facilitate women's right to seek divorce on grounds of harm, including abuse, without undue obstacles.

4.4- Judicial Intervention (Qadis/Courts): Encourage religious judges and civil courts to actively intervene to protect victims and enforce women's rights (maintenance, custody, protection orders) based on Sharia principles prohibiting harm (Darar).

4.5- Enforcing Women's Financial Rights: Protect women's rights to Mehr, inheritance, and fair maintenance (Nafaqah).

4.6- Community Responsibility (Fard Kifayah): Eradicating DV is a collective Islamic obligation. Mosques and community leaders must:

- Break the silence, condemning DV and supporting survivors.
- Establish support systems (counseling, shelters adhering to Islamic principles where needed).
- Promote pre-marital and marital counseling emphasizing mutual rights, kindness (Mu'asharah bil-Ma'ruf), and conflict resolution.

4.7- Integrating Islamic Ethics with State Action: Advocate for laws and policies criminalizing all forms of DV and protecting survivors, framed not as "un-Islamic" but as upholding the Islamic state's duty (Hisbah) to enjoin good, forbid evil, and establish justice. Ensure legal systems are accessible and responsive to women.

Conclusion:

The normalization of domestic violence in Pakistan is a theological and cultural travesty, sustained by the very institutions meant to protect women. By divorcing Quran 4:34 from its ethical framework—graduated conflict resolution (*Nushuz*), Prophetic prohibitions on harm, and the *Qawwamah's* conditional benevolence—abusers recast oppression as piety. Meanwhile, patriarchal customs masquerading as Islamic law (e.g., conflating *Taa'ah* with servitude) entrench male impunity.

Yet Islam itself holds the antidote: the Quran's imperative of *'Adl* (justice), the *Sunnah's* model of spousal equity, and *Fiqh* mechanisms like *Khula* and *Darar* (harm-based divorce). To dismantle DV, Pakistan must: (1) Reclaim Theological Authority—through *Ulama*-led campaigns correcting 4:34's exegesis and emphasizing *Maqasid al-Sharia* (higher objectives); (2) Legislate with Islamic Legitimacy—framing anti-DV laws as enactments of *Hisbah* rather than "Western" impositions; and (3) Empower Communities—via mosque-based counseling and male *Amanah* education. Only by exposing DV as *Dhulm* (oppression) antithetical to Islam—not its mandate—can Pakistan align its practices with the Quran's vision of *Bayt* (home) as a sanctuary of *Sakinah* (peace). The path forward demands not less Islam, but *truer* Islam.

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