

Impact of Domestic Violence in Malaysia During the COVID-19 Pandemic and Alternative Solutions From al-Ghazali's Theory of Hisbah

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Abstract

The COVID-19 pandemic plaguing the country nowadays has had a massive impact. This pandemic has also increased cases of domestic violence. Domestic violence left an impact in terms of physical, mental, and social on the victims. The methodology of this writing is based on a literature review and analysis of information obtained through previous studies. This study will analyze the impact of domestic violence in Malaysia during the COVID-19 pandemic. The result of this study summarizes the alternative solutions from Al-Ghazali's theory of hisbah in dealing with the impacts of domestic violence.

Keywords: Al-Ghazali theory of hisbah, COVID-19 pandemic, domestic violence

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1.0 Introduction

Use Domestic violence is defined here as physical, psychological, sexual, or financial abuse within an intimate or family-type relationship and forms a pattern of coercive and controlling behavior (Abd Aziz, 2018). Domestic violence also can be understood as violence or abuse of power by one person against another in a domestic setting. It can include violence against spouses, children, the elderly, disabled adults, or other family members. Various forms of violence occur in a family, such as physical violence, sexual harassment, and emotional abuse, through speech or psychology (Ismut, 2021). Domestic violence should not happen in a family. According to Islam, the husband is responsible for protecting his wife and family members because the husband plays a role as the family leader. This is clearly stated in the translation of the Quran:

*"Men are the protectors and maintainers of women because Allah has made one of them to excel the other, and because they spend (to support them) from their means."
(An-Nisa' 4: 34)*

The COVID-19 pandemic that hit the country in 2020 has seen the government implement Movement Control Order (MCO) to curb the spread of this pandemic among the community. The MCO involves four phases, namely Phase 1 on 19 March until 31 March 2020, phase 2 on 1 April until 14 April 2020, phase 3 on 15 April until 28 April, and Phase 4 on 29 April until 12 May; the number of domestic violence cases recorded increased in most states along those four phases. Minister of Women, Family and Community Development (KPWK), Datuk Seri Rina Harun, said this MCO had had various effects on society both economically and socially, with more than 32 million people in Malaysia which saw domestic violence cases being among the many reported cases during the COVID-19 pandemic period (Karim, 2021). Domestic violence cases have recorded an increase of eight percent in 2021.

According to (Wanita et al., 2019), among the forms of violence experienced were physical abuse (37 percent), psychological abuse (31 percent), social abuse (11 percent), financial abuse (16 percent), and sexual violence (5 percent). Cases of such abuse linked to

abuse of power by husbands or wives are also categorized as domestic violence. Cases of domestic violence like this not only have an impact on the husbands and wives but also involve all the family members.

Islam strictly forbids its followers to behave rudely and violently towards their spouses or family members. The family should be a unit where feelings of love and affection are instilled among family members. Thus, Islam encourages its people to call to goodness and prevent all the evils around them so that things like this can be overcome. Through this encouragement, the concept of hisbah was introduced by previous Islamic scholars. Hisbah is a religious duty, act, and instruction that includes the concept of calling towards goodness and preventing evil on an individual or group of people who are responsible for taking care of the affairs of Muslims (Farhana et al., 2019). Among the methods of practicing self-hisbah in human management that can be applied are advice, *tazkirah*, *irsyad*, *islah*, *qudwah* and *qiyadah*. In cases of domestic violence in Malaysia, the organization that has responded to play a role in calling for goodness by practicing the Hisbah method is Jabatan Kebajikan Masyarakat (JKM).

2.0 Literature review

Jabatan Kebajikan Masyarakat (JKM) is one of the departments responsible for domestic violence cases and protects victims who often come from women and children. Victims involved in domestic violence cases are protected by government laws to protect their rights and lives. The domestic violence victims' management and protection is based on the Domestic Violence Act 1994 (AKRT). The Act came into force on 1 June 1996. It protects victims of domestic violence either through an Interim Protection Order (IPO) or a Protection Order issued by a court or temporary placement in a safe place (Malaysia, 2022). According to the Social Welfare Statistical Report 2019 saw a total of 227 children were given Interim Protective Order (IPO), and 49 children were given Protective Order (PO) (Wanita et al., 2019).

JKM, the department where complaints are sought for protection, has received various reports related to domestic violence cases in Malaysia during the COVID-19 pandemic. Based on a report from Astro Awani, 9,015 cases of domestic violence were recorded in the community during the MCO implemented nationwide from March 2020 to August 2021 (Karim, 2021). Minister of Women, Family and Community Development (KPWKM), Datuk Seri Rina Harun, said most domestic violence cases were due to economic pressures and stress. So, some people act to injure their own spouses or family members to release stress and anger within themselves (Arifin, 2021).

A statistical report released by PDRM has reported that the number of domestic violence cases showed an increase throughout the COVID-19 pandemic:

Table 1: Cases of Domestic Violence During the COVID-19 Pandemic

Year	Cases of Domestic Violence
March 2020 – August 2020	4110
January 2021 – August 2021	4905
Total	9015

Source: Astro Awani

Table 2: Cases of Domestic Violence During MCO by State (18 Mac – 12 May 2020)

State	Number of Cases
Pulau Pinang	80
Selangor	70
Johor	21
Kuala Lumpur	20
Pahang	13
Perak	12
Kedah	11
Negeri Sembilan	8
Sabah	8
Kelantan	5
Melaka	3
Terengganu	3
Sarawak	1
Perlis	0
Labuan	0
Total	255

Sources: WCC (2020) & KPWKM (2020)

Lot of problems have arisen such as businesses having to close, schools being closed and the community having to work from home. This creates stress in the community which also contributes to the increase in cases of domestic violence. The isolation imposed by the government during the pandemic resulted in cases of domestic violence that impacted various angles, such as social, economic, and mental health. Among the impacts of domestic violence during the pandemic period is social health. According to researchers, victims of domestic violence tend to have social problems, especially women. Victims of domestic violence do not like associating with the surrounding community (Drieskens et al., 2022).

In addition, the study conducted by Yang et al. (2022) showed that women involved in domestic violence would impact depression. Women are among those who are prone to depression due to their unstable emotions. Another study by Pfitzner et al., (2022) showed domestic violence also occurred during the COVID-19 pandemic that struck Australia. Domestic violence has impacted the victims,

especially women, from various angles, especially from physical violence. A national online survey of 1,500 women conducted by the Australian Institute of Criminology from 6 May to 1 June 2020 found that in the first three months of the government-directed lockdown, 4.2% of all women and 8.2% of women in cohabiting relationships had experienced physical violence (Boxall et al., 2020).

Domestic violence also might affect victims' health, such as bleeding, miscarriage, dizziness, vaginal bleeding, unwanted pregnancy, problems in their movement, suffering from various illnesses, losing weight, and sexually transmitted diseases, including HIV (Ramli et al., 2021). Apart from the impact on physical health, previous researchers also reported that female survivors of domestic violence were also affected in terms of mental health, such as depression, fear, anxiety, low self-esteem, obsessive-compulsive disorder, and post-traumatic stress disorder. This is due to the situation of those who live with the perpetrator. These effects are known as long-term effects that are more severe and affect the victim, their children, and close family members. The verbal abuse, executed through excessive intonation, threatening statements, and vulgar remarks, could quickly induce psychological trauma.

According to Syazliana Astrah et al. (2018), women who live in domestic violence situation also experience was forced to get out of their home which impact on their daily routines such as missing their personal belongings during force evacuations or managing childcare issues. There are also the victim's report proves that they are disturbed, tired and unwell, need time for treatment or legal reason, late for work and too disappointed to work. Not only that, the problem can be more serious if the perpetrator also interferes with the victim at work that can cause colleagues to be distracted. This may result in the victim losing her job. In addition, the victims also face risks with workplace accidents that would affect employers.

3.0 Methodology

This research applies the qualitative research approaches, comprising document analyses made in this study. Secondary data was collected using academic articles, local newspapers, and documents from the official websites of the government, non-governmental organizations (NGO), and related organizations. Databases such as Google, Google Scholar, ResearchGate, and Scopus are used to obtain articles, newspapers, and documents related to the context of this study. Keywords like "domestic violence", "COVID-19", "movement control order," "al-Ghazali theory of hisbah," and "Jabatan Kebajikan Masyarakat" were used throughout the process of searching and collecting secondary data. Newspapers and online document documents are filtered from March 2020 to September 2021. This is because the Covid-19 pandemic still exists in our country, and the alert phase remains. The online local news used is through sources such as Utusan Malaysia and Berita Harian. At the initial stage, the study first understands the definition of domestic violence by looking at some related journals and websites.

The study also collected data from libraries through appropriate books and journals. This aims to look at the theory of hisbah introduced by al-Ghazali. This theory is closely related to suggestions for solving and dealing with the impact of domestic violence. Surveys were also conducted on relevant websites discussing the theory of hisbah and domestic violence in Malaysia. Looking at this website, a lot of info, news, issues, and impacts have been discussed regarding the domestic violence cases during the pandemic plaguing the country. The theory of hisbah introduced by al-Ghazali is also discussed concerning the implementation of the solution of problems faced by the community so that the community can get a solution based on Islamic methods.

4.0 Results and Discussion

4.1 The Impacts of Domestic Violence on Victims Under the Protection of JKM

4.1.1 Physical

Hitting, punching, slapping, biting, kicking, injuring, breaking bones, throwing objects, and using weapons are examples of such abuse. Similarly, obstructing human needs such as eating, drinking, sleeping and shelter is one form of physical abuse (Shariffah Nuridah Aishah & Noor'Ashikin, 2010). Domestic violence is synonymous with violence against a spouse or other family member. Domestic violence is widely reported to result in husbands beating their wives and children. However, domestic violence can also happen the other way around, such as a wife hurting her husband or children. This will result in physical injury to the victim's body. Among the injuries that are often reported are bruises on the body and injuries to the head.

According to a Utusan Malaysia newspaper report, there was an incident in 2021 during the COVID-19 pandemic where a wife was beaten by her husband. The situation worsened when the victim was unconscious and found to be in a coma. Even more shocking was that his wife was beaten while pregnant with their 12-week-old child. 1,076 cases involving child abuse were reported in Selangor from January to September 2020. This situation shows that domestic violence is extremely dangerous and affects physical injuries. Injuries like this are severe and must be taken more strictly by the authorities. This is because physical injury is hazardous if left untreated, as it can result in death. This situation shows the domestic violence is extremely dangerous and leaves effects on the physical injuries (Coumarelos et al., 2023). Injuries like this are very serious and need to be taken more strictly by the authorities. This is because physical injury is very dangerous if left untreated as it can result in death.

4.1.2 Mental

Intimidation, insults, degrading women can leave the same bad effects as physical abuse because it can harm a woman's self-esteem and feelings and her ability to control her own life (Shariffah Nuridah Aishah & Noor'Ashikin, 2010). Mental health is the most critical aspect that needs to be taken care of by a human being. This is because most victims of domestic violence are reported to have mental

problems such as stress, trauma, and depression. Those who experience domestic violence situations tend to feel intimidated by violence. They will easily experience emotional stress. In addition, a person's mental health can also occur because of mental abuse in the household, categorized as domestic violence. Domestic violence will leave a lasting impression on women because they are the ones who are often persecuted in a marriage as a result of the husband's actions which are considered as *nusyuz*. According to Sinar Harian Newspaper, women are very often involved in domestic violence. This will easily disrupt their emotional stability. There have been reported cases involving a woman who experienced emotional stress throughout the MCO. The victim had made a report with the Women's Aid Organization stating that she was experiencing extreme stress and problems during the MCO. The victim was often beaten in the past, but during the MCO, the victim suffered emotional abuse when her husband did not provide enough money for herself and the children. The victim also had to keep live together as he was trapped because of the MCO. Based on the cases reported in the press related to the mental stress faced by victims of domestic violence, it is apparent that mental or emotional stress dramatically affects the victim's personal life. Actions such as reports or counseling sessions need to be taken to address domestic violence cases with adverse mental and emotional effects.

4.1.3 Social

This abuse often occurs in the home, where women are often driven to depend on their partner and isolated from outside support (Shariffah Nuridah Aishah & Noor'Ashikin, 2010). The impact of domestic violence on society is one of the things that the community and the authorities should also give attention. The social impact can also lead to emotional stress. This often happens to women and children. They were locked up and prohibited from associating with the community for fear of being exposed to cases of violence in their families. As a result, such incidents cannot be reported to the authorities by their neighbours and acquaintances.

According to the Chief Executive Officer of the Johor Women's Intellectual Empowerment Association (JEiWA), Nor Fadilah Nizar, she said many victims of abuse refused to come forward because of shame. Moreover, many did not believe that their husbands also abused professionals such as doctors and engineers. She added that the stigma of being a widow also prevented women victims of abuse from coming forward to make complaints which eventually found a dead end. The impact on society needs to be looked at carefully because it is one of the leading causes of cases of domestic violence that are protracted in Malaysia.

5.0 Discussion

5.1 Alternative Solution from Al-Ghazali's Theory of Hisbah

The approach of the theory of hisbah practiced by Al-Ghazali was in line with the words of Allah SWT:

"Invite (people) to the way of your Lord with wisdom and good counsel. Moreover, argue with them in the best of manners. Surely, your Lord knows best the one who deviates from His way, and He knows best the ones who are on the right path."
(Surah Al-Imran 3: 125)

Based on the translation of the Quranic verses above, Allah has called on the Prophet Muhammad SAW and his followers to invite people to the religion of Allah in a good way. Thus, Imam Al-Ghazali has suggested three approaches based on the theory of hisbah: the wise way, good advice and the best discussion.

5.1.1 Wise Approach

A wise approach requires the nature of wisdom to include justice, patience, rejecting ignorance, upholding the truth, speaking the truth, preventing from corruption, using knowledge to understand and deepen something, upholding the truth with thoughtful arguments and integrating Quran and Hadith. Therefore, the nature of wisdom needs to be applied when advice is given. This principle coincides with the hadith:

"Speak to people with what they can understand! Do you want them to deny Allah and His Messenger."
(Narrated by Imam Bukhari)

The wise approach has been widely used by JKM in their counselling sessions. According to (Fadzlunesa & Khairunesa, 2019) this apply a wise approach in an organization. In this context, the counsellor needs to listen with interest, empathy, friendliness, and caring, giving the victim the opportunity and freedom to think and act to solve the problem with the help and advice from the counselor. This approach is perfect for encouraging the victim to solve their problem instead of running away from the problem.

Based on Al-Ghazali's theoretical approach, a wise approach can help address social impact. The impact on social is between difficult things. It requires a prudent approach because of the difficulty of the victim to interact as there are some barriers, such as prohibition by the husband. The problem of mental and emotional stress requires a wise approach because it is not as simple as physical. Mental and emotional is an internal that requires wisdom in approaching it in addition to arguments based on Quran and Hadith to strengthen faith and dependence on Allah SWT while encouraging the victim to find a solution through in-depth discussion by showing intention to help.

5.1.2 Good Advice

Some scholars explain the meaning of good advice is to encourage to leave bad things or give advice that brings good. In addition, there are also those who argue that good advice means subtle advice, that is, not by cursing or scolding. This is because gentle advice

will be able to give awareness and realization. Good advice and teaching are necessary when dealing with victims of domestic violence because good advice will make the victim want to be helped by people around. The principle of wisdom and good advice is an approach shown in Islam based on the words of Allah SWT:

"Invite to the way of your Lord with wisdom and fair preaching and argue with them with that which is best. Truly, your Lord best knows who has strayed from His path, and He best knows those who are guided."
(Surah An-Nahl 16: 125)

This method is one of the ways to guide, teach or show the way toward goodness or goals according to Islamic law. This is intended to guide the truth to avoid oppression in the family institution. According to (Schaerer et al., 2018), good advice will have a positive effect and lead to good change to the person receiving the advice. Good advice will give the strength to decide. In addition, good advice can also be used by JKM to help the victims to find a solution. Some victims do not know what they should do in the domestic violence situation. They need someone's advice for them to decide to solve the problem. In this situation, JKM is the right institution for them to get advice for their problem.

5.1.3 Best Discussion

Discussion is best defined as not personally offensive, insulting, and demeaning, or even feeling like another individual is trying to understand and help solve the problem at hand. Individuals experiencing problems will equally discuss, express feelings and share real problems. Through good discussion, the individual feels there will be someone who will guide them to solve the problems they are facing. While the primary source of the discussion approach, according to Imam al-Ghazali is based on the Quran and Sunnah. All discussions must coincide with the Quran and Sunnah in terms of content and method. The Quran has clarified several things in discussing human beings. This is based on the translation of the Quran:

"O you who believe! Let not a group scoff at another group"
(Surah Al-Hujurat 49: 11)

According to (Fadzlunesa & Khairunesa, 2019) in counseling against organizations, a good discussion approach is applied by practicing good communication between one person to another person. This is so that those with problems can express their feelings about the problems they are facing or the things they do not like. This method effectively reduces the gap between the two parties and can solve the problem directly. Based on Al-Ghazali's theoretical approach, the best discussion must be practiced by JKM for their client. This is because the best discussion is necessary for the victim with the intent or help from the occurrence of more serious incidents. Discussions can also be done with the victim so that he does not feel alone in facing this problem, and some parties are willing to help solve the problem.

6.0 Conclusion & Recommendations

In conclusion, although the implementation of the MCO is suitable for controlling and breaking the COVID-19 pandemic chain, it has yet indirectly proven that other social issues, such as domestic violence, exist. This study successfully uncovered three impacts of domestic violence during the COVID-19 pandemic, which is in term of physical, mental, and social. JKM is a related organization for domestic violence issues that can apply the approach of al-Ghazali's theory of hisbah in dealing with the victims. This theory can help the victims maintain their mental health. Therefore, husband and wife and parents need to act rationally in the face of difficulties during the COVID-19 pandemic. There are a lot of solutions that can be used to solve problems that occur in the household. Acting with violence is not the solution. They are even adding to the existing problems. Observations on children should also be considered so they are not affected by these domestic violence cases because children have a future that needs to be patterned with parental love.

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Paper Contribution to Related Field of Study

This research paper contributes to authorities such as the Jabatan Kebajikan Masyarakat (JKM) dealing with domestic violence based on al-Ghazali's method through the hisbah approach. In addition, this study helps further develop Islamic methods in dealing with domestic violence.

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